

**HOUSE . . . . . No. 867**

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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 passage 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

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## 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 to strike the second and third  
2 sentences in paragraph 5 and to substitute therefore, the following:

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