

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Ms. Tucker

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 providing auto insurance special investigators with access to registry of motor vehicle photographs

PETITION OF:

NAME:

Ms. Tucker

DISTRICT/ADDRESS:

Second Essex and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROVIDING AUTO INSURANCE SPECIAL INVESTIGATORS WITH ACCESS TO REGISTRY OF MOTOR VEHICLE PHOTOGRAPHS.

*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 16 of the General Laws, as appearing in the 2006 Official Edition, is
2 hereby amended by inserting after section 9 the following section:-

3 Section 9A. (a) For the purposes of this section, the following words shall have the following
4 meanings:-

5 “Claim”, any application submitted to a motor vehicle insurer seeking compensation for injuries
6 alleged to have been sustained in a motor vehicle collision or for compensation for theft or
7 damage as a result of theft of or from or vandalism to a motor vehicle.

8 “Computerized access”, direct access via computer, including the ability to download text and
9 images as provided in this section.

10 “Licensee”, a person issued a license or right to operate a motor vehicle by the registry of motor
11 vehicles.

12 “Driver’s license information”, all information, including photographs, contained on a driver’s
13 license or permit to operate a motor vehicle issued by the registry of motor vehicles.

14 “Motor vehicle insurers”, motor vehicle insurance carriers that write policies of insurance for
15 individuals within the commonwealth.

16 (b) Notwithstanding any general or special law, ordinance, rule or regulation to the
17 contrary, the registry of motor vehicles shall adopt rules and regulations to permit motor vehicle
18 insurers computerized access, for a fee, to driver’s license information, including photographs, to
19 the extent necessary to discern the identity of individuals who submit claims based on having
20 been injured in a motor vehicle collision. The information obtained pursuant to this statute and
21 the use thereof, shall be restricted to those entities set forth herein and their legal counsel and
22 only in connection with claims that have been referred to, and accepted by, a special
23 investigations unit of: motor vehicles insurers; the Insurance Fraud Bureau of Massachusetts; the
24 National Insurance Crime Bureau, the United States Attorney’s Office, the Federal Bureau of
25 Investigation, the department of state police; a municipal police department; the attorney general;
26 or a district attorney, which is conducting an investigation of or prosecuting a criminal case
27 involving claims in which fraudulent activity is suspected or alleged. Such information shall be
28 used only to extent necessary to conduct and complete an investigation of a motor vehicle
29 insurance claim presented by or on behalf of a claimant or to prosecute a criminal case against a
30 claimant or any co-conspirator and shall not otherwise be disseminated or published to any
31 individual or agency, but may be transmitted among the entities and agencies authorized to
32 receive this information pursuant to this section.