

All private passenger motor vehicle insurance business must either be written voluntarily by a company or be declined and referred for placement through the MAIP, subject to the non-eligibility requirements described in Section B. of this Chapter.

Additional eligibility details are described in Rule 26 – Policyholder Rights and Responsibilities of CAR’s Rules of Operation.

A. Applicants Eligible for MAIP Coverage

Coverage through MAIP is available to residents and non-residents of the Commonwealth of Massachusetts. The motor vehicle to be insured must already be registered or will be registered in the Commonwealth of Massachusetts within 15 days. Note, however, that the motor vehicle of a non-resident member of the United States military forces may be registered in another state provided that such military non-resident is stationed in the Commonwealth of Massachusetts at the time of application and is otherwise eligible for insurance.

An applicant must first attempt to obtain motor vehicle insurance in the voluntary market. If the applicant is unable to secure a voluntary insurance policy, the applicant is eligible for placement through MAIP. An application submitted to CAR through the MAIP Policy Application and signed by the applicant may be considered certification that the applicant has attempted to obtain motor vehicle insurance in the voluntary market.

An application for MAIP placement shall be considered in good faith as long as the applicant reports all information of a material nature, does not make incorrect or misleading statements and is otherwise eligible for motor vehicle insurance and for MAIP placement.

An applicant with a valid foreign driver’s license from any country is eligible for MAIP placement. If the foreign driver’s license is not written in English or does not contain an English translation, the license holder must obtain and carry either a valid International Driving Permit or an acceptable alternative translation document. Specific information relative to driving privileges for foreign licensed drivers is available on the Massachusetts Registry of Motor Vehicles website (www.mass.gov/rmv).

B. Applicants Not Eligible for MAIP Coverage

1. An Assigned Risk Company (ARC) is required to offer or continue to offer motor vehicle insurance to an applicant or insured except under the following circumstances:
 - a. if any person who usually drives the motor vehicle does not hold, is not eligible to obtain or fails to obtain a driver's license as required by law,
 - b. if the applicant or any person who usually drives the motor vehicle has failed to pay a company any premium due during the preceding 12 months, and/or
 - c. if the applicant has failed to make the motor vehicle(s) available for inspection pursuant to 211 CMR 94. In this circumstance, the applicant will not be entitled to physical damage insurance in accordance with Rule 27 – Coverages of CAR's Rules of Operation and no ARC will be required to offer or continue to offer physical damage coverage to the applicant.
2. An applicant that is otherwise eligible for insurance coverage is not eligible for placement through the MAIP if the applicant is one of two or more entities, in each of which the same person or group of persons or corporations owns a majority interest. None of such entities will be eligible for insurance through the MAIP if any of the entities have failed to meet its premium obligations as noted in Section B.1.b.

C. Motor Vehicles Eligible for MAIP Assignment

Any motor vehicle that may be insured under the standard Massachusetts Private Passenger Automobile Insurance Policy and that meets the private passenger definition in the Massachusetts Private Passenger Residual Market Automobile Insurance Manual is eligible for MAIP assignment.

D. Re-Eligibility Criteria

An applicant that is denied or is not eligible for insurance coverage through the MAIP or that has had insurance cancelled in accordance with Rule 26 – Policyholder Rights and Responsibilities of CAR's Rules of Operation may reapply for MAIP coverage once the cause of ineligibility has been resolved or the circumstances surrounding the

ineligibility have changed. The application will be treated as a new business application and the applicant will be assigned to a Member in accordance with Rule 29 – Assignment Process of CAR’s Rules of Operation, and will be subject to the applicable premium deposit requirements specified in Rule 28 – Application Process of CAR’s Rules of Operation.

If the applicant had a policy that had been previously cancelled for non-payment of premium and has an outstanding premium balance due on an assigned risk policy, the applicant will be assigned to the same ARC to which the premium is due and the policy premium deposit will be applied first to the outstanding premium due and any remaining deposit balance will be applied to the new policy.