

**HOUSE . . . . . No. 797**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Garrett J. Bradley***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to correct uninsured motorist coverage anomaly for listed operators.

PETITION OF:

NAME:

*Garrett J. Bradley*

DISTRICT/ADDRESS:

*3rd Plymouth*

**HOUSE . . . . . No. 797**

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By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 797) of Garrett J. Bradley relative to uninsured motor vehicle operator insurance coverage. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 855 OF 2013-2014.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act to correct uninsured motorist coverage anomaly for listed operators.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 113 of Chapter 175 of the General Laws is hereby amended by striking the  
2 second and third sentences in paragraph 5 and inserting in place thereof the following:

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4           An insured who is not a named insured on any policy providing uninsured motorist  
5 coverage may recover only from the policy of a resident relative or of anyone living in his or her  
6 household upon whose policy he or she is listed as a regular operator providing the highest limits  
7 of such coverage whether or not such vehicle was involved in the accident; provided, however, if  
8 there are two or more such policies which provide such coverage at the same limits a pro rata  
9 contribution will be made. Any injured occupants who are not named insureds on a policy and  
10 who are not insured on a resident relative’s policy or are not listed as a regular operator on a

- 11 policy of someone living in his or her household may obtain underinsured motorist coverage
- 12 from the named insured's policy covering the vehicle they occupy when injured.