

HOUSE No.

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

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