

**SENATE . . . . . No.**

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**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 reducing automobile insurance costs and premiums in the Commonwealth..

PETITION OF:

NAME:

Ms. Tucker

DISTRICT/ADDRESS:

Second Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00646 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT REDUCING AUTOMOBILE INSURANCE COSTS AND PREMIUMS IN THE COMMONWEALTH.

*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. Legislative Findings.

2 Whereas, automobile insurance is a significant, legally mandated household expense, without  
3 which consumers place their financial security and livelihood at risk;

4 Whereas, Massachusetts drivers have the highest accident rate in the nation, which is the main  
5 factor driving the increase in insurance premiums;

6 Whereas, the most common consumer complaint about automobile insurance in Massachusetts  
7 concerns its high cost;

8 Whereas, reform to the state's automobile insurance regulatory system must first be to reduce the  
9 cost of premiums;

10 Whereas, the most effective way to reduce Massachusetts automobile insurance premiums is to  
11 focus on reducing the underlying costs of our auto insurance system, including the state's high  
12 rate of accidents;

13 Therefore, Massachusetts must identify and adopt a comprehensive plan to reduce the state's  
14 underlying costs, including our highest-in-the-nation accident rate; and the reforms to reduce the  
15 state's costs and accident rate must involve state and local government, the insurance industry,  
16 police, drivers and insurance regulators.

17 SECTION 2. There shall be a special commission to investigate and study the impact and effects  
18 of automobile accidents in Massachusetts on automobile insurance premiums and to develop a  
19 comprehensive plan to lower the state's accident rate. The commission's plan shall also examine  
20 any other factors that affect the underlying costs, and therefore the premiums, of our auto  
21 insurance system. This commission shall submit a report detailing this plan, together with  
22 analyses of costs and drafts of legislation necessary to implement the recommendations, to the  
23 clerk of the house representatives who shall forward the same to the joint committee on  
24 insurance and the house and senate committees on ways and means no later than 180 days after  
25 the passage of this law. This investigation, study and report shall include, but not be limited to, a  
26 review of the following potential reforms:

- 27 a) Identifying and redesigning the most dangerous intersections in the state;
- 28 b) Adopting a primary seatbelt law;
- 29 c) Informing drivers clearly and regularly about the full cost of at-fault accidents, speeding  
30 tickets, and other traffic violations on individual automobile insurance rates;

- 31 d) Improving enforcement of traffic violations in conjunction with a review of existing  
32 traffic restrictions to ensure that they are appropriate, reasonable, and not unnecessarily  
33 restrictive such that they dilute the weight of their public safety purpose;
- 34 e) Discounts for safer vehicles;
- 35 f) Discounts for individuals who participate in driver education programs;
- 36 g) Initiatives to combat drunk-driving;
- 37 h) Discounts for consumers who agree to use their own health insurance in case of accident  
38 related injuries;
- 39 i) Improving traffic lane markings, traffic lights and signals, and road/street signs;
- 40 j) Prohibiting the use of wireless phones while driving;
- 41 k) Making it easier for consumers to switch auto insurers;
- 42 l) Disclosing and making accessible better and more information about any/all  
43 discounts companies are offering; and
- 44 m) Eliminating incentives to engage in fraudulent activities, revising existing penalties for  
45 committing fraud, and increasing enforcement aimed at eliminating fraud.

46 SECTION 3. The commission shall consist of 21 members, including the legislative chairs of  
47 the joint committee on financial services, or designees; 2 members of the house appointed by the  
48 speaker of the house; 2 members of the senate appointed by the senate president; the attorney  
49 general or designee; the commissioner of insurance, or designee; the director of the Office of  
50 Consumer Affairs and Business Regulation, or designee; the director of the State Rating Bureau,  
51 or designee; 2 representatives of the automobile insurance industry to be appointed by the senate  
52 president; the mayors of Lawrence and Boston or designees; a representative from MASSPIRG;  
53 a representative from the Center for Insurance Research; a representative from AARP; a

- 54 representative from the Insurance Fraud Bureau; a representative each from the state and
- 55 municipal police departments; and the director of the Highway Safety Bureau, or designee.