HOUSE DOCKET, NO. FILED ON: 1/13/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Garrett J. Bradley**

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*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: | District/Address: |
| Garrett J. Bradley | 3rd Plymouth |

The Commonwealth of Massachusetts

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**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:*

Section 113 of Chapter 175 of the General Laws is hereby amended to strike the second and third sentences in paragraph 5 and to substitute therefore, the following:

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