

SENATE No. 00453

The Commonwealth of Massachusetts

PRESENTED BY:

Anthony W. Petruccelli

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 relative to auto insurance repair programs.

PETITION OF:

NAME:

Anthony W. Petruccelli

DISTRICT/ADDRESS:

First Suffolk and Middlesex

SENATE No. 00453

By Mr. Petruccelli, petition (accompanied by bill, Senate, No. 453) of Petruccelli for legislation relative to auto insurance repair programs [Joint Committee on Financial Services].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to auto insurance repair programs.

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 1. Chapter 175 of the General Laws is hereby amended by striking out section
2 113T and inserting in place thereof the following section:-

3 Section 113T. Notwithstanding the provisions of section 8G of chapter 26 and
4 notwithstanding the provisions of the third and fourth paragraphs of section 113O of this chapter,
5 a motor vehicle liability policy may, upon approval by the commissioner, include coverage
6 pursuant to which the insurer will arrange for repair to damage to insured motor vehicles, in
7 accordance with collision or limited collision coverage provided under section 34O of chapter 90
8 or comprehensive coverage provided under sections 113C and 113O of this chapter, at
9 participating repair shops. One or more registered automobile damage repair shops may contract
10 with an insurer or insurers as a participating repair shop to repair damage to insured motor
11 vehicles covered under a participating repair shop endorsement. The commissioner’s approval
12 shall take into account standards to ensure that the endorsement will be offered in a

13 nondiscriminatory manner, and that the repair services provided by a participating repair shop
14 will be of at least comparable quality to those made provided by a non-participating registered
15 repair shop. In determining whether the repair services are at least comparable to those provided
16 by a non-participating registered repair shop, the commissioner shall consider the geographical
17 convenience of the participating repair shops to insureds, the days and hours of operation of the
18 participating repair shops, the timeliness of repairs performed by the participating repair shops
19 and the guarantee provided for repairs performed by the participating repair shops. Nothing in
20 this section shall be deemed to compel an insurer to offer participating repair shop coverage.