

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Viriato Manuel deMacedo**

*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 realtive to rental vehicle and replacement vehicle transactions and services.

PETITION OF:

NAME:

Viriato Manuel deMacedo

DISTRICT/ADDRESS:

1st Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 934 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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**AN ACT REALTIVE TO RENTAL VEHICLE AND REPLACEMENT VEHICLE TRANSACTIONS  
AND SERVICES.**

*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. Notwithstanding any general or special law to the contrary, no insurance company, third party  
2 biller, agent or adjuster for such insurance company that issues or renews in the commonwealth any policy of  
3 insurance covering in whole or in part any motor vehicle may require that any person insured under said policy use  
4 a particular company or location for the providing of rental vehicle and replacement vehicle transactions and  
5 services or products insured in part by that policy.

6           No such insurance company, third party biller, agent or adjuster for such insurance company may engage  
7 in any act or practice of intimidation, coercion, threat or inducement for or against any such insured person to use  
8 a particular company or location to provide such services or products, nor shall such insurance company, producer  
9 or adjuster provide for, allow or facilitate telephonic claims information directly to preferred rental vehicle and  
10 replacement vehicle companies.

11           The provisions of this section are applicable only to replacement vehicle companies who will accept  
12 payments from insurance companies. Failure to comply with the provisions of the above paragraph will result in a  
13 fine of not less than \$300 or more than \$500 for each incident, and shall be payable to the division of insurance by  
14 the insurer.