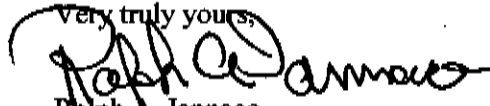December 4, 2008

Honorable Nonnie S. Burnes
Commissioner of Insurance
Massachusetts Division of Insurance
One South Station
Boston, MA 02110

RE: Private Passenger Residual Market Automobile Insurance Manual Filing for Policies Effective
        April 1, 2009 and Later

Dear Commissioner Burnes:

Pursuant to G.L. c. 175, § 113H, G.L. c. 175, § 113A, and 211 CMR 79.00, Commonwealth
Automobile Reinsurers (CAR) hereby files its Private Passenger Automobile Insurance Manual Rules for
use in conjunction with rates for policies written through the Massachusetts Automobile Insurance Plan
(MAIP) with effective dates on and after April 1, 2009. The forms filing will be submitted under separate
cover.

CAR is prepared to discuss the issues addressed in this filing as you may request.

Very truly yours,

Ralph A. Iannaco
President

Enclosures
cc: Docket Clerk – Division of Insurance
        Mr. Kevin Beagan – State Rating Bureau
        Honorable Martha Coakley – Attorney General

MASSACHUSETTS AUTOMOBILE INSURANCE MANUAL

PRIVATE PASSENGER – RESIDUAL MARKET

AS OF APRIL 1, 2009

Printed and Distributed by

Commonwealth Automobile Reinsurers, 225 Franklin Street, Boston, MA 02110

TABLE OF CONTENTS

Page

SECTION I - GENERAL RULES

Rule No.

SECTION II - PRIVATE PASSENGER AUTOMOBILES

Rule No.

SECTION II - PRIVATE PASSENGER AUTOMOBILES (cont.)

A

Page

RATE SECTION

SECTION I - GENERAL RULES

RULE 1. ELIGIBILITY

All individually owned vehicles registered under the Massachusetts Compulsory Motor Vehicle Law that are eligible for private passenger motor vehicle insurance under the rules of the Massachusetts Automobile Insurance Plan (MAIP) may be rated in accordance with this manual and written on the Commonwealth Automobile Reinsurers (CAR) Massachusetts Automobile Insurance Policy.

RULE 2. COVERAGES AND LIMITS

The types of coverages available in the CAR Massachusetts Automobile Insurance Policy are:

Compulsory Insurance Coverages

Part 1 - Bodily Injury To Others
The basic limits are $20,000 each person and $40,000 each accident.

Part 2 - Personal Injury Protection
The basic limit is $8,000 for each person. Refer to Rule 30 for available deductibles.

Part 3 - Bodily Injury Caused By An Uninsured Auto
The basic limits are $20,000 each person and $40,000 each accident. Increased limits are available. The limits may not exceed the limits of Part 5, or if Part 5 is not purchased, Part 1 of this policy. This coverage is excess over Personal Injury Protection.

Part 4 - Damage To Someone Else's Property
The basic limit is $5,000 each accident. Increased limits are available.

Optional Insurance Coverages

Part 5 - Optional Bodily Injury To Others
The basic limits are $20,000 each person and $40,000 each accident. Increased limits are available.

Part 6 - Medical Payments
The basic limit is $5,000 each person. Higher limits are available for all motor vehicles rated in this manual. Motorcycle limits are available from $500 to $25,000. This coverage is excess over Personal Injury Protection.

Part 7 - Collision
This coverage is subject to a basic deductible of $500. A deductible of $300 is available subject to underwriting requirements established by the insurer, as permitted by law. Higher deductibles are available at the option of the insured. Waiver of Deductible is available at the option of the insured. Endorsement MPY-0016-S must be attached. This coverage is written on an actual cash value or stated amount basis.

Part 8 - Limited Collision
This coverage is subject to a basic deductible of $500. Other deductibles or full coverage are available at the option of the insured. This coverage is written on an actual cash value or stated amount basis.

Part 9 - Comprehensive
This coverage is subject to a basic deductible of $500. A deductible of $300 is available subject to underwriting requirements established by the insurer, as permitted by law. Higher deductibles are available at the option of the insured. A separate $100 glass deductible is also available at the option of the insured. Endorsement MPY-0039-S, titled $100 Glass Deductible, must be issued with the policy. This glass deductible is in addition to the otherwise applicable deductible for Part 9. This coverage is written on an actual cash value, stated amount or agreed amount basis.

Part 10 - Substitute Transportation
This coverage pays for loss of use to a motor vehicle as a result of an accident or loss. Refer to the Miscellaneous Rating factors page for applicable limits and premiums.

Part 11 - Towing And Labor
This coverage will pay up to $50 or up to $100 for towing and labor costs for each auto disablement. It is available only for private passenger motor vehicles, as defined in Rule 27, and motorcycles.

Part 12 - Bodily Injury Caused By An Underinsured Auto
The basic limits are $20,000 each person and $40,000 each accident. Increased limits are available. The limits may not exceed the limits of Part 5, or if Part 5 is not purchased, Part 1 of this policy. This coverage is excess over Personal Injury Protection.

Other Coverages Available Are For:

Fire, Theft and Combined Additional Coverage subject to a basic deductible of $500. Higher Deductibles are available at the option of the insured.

Theft coverage may be granted only in connection with Fire Coverage, and for a like amount in both cases.

These coverages are written on an actual cash value basis or stated amount basis.

Endorsement MPY-0031-S, titled Other Optional Insurance – Combined Additional Coverage, must be issued with the policy when this coverage is afforded.

Endorsement MPY-0028—S, titled Other Optional Insurance – Fire, Lightning and Transportation, must be issued with the policy when this coverage is afforded.

Endorsement MPY-0029-S, titled Other Optional Insurance – Theft, must be issued with the policy when this coverage is afforded.

RULE 3.   COVERAGE AVAILABILITY

 Massachusetts law and the provisions of Rule 27 of the CAR Rules of Operation require insurers to make the following levels of coverage available at the insured's request for policies assigned through the MAIP:
1.   Limits up to $250,000 each person and $500,000 each accident for Parts 3, 5 and 12. Limits above $250,000 each person and $500,000 each accident may be provided at the option of the insurer.
2. $8.000 each person for Part 2
3. $25,000 each person for Part 6.
4.   Actual cash value subject to a $500 deductible for Parts 7, 8 and 9, including fire, theft, and combined additional coverage.

Insurers must charge an extra-risk rate or refuse Collision and Comprehensive coverages under certain circumstances as required by law. Refer to Rule 24 for extra-risk rating procedures.

RULE 4.   STANDARD PROCEDURES

A. Renewals

1.   The insurer must mail the coverage selections page not less than thirty days prior to policy expiration. The coverage selections page may be accompanied by the Massachusetts renewal form.

     If the Massachusetts renewal form is sent to the policyholder,   it is not necessary for the policyholder to return this form to the producer or company representative unless the information contained on the coverage selections page or the Massachusetts renewal form is inaccurate or obsolete.

2.   The insurer may elect to secure payment of a deposit premium. The premium quotation shall be based on the latest classification information and premium charges established for the renewal policy.

3.   Failure to pay the deposit premium may result in cancellation of the policy. The specific reason for cancellation is non-payment of any required premium.

     The Cancellation Notice must also contain the following statement:

     "This cancellation will not take effect if the full amount due shown above is paid on or prior to the effective date of cancellation."

B. Non-Renewal

1. An insurer may refuse to renew a policy assigned to it through the MAIP only at the expiration of the third or subsequent renewal as described in the MAIP Rules of Operation No insurer shall refuse to renew a policy unless written notice is provided to the insured, or the producer or broker producing the business, at least forty-five days prior to the expiration of the policy.

    a. The insurer's notice of its intent not to renew the policy should be electronically transmitted in accordance with procedures prescribed by the Registry of Motor Vehicles.

    b. If the notice is sent by the company to the producer or broker producing the business, such producer or broker shall, within fifteen days of receiving such notice, send a copy to the insured if the producer or broker is unable to secure replacement coverage for the policyholder.

C. New Business

1. The producer is required to submit a new business application for the applicant

2. The producer must verify that there is no automobile insurance premium owed to the former insurer or producer.

3. The producer of record must provide the information necessary for an insurer to transmit data to the Registry of Motor Vehicles for each vehicle insured.

    In addition to reporting the necessary information to the insurer, the producer shall prepare an RMV-3 form, accompanied by the appropriate fee, for processing by the Registry of Motor Vehicles.

4. At the same time this information is provided to the assigned insurer, the producer of record shall notify the former producer of record, if known, and the former insurer, that a certificate of coverage has been issued for the policy. The notice must meet the following minimum standards:
    The notice must be signed by the producer of record for the newly assigned policy or issued on the assigned insurer's letterhead; and

    The notice must bear the registry stamp of the new insurer. The stamp may be in electronic format.

    Such notice may be made in hard copy or electronic format, and copies are acceptable.

5. Upon receipt of the notice of coverage, the former insurer, if any, shall:

    a. Notify the Registry that coverage has been discontinued as of the date shown in the notice;

    b. Compute the return premium, if any, as of the date shown on the notice.

D. Cancellation

1. Cancellation must be given in accordance with Massachusetts law and the MAIP Rules of Operation. Any notice of cancellation shall include the specific reason(s) for cancellation. Any return premium owed the policyholder shall be made in accordance with provisions of Rule 18 of this manual. The insurer must electronically notify the Registry of Motor Vehicles in accordance with the procedures established by the Registry.

RULE 5.   RESIDENCE AND LOCATION

The proper rate schedules and rules are those effective in the city or town where the automobile is principally garaged. Motor vehicles used by salesmen or solicitors, or those with similar duties, requiring the operation of the motor vehicle in more than one rating territory in Massachusetts, shall be assigned to the territory determined by the place of principal garaging, or, if there is no specific city or town of principal garaging, then, by the residential address of the operator, or, if the residential address of the operator cannot be determined, then, by the Massachusetts

business address of the operator. No adjustment of the premium shall be made by reason of a change in the place of principal garaging during the policy period unless such change is permanent.

Massachusetts registration is required of non-residents in accordance with reciprocal agreements with the various states as determined by the Registrar of Motor Vehicles.

Any motor vehicle owned by a non-resident of Massachusetts for which Massachusetts registration is required, regularly garaged inside the Commonwealth, shall be charged the rate for the territory in which the motor vehicle is principally garaged by such non-resident during the period of Massachusetts registration.

RULE 6.   OUT-OF-STATE GARAGING

Any motor vehicle, whether owned by a resident or non-resident of Massachusetts for which Massachusetts registration is required, principally garaged outside of Massachusetts shall be written at limits of liability at least equal to the financial responsibility limits of the state of principal garaging, and shall be charged the rates for vehicles garaged in Territory 9.

RULE 7.   POLICY PERIOD

A.   Policies issued by assignment through the MAIP shall be for 12 month terms.

B.   Policies insuring individually owned motorcycles, trailers and other recreational-type vehicles shall, at the option of the insured, be issued for a period of less than one year with policy expiration to be coterminous with the registration.   Endorsement M-0103-S, titled Non-Renewal of Policy (Motorcycles, Recreational Vehicles & Trailers), must be issued with the policy.

“Recreational-type vehicle” means a land motor vehicle subject to a motor vehicle registration which expires November 30 or December 31, and is principally used for vacation travel or leisure-time activity. Registration for motorcycles expires December 31. Registration for all other recreational vehicles expires November 30.

The premium for such policies shall be determined by applying the appropriate percentage to the annual rate based on policy inception date as shown in the table below.

If a short term policy is cancelled at the request of the insured later than thirty days from the effective date or later than thirty days from the receipt of the policy, whichever is later, the return premium shall be calculated on a short rate basis using the appropriate short rate table applicable to short term policies found in Rule 18.

Percentages for Short Term Policies

Date Interval*				Percent of Annual Rates
All Other		**Motorcycle**		
Dec.	1-31	Jan.	1-31	100
Jan.	1-31	Feb.	1-28	98
Feb.	1-28	Mar.	1-31	94
Mar.	1-31	Apr.	1-30	90
Apr.	1-30	May	1-31	88
May	1-31	Jun.	1-30	86
Jun.	1-30	Jul.	1-31	80
Jul.	1-15	Aug.	1-15	75
Jul.	16-31	Aug.	16-31	68
Aug.	1-15	Sep.	1-15	60
Aug.	16-31	Sep.	16-30	53
Sep.	1-15	Oct.	1-15	45
Sep.	16-30	Oct.	16-31	38
Oct.	1-15	Nov.	1-15	30
Oct.	16-31	Nov.	16-30	27
Nov.	1-15	Dec.	1-15	20
Nov.	16-30	Dec.	16-31	14

*All dates inclusive

RULE 8.　CHANGES

A. All mid-term changes to the policy requiring adjustments of premium shall be computed pro rata based on the rates in effect on the policy inception date.

B. Minimum Premiums

1. If an outstanding policy is amended and results in a premium adjustment of less than $5, such adjustment may be waived, or it may be made subject to a minimum adjustment of $5 except that the actual return premium of less than $5 shall be allowed at the request of the insured.

2. A minimum premium of $5 shall apply if an additional premium results because a coverage is added, or the limits of liability are increased, or a deductible is reduced, at the request of the insured during the policy period.

3. If a return premium of less than $5 results because a coverage is cancelled, or limits of liability are reduced, or a deductible is increased at the request of the insured, no refund need be made except at the request of the insured, in which case the actual return premium shall be allowed.

4. If the limits of liability are increased because of a change in the limits prescribed under any financial responsibility law, the additional premium charge shall be the actual difference in premium charges; if less than $5, it may be charged or waived.

RULE 9.　MOTOR VEHICLE REGISTRATION CERTIFICATES

The specific insurance certification requirements under the Massachusetts Compulsory Motor Vehicle Insurance Law are included in Section 1A of General Laws Chapter 90. Motor vehicles not subject to the Compulsory Law do not require insurance certification.

Every insurance carrier issuing a motor vehicle liability insurance policy covering a motor vehicle or trailer subject to the Compulsory Law must issue the prescribed Motor Vehicle Registration Certificate indicating a policy or binder has been issued covering such motor vehicle or trailer. No form or certificate shall be used other than that which is a part of the Massachusetts motor vehicle application for registration.

Certificates shall be executed in the name of the insurance carrier only by individuals authorized to sign in the prescribed Authorization To Sign Motor Vehicle Registration Certificates form filed with the Commissioner of Insurance.

Section 34 B of General Laws Chapter 90, G.L. provides penalties for unlawful use of the Motor Vehicle Registration Certificate.

RULE 10.　CERTIFIED RISKS - FINANCIAL RESPONSIBILITY LAWS

A. Application

If a certificate of insurance is necessary to comply with the requirements of a financial responsibility Law of any state or province of Canada, the insurance company must issue evidence of financial responsibility upon request of the insured.

In the event that evidence of financial responsibility is required as the result of a motor vehicle violation, a policy affording Damage To Someone Else's Property (Part 4) and Optional Bodily Injury To Others (Part 5) shall be construed to have the necessary limits of liability of the state or province.

NOTE: A charge shall be made for any filing required because of a motor vehicle accident.

In the event that a certificate of insurance for the future is required as the result of a conviction of a motor vehicle violation, the policy limits shall be increased to afford limits of liability not less than that required by the financial responsibility laws of the state or province requesting certification and premium shall be increased accordingly.

The filing of a financial responsibility certificate of insurance as the result of a conviction of a motor vehicle violation requires the following rate adjustments to be allocated evenly between the Part 4 and Part 5 premiums computed as follows:

Owners

1. If an owner is required to file evidence of financial responsibility for owned automobiles and for the operation of automobiles which he does not own, the additional premium shall be computed by applying the applicable rate adjustment in Section B to the sum of the total of Parts 1, 2, 4 and 5 premium for the highest rated automobile owned by the insured.

2.. In all other cases, the additional premium shall be computed by applying the applicable rate adjustment in Section B to the total premium for Parts 1, 2, 4 and 5 for the highest rated automobile owned by the insured, modified in accordance with this rating plan.

B. Rate Adjustments

1. A 50% rate adjustment is applicable if the certificate is required for a conviction listed below. This surcharge is to be applied for the period of time a certificate is required, but in no event for a period in excess of three years following conviction. Thereafter, a 5% rate adjustment applies.

   a. Driving a motor vehicle while intoxicated or under the influence of marijuana or a narcotic drug.

   b. Failing to stop and report when involved in an accident.

   c. Homicide or assault arising out of the operation of a motor vehicle.

2. A 25% rate adjustment is applicable if the certificate is required for a conviction listed below. This surcharge is to be applied for the period of time a certificate is required, but in no event for a period in excess of three years following conviction. Thereafter, a 5% rate adjustment applies.

   a. Driving a motor vehicle at an excess rate of speed where an injury to a person or damage to property actually results therefrom.

   b. Driving a motor vehicle in a reckless manner where an injury to person or damage to property actually results therefrom.

3. A 5% rate adjustment is applicable if the certificate is required for any other cause whatsoever.

4. Rate adjustments are to be multiplied by the final premium as developed for Parts 1, 2, 4 and 5.

RULE 11.   PREMIUM CALCULATION RULE

The following sequence shall be used in rating the policy. The manual rate includes any premium adjustment as may be necessary to increase, reduce or eliminate the deductible amount applicable to Parts 7, 8 and 9, or to apply Waiver of Deductible under Part 7.

b. Apply the appropriate rating factor under Rule 24 to the manual rate for Parts 7 and 9, if applicable.

c. Apply the appropriate discount to the premium developed in Step 2. Refer to Rule 19 for a definition of the available discounts.

Parts 1 through 9 and Part 12 may be subject to more than one discount. In such case, the order of discounts shall be (1) annual mileage, (2) multi-car, (3) anti-theft, and (4) class 15. The discount shall be rounded to the nearest dollar after each application.

d. Apply the appropriate merit rating plan points to the premium developed in step 3.

NOTE: A discount of the premiums paid for Parts 4 and 7 will be given to eligible policyholders who provide evidence of purchase of eleven monthly passes or tickets from a qualified public transit system during the policy period. Refer to Rule 19. The discount is applied to the premium developed in step 4.

RULE 12.   WHOLE DOLLAR PREMIUM RULE

 The premium for "each exposure" means the premium developed for each coverage for each automobile after the application of all applicable discounts. The premium for each exposure shall be rounded at each step to the nearest whole dollar, separately for each coverage provided by the policy.

A premium involving $0.50 or more shall be rounded to the next whole dollar at the end of each step. This does not apply to Part 5, 20/40 limits and Part 6, $5,000 limit where rates displayed in the manual may be used or rounded to the lower whole dollar.

This procedure shall apply to all interim premium adjustments, including endorsements or cancellations at the request of the insured. In the case of cancellation by the company, the return premium may be carried to the next higher whole dollar.

RULE 13.   INSTALLMENT PAYMENT OF PREMIUMS

The installment payment plans offered to policy insured through the MAIP are governed by the MAIP Rules of Operation. All motor vehicle insurance policy premium charges are due and payable on the effective date of the policy, subject to the provisions of the Deposit Premium Rule (Rule 14), unless an installment payment plan is used.

RULE 14.   DEPOSIT PREMIUM RULE

A company, its producer or any broker may require deposit premium prior to the issuance of a policy provided the per vehicle deposit does not exceed 25% for new business or 20% for renewal business of the applicable annual premium for the insurance requested in accordance with the MAIP Rules of Operation. If the applicant has been in default in the payment of any premium for automobile insurance or merit rating surcharge during the preceding 12 months, the entire policy premium is payable in advance.

RULE 15.   EMPLOYERS SUBJECT TO MASSACHUSETTS WORKERS' COMPENSATION ACT

Motor vehicles owned by an employer subject to the Massachusetts workers' compensation law not used at any time to transport persons other than employees of the named insured shall be eligible for a 25% reduction in the Personal Injury Protection premium otherwise applicable. A vehicle which qualifies for this reduction is not eligible for any Personal Injury Protection deductible.

RULE 16.   DEDUCTIBLES - PARTS 7, 8 and 9

Deductibles, higher than the standard deductible, are available for Collision, Limited Collision and Comprehensive Coverages including Fire, Theft and Combined Additional Coverages. Refer to the Miscellaneous Rating Factors page for applicable factors.

RULE 17.   SUBSTITUTE TRANSPORTATION

The charges for this coverage are on a per vehicle/per year basis for automobiles and motorcycles. Refer to the Miscellaneous Rating Factors page for applicable limits and premiums.

RULE 18.   TERMINATION OF INSURANCE

A. Cancellations

The following provisions apply when a policy is cancelled:

1. If a policy is cancelled by the insurer at any time, or by the insured within thirty days of the effective date or within thirty days of the receipt of the policy, whichever is later, the return premium shall be computed pro rata. "Policy" in this instance includes the copy of the coverage selections page.

2. If the policy is cancelled at the request of the insured later than thirty days from the effective date or later than thirty days from the receipt of the policy, whichever is later, the return premium shall be calculated on a short rate basis except that in the following cases the return premium shall be computed pro rata:

    a. If the insured has disposed of the automobile, provided the insured takes out a new policy in the same company on another automobile to become effective within thirty days of the date of cancellation.

    b. If the insured automobile is repossessed under terms of a financing agreement.

    c. If an automobile is cancelled from a policy, the policy remaining in force on other automobiles, or if there remains in force in the name of the insured or spouse, if a resident of the same household, and in the same company, a concurrent automobile policy covering another automobile.

    d. If the insured enters the military service of the United States of America.

    e. If the insured deletes or reduces any coverage and the policy remains in effect for other coverage.

    e. If the policyholder requests cancellation of a policy because coverage has been replaced in the voluntary market, and provides the ARC written confirmation of the replacement coverage. [Consistent with current MAIP rules]

3. Except as otherwise provided by law, no cancellation of the policy, or any of its parts, whether by the company or by the insured, shall be valid unless written notice thereof is given by the party proposing cancellation to the other party at least twenty days in each case prior to the intended effective date thereof. Notice of cancellation sent by the company to the insured and the loss payee at the addresses stated in the policy by regular mail for which a certificate of mailing receipt has been obtained from the United States Postal Service, shall be a sufficient notice and that an affidavit of any officer, producer, or employee of the company, duly authorized for the purpose that he has so sent such addressed as aforesaid, shall be prima facie evidence of the sending thereof as aforesaid. When the cancellation becomes effective, the company shall electronically transmit the pertinent data to the Registry of Motor Vehicles in the manner prescribed by the Uninsured Motorists System (UMS). The written notice to the insured shall specify the reason or reasons for cancellation if the cancellation affects Part 1 coverage. If the reason for cancellation is non-payment of premium, the Notice of Cancellation shall state the amount of deficiency of the premium owed to the company for all the insurance provided and shall state in substance that the cancellation will not be effective if the insured pays the full amount of such deficiency on or prior to the effective date of the cancellation. If a cancellation of the policy results in a return premium of less than $5.00, no refund need be made except at the request of the insured, in which case the actual return premium shall be allowed.

    No policy in effect prior to a rate level revision shall be endorsed or cancelled and rewritten to take advantage of such a revision or to avoid the application of such a revision.

B. Theft of Vehicle or Plates

1. If the insured automobile is stolen or destroyed (total or constructive total loss) and cancellation is requested by the insured within thirty days following the date the automobile is stolen or destroyed, the return premium for all coverages (including the premium for the coverages under which loss was paid) shall be calculated on a pro rata basis from the day following the date of such loss.

2. If the insured registration plates are stolen or destroyed, a lost plate affidavit is to be issued to the Registry of Motor Vehicles canceling only coverage with respect to such plates effective the day following the date of such loss, and the policy shall continue to provide coverage with respect to any replacement plates.

3. If the insured files a lost plate affidavit with the Registry of Motor Vehicles, the company may cancel the policy.

C. Sale or Transfer of Motor Vehicle, Surrender of Registration Plates, or Filing of a New Certificate

The policy shall terminate upon:

1. The sale or transfer of title by the owner of the motor vehicle or trailer thirty (30) days after the transfer unless the owner has registered a replacement motor vehicle.

2. The surrender to the Registry of Motor Vehicles of the registration plates issued to the owner of the motor vehicle by the Registrar of Motor Vehicles under Chapter 90, with a written statement, in such form as the Registrar may require, that they are surrendered to cancel the registration of, and the insurance under, the policy for such motor vehicle or trailer.

3. The filing with the Registry a certificate of insurance of another company as of the effective date of such certificate.
    NOTE: If more than one motor vehicle or trailer is described in the policy, the termination of coverage applies only to the motor vehicle or trailer involved in one of the situations described above.

D. Reinstatement

If a policy has been cancelled by an insurance company, and such policy is later reinstated by the Board of Appeal on Motor Vehicle Liability Policies and Bonds or by a court of competent jurisdiction, the premium charge for the unexpired term of the policy shall be calculated pro rata based on the premium applicable to the policy when originally issued.

E. Plates Returned Receipt

In the event that a policy has been terminated by (a) sale or transfer of the motor vehicle, or (b) surrender of the registration plates by the owner of the motor vehicle with a written statement in such form as the Registrar may require, that they are surrendered to cancel the registration of, and the insurance under, the policy for such motor vehicle or trailer, a receipt from the Registry of Motor Vehicles stating that the registration plates have been surrendered must be furnished to the insurance company.

F. Leased Vehicles Under Long Term Contract

In the event a policy on a leased vehicle under a long-term contract is cancelled, the cancellation notice is to be issued in the name of the person or organization to whom the policy was issued. A copy of the cancellation notice must be sent to the owner/registrant also, if it is other than the person to whom the policy was issued.

Upon the intended effective date of cancellation, a notice issued in the name of the actual owner/registrant must be electronically transmitted to the Registry by the company.

G. Instructions For Use of Pro Rata or Short Rate Table

1. Express the date of cancellation by year and decimal part of a year by combining the calendar year with the decimal appearing opposite the month and day in the Pro Rata Table, e.g., March 7, 2007, is designated as 2007.181.

2. In like manner express the effective date of the policy by year and decimal part of a year and subtract from the cancellation date.

3. The difference, in the case of one year policies, represents the percentage of the annual premium which is to be retained by the carrier.

Examples:
Cancellation date September 22, 2007   2007.726
Effective date July 6, 2007   <u>2007.512</u>
     .214

Earned premium for one year policy term will therefore be .214 times the annual premium.

Cancellation date March 7, 2007   2007.181
Effective date December 15, 2006   <u>2006.956</u>
     .225

Earned premium for one year policy term will therefore be .225 times the annual premium.

NOTE: As it is not customary to charge for the extra day (February 29) which occurs one year in every four years, this table shall also be used for each such year.

The following additional provisions apply to policies with policy terms in excess of 12 months:

a. If a policy written for a two year term is cancelled after twelve months, but less than twenty-four months, the earned premium shall be the first twelve months' premium plus the pro rata share of the annual premium for the second twelve months.

b. If a policy written for a term in excess of one year, but less than two years, is cancelled after the first twelve months, the earned premium shall be computed on a pro rata basis in the following manner.

Example: 18 month policy term
No. of days in policy term   547
No. of days in effect   425
425) 547 = .777 pro rata factor
.777 x total premium = earned premium
Instructions for Short Rate Table:

1. Determine the pro rata earned premium in accordance with the previous instructions.

2. Add that factor to the following factor:

Policy Period
Months in Effect

in excess of	but less than	Factors
0	1	.000
1	2	.055
2	3	.050
3	4	.045
4	5	.040
5	6	.035
6	7	.030
7	8	.025
8	9	.020
9	10	.015
10	11	.010
11	12	.005

3. Apply the factor determined in 2 above to the annual premium to compute the percentage of the annual premium which is to be retained by the company.

Example:
Pro rata premium in example   .214
Short rate factor (policy in effect 2-3 months)   .050
                                               .264

Earned premium for annual policy cancelled on a short rate basis is .264 times the annual premium.

PRO RATA TABLE

January Day Of Month	January Day of Year	Ratio	February Day of Month	February Day of Year	Ratio	March Day of Month	March Day of Year	Ratio	April Day of Month	April Day of Year	Ratio	May Day of Month	May Day of Year	Ratio	June Day of Month	June Day of Year	Ratio
1	1	.003	1	32	.088	1	60	.164	1	91	.249	1	121	.332	1	152	.416
2	2	.005	2	33	.090	2	61	.167	2	92	.252	2	122	.334	2	153	.419
3	3	.008	3	34	.093	3	62	.170	3	93	.255	3	123	.337	3	154	.422
4	4	.011	4	35	.096	4	63	.173	4	94	.258	4	124	.340	4	155	.425
5	5	.014	5	36	.099	5	64	.175	5	95	.260	5	125	.342	5	156	.427
6	6	.016	6	37	.101	6	65	.178	6	96	.263	6	126	.345	6	157	.430
7	7	.019	7	38	.104	7	66	.181	7	97	.266	7	127	.348	7	158	.433
8	8	.022	8	39	.107	8	67	.184	8	98	.268	8	128	.351	8	159	.436
9	9	.025	9	40	.110	9	68	.186	9	99	.271	9	129	.353	9	160	.438
10	10	.027	10	41	.112	10	69	.189	10	100	.274	10	130	.356	10	161	.441
11	11	.030	11	42	.115	11	70	.192	11	101	.277	11	131	.359	11	162	.444
12	12	.033	12	43	.118	12	71	.195	12	102	.279	12	132	.362	12	163	.447
13	13	.036	13	44	.121	13	72	.197	13	103	.282	13	133	.364	13	164	.449
14	14	.038	14	45	.123	14	73	.200	14	104	.285	14	134	.367	14	165	.452
15	15	.041	15	46	.126	15	74	.203	15	105	.288	15	135	.370	15	166	.455
16	16	.044	16	47	.129	16	75	.205	16	106	.290	16	136	.373	16	167	.458
17	17	.047	17	48	.132	17	76	.208	17	107	.293	17	137	.375	17	168	.460
18	18	.049	18	49	.134	18	77	.211	18	108	.296	18	138	.378	18	169	.463
19	19	.052	19	50	.137	19	78	.214	19	109	.299	19	139	.381	19	170	.466
20	20	.055	20	51	.140	20	79	.216	20	110	.301	20	140	.384	20	171	.468
21	21	.058	21	52	.142	21	80	.219	21	111	.304	21	141	.386	21	172	.471
22	22	.060	22	53	.145	22	81	.222	22	112	.307	22	142	.389	22	173	.474
23	23	.063	23	54	.148	23	82	.225	23	113	.310	23	143	.392	23	174	.477
24	24	.066	24	55	.151	24	83	.227	24	114	.312	24	144	.395	24	175	.479
25	25	.068	25	56	.153	25	84	.230	25	115	.315	25	145	.397	25	176	.482
26	26	.071	26	57	.156	26	85	.233	26	116	.318	26	146	.400	26	177	.485
27	27	.074	27	58	.159	27	86	.236	27	117	.321	27	147	.403	27	178	.488
28	28	.077	28	59	.162	28	87	.238	28	118	.323	28	148	.405	28	179	.490
29	29	.079				29	88	.241	29	119	.326	29	149	.408	29	180	.493
30	30	.082				30	89	.244	30	120	.329	30	150	.411	30	181	.496
31	31	.085				31	90	.247				31	151	.414			

July Day of Month	July Day of Year	Ratio	August Day of Month	August Day of Year	Ratio	September Day of Month	September Day of Year	Ratio	October Day of Month	October Day of Year	Ratio	November Day of Month	November Day of Year	Ratio	December Day of Month	December Day of Year	Ratio
1	182	.499	1	213	.584	1	244	.668	1	274	.751	1	305	.836	1	335	.918
2	183	.501	2	214	.586	2	245	.671	2	275	.753	2	306	.838	2	336	.921
3	184	.504	3	215	.589	3	246	.674	3	276	.756	3	307	.841	3	337	.923
4	185	.507	4	216	.592	4	247	.677	4	277	.759	4	308	.844	4	338	.926
5	186	.510	5	217	.595	5	248	.679	5	278	.762	5	309	.847	5	339	.929
6	187	.512	6	218	.597	6	249	.682	6	279	.764	6	310	.849	6	340	.932
7	188	.515	7	219	.600	7	250	.685	7	280	.767	7	311	.852	7	341	.934
8	189	.518	8	220	.603	8	251	.688	8	281	.770	8	312	.855	8	342	.937
9	190	.521	9	221	.605	9	252	.690	9	282	.773	9	313	.858	9	343	.940
10	191	.523	10	222	.608	10	253	.693	10	283	.775	10	314	.860	10	344	.942
11	192	.526	11	223	.611	11	254	.696	11	284	.778	11	315	.863	11	345	.945
12	193	.529	12	224	.614	12	255	.699	12	285	.781	12	316	.866	12	346	.948
13	194	.532	13	225	.616	13	256	.701	13	286	.784	13	317	.868	13	347	.951
14	195	.534	14	226	.619	14	257	.704	14	287	.786	14	318	.871	14	348	.953
15	196	.537	15	227	.622	15	258	.707	15	288	.789	15	319	.874	15	349	.956
16	197	.540	16	228	.625	16	259	.710	16	289	.792	16	320	.877	16	350	.959
17	198	.542	17	229	.627	17	260	.712	17	290	.795	17	321	.879	17	351	.962
18	199	.545	18	230	.630	18	261	.715	18	291	.797	18	322	.882	18	352	.964
19	200	.548	19	231	.633	19	262	.718	19	292	.800	19	323	.885	19	353	.967
20	201	.551	20	232	.636	20	263	.721	20	293	.803	20	324	.888	20	354	.970
21	202	.553	21	233	.638	21	264	.723	21	294	.805	21	325	.890	21	355	.973
22	203	.556	22	234	.641	22	265	.726	22	295	.808	22	326	.893	22	356	.975
23	204	.559	23	235	.644	23	266	.729	23	296	.811	23	327	.896	23	357	.978
24	205	.562	24	236	.647	24	267	.732	24	297	.814	24	328	.899	24	358	.981
25	206	.564	25	237	.649	25	268	.734	25	298	.816	25	329	.901	25	359	.984
26	207	.567	26	238	.652	26	269	.737	26	299	.819	26	330	.904	26	360	.986
27	208	.570	27	239	.655	27	270	.740	27	300	.822	27	331	.907	27	361	.989
28	209	.573	28	240	.658	28	271	.742	28	301	.825	28	332	.910	28	362	.992
29	210	.575	29	241	.660	29	272	.745	29	302	.827	29	333	.912	29	363	.995
30	211	.578	30	242	.663	30	273	.748	30	303	.830	30	334	.915	30	364	.997
31	212	.581	31	243	.666				31	304	.833				31	365	1.00

(Rule 18) **SHORT RATE CANCELLATION OF SHORT TERM POLICIES**
Percentages of Policy Premiums to be Retained by Insurance Company
Policy Effective Date

No. of Days in force	Jan.	Feb.	Mar.	Apr.	May	June	July	August 1-15	August 16-31	September 1-15	September 16-30	October 1-15	October 16-31	November 1-15	November 16-30	December 1-15	December 16-31
1-10	9	9	10	11	13	15	16	17	18	19	20	22	25	29	37	54	73
11-15	11	12	13	15	16	17	18	19	20	21	23	26	29	35	45	65	100
16-20	15	16	16	17	18	19	21	22	24	26	28	31	37	44	59	83	
21-25	17	17	18	19	20	22	24	26	28	30	34	37	44	53	70	100	
26-30	18	19	20	21	22	24	27	29	32	35	39	43	51	62	81	100	
31-35	19	20	21	23	24	27	30	33	36	39	44	49	59	70	91		
36-40	21	22	23	25	27	29	33	36	40	43	49	55	65	77	100		
41-45	22	24	25	27	29	32	35	40	43	48	54	61	71	85	100		
46-50	24	25	27	29	31	34	38	43	47	52	59	66	76	92			
51-55	25	27	28	30	33	37	41	47	51	57	63	71	82	100			
56-60	27	28	30	32	35	39	44	50	55	61	67	76	88	100			
61-65	28	30	32	34	37	42	47	53	59	64	71	80	94				
66-70	30	31	33	36	40	44	50	57	62	68	76	85	100				
71-75	31	33	35	38	42	47	53	60	65	71	80	90	100				
76-80	32	35	37	40	44	49	56	63	68	75	84	94					
81-85	34	36	39	42	46	52	59	66	71	78	88	99					
86-90	35	38	40	44	48	54	62	69	75	82	92	100					
91-105	38	41	44	48	53	59	66	74	81	89	100						
106-120	42	45	49	54	59	65	74	82	90	100							
121-135	47	50	54	59	65	71	81	91	100								
136-150	51	55	59	64	70	78	88	100									
151-165	55	60	63	69	75	84	95										
166-180	59	63	68	72	80	90	100										
181-195	63	67	72	78	85	96											
196-210	67	71	76	83	91	100											
211-225	70	75	80	87	94												
226-240	73	78	84	92	100												
241-255	77	82	88	94													
256-270	80	86	92	100													
271-285	84	90	96														
286-300	87	93	100														
301-315	90	97															
316-330	94	100															
331-360	99																
361-365	100																

TABLE 1
(Motorcycles with Registration
Expiration of December 31)

No. of Days in force	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July 1-15	July 16-31	August 1-15	August 16-31	September 1-15	September 16-30	October 1-15	October 16-31	November 1-15	November 16-30
1-10	9	9	10	11	13	15	16	17	18	19	20	22	25	29	37	54	73
11-15	11	12	13	15	16	17	18	19	20	21	23	26	29	35	45	65	100
16-20	15	16	16	17	18	19	21	22	24	26	28	31	37	44	59	83	
21-25	17	17	18	19	20	22	24	26	28	30	34	37	44	53	70	100	
26-30	18	19	20	21	22	24	27	29	32	35	39	43	51	62	81	100	
31-35	19	20	21	23	24	27	30	33	36	39	44	49	59	70	91		
36-40	21	22	23	25	27	29	33	36	40	43	49	55	65	77	100		
41-45	22	24	25	27	29	32	35	40	43	48	54	61	71	85	100		
46-50	24	25	27	29	31	34	38	43	47	52	59	66	76	92			
51-55	25	27	28	30	33	37	41	47	51	57	63	71	82	100			
56-60	27	28	30	32	35	39	44	50	55	61	67	76	88	100			
61-65	28	30	32	34	37	42	47	53	59	64	71	80	94				
66-70	30	31	33	36	40	44	50	57	62	68	76	85	100				
71-75	31	33	35	38	42	47	53	60	65	71	80	90	100				
76-80	32	35	37	40	44	49	56	63	68	75	84	94					
81-85	34	36	39	42	46	52	59	66	71	78	88	99					
86-90	35	38	40	44	48	54	62	69	75	82	92	100					
91-105	38	41	44	48	53	59	66	74	81	89	100						
106-120	42	45	49	54	59	65	74	82	90	100							
121-135	47	50	54	59	65	71	81	91	100								
136-150	51	55	59	64	70	78	88	100									
151-165	55	60	63	69	75	84	95										
166-180	59	63	68	72	80	90	100										
181-195	63	67	72	78	85	96											
196-210	67	71	76	83	91	100											
211-225	70	75	80	87	94												
226-240	73	78	84	92	100												
241-255	77	82	88	94													
256-270	80	86	92	100													
271-285	84	90	96														
286-300	87	93	100														
301-315	90	97															
316-330	94	100															
331-360	99																
361-365	100																

TABLE 2
(All Vehicles with Registration
Expiration of November 30)

RULE 19.   DISCOUNTS

A. Multi-Car

A policyholder who owns two or more automobiles and purchases coverage from the same company for at least two such automobiles, shall be entitled to a reduction of the premium applicable to Coverage Parts 1, 2, 4, 5, 7, 8 and 9. At least two of the automobiles must be private passenger vehicles as defined in Rule 27, except that vehicles classified as antiques are not eligible. The premium reduction applies only to private passenger vehicles as defined in Rule 27. Refer to Miscellaneous Rating Factors page for applicable discount.

B. Public Transit

A discount of the premiums paid for Part 4 and Part 7 coverages will be given to eligible policyholders who provide evidence of purchase of eleven monthly passes or tickets from a qualifying mass transit system during the automobile policy period. Refer to the Miscellaneous Rating Factors page for the applicable discount.

1.   **Eligibility**

The vehicle must be a private passenger vehicle as defined in Rule 27 and be classified as use class 10, 15, 17, 18, 20, 21, 25 or 26 for a minimum of eleven of twelve months of the policy year. In addition, the vehicle must not be driven to work or school ten days or more per month. A minimum of eight of the eleven monthly passes or tickets may be submitted, provided other evidence of purchase is submitted for the missing passes or tickets. The insurer shall collect all such passes and other evidence used by a policyholder to obtain the discount.

NOTE: If a policyholder purchases a pre-paid non-refundable annual pass and furnishes proof of such purchase, the discount will be applied to the current policy rather than the expiring policy.

2.   **Replaced Vehicles**

The discount will be computed on the basis of combined earned premium for Parts 4 and 7 provided the replacement vehicle otherwise qualifies for the discount. If the insured changes insurance companies and replaces the vehicle at the same time, the second company will be responsible for the discount provided the policy has been in effect six months or more.

3.   **Application of Discount**

A discount will be applied to Part 4 and 7 premiums for each eligible vehicle. If there is only one eligible operator with more than one vehicle, the discount will be applied to the vehicle with the higher combined premium. If the policy insures only one vehicle, but there are two or more eligible operators, the discount shall be applied only once. If two or more vehicles and operators are eligible for discount, the discount shall first be applied to the vehicle which develops the highest combined premium for Parts 4 and 7, and then in descending order to the vehicle with the lowest combined premium.

This discount is fully earned and returnable directly to the policyholder unless the policyholder directs that the discount be applied as a credit to premium charges for a renewal policy or it is used to offset undisputed outstanding premium due the insurer. The maximum discount per eligible vehicle is $75.

4.   **Qualifying Massachusetts Transit Systems**

Refer to the Rate Section for a list of approved public transit systems.

C. Anti-Theft Device

Refer to Anti-Theft Discounts Rule 54.

D. Class 15

Premiums otherwise applicable to class 10 automobiles shall be reduced by 25% for insureds age 65 or older. If the principal operator becomes age 65 during the policy year, the class 10 premium shall be adjusted as of that date but no later than the next policy renewal date.   A notice of this classification change must be sent to the policyholder

either prior to or with the proposed adjustment. The policyholder is required to notify the company of any change in operator usage which would affect entitlement to the discount.

E. Annual Mileage Discount

A discount of the premium paid for Parts 1, 2, 3, 4, 5, 6, 7, 8 and 12 will be given to eligible policyholders on request, when the annual mileage of the vehicle falls into one of two categories. The discount will be based on the actual mileage driven in the previous policy year as determined by a comparison of two odometer readings, at least six months apart, from Registry of Motor Vehicle information or the Annual Mileage Discount Form and other standard automobile insurance forms available to the company. Refer to the Miscellaneous Rating Factors page for the applicable categories and discounts.

1. **Eligibility**

    The vehicle must be a private passenger vehicle as defined in Rule 27, except that vehicles classified as Antiques are not eligible. The company may request that the applicant for the discount complete the Annual Mileage Discount Form for the verification of eligibility for the discount.

2. **Verification**

    The company may use the odometer readings provided by the applicant on the Annual Mileage Discount Form or other standard forms available to the company, in order to verify the mileage driven in the past year. The company shall compute the annualized difference between the odometer reading at the time of application and the previous odometer reading to determine eligibility. If a vehicle replaces a vehicle which is receiving the discount, the annual mileage of the prior vehicle will be attributed to the replacement vehicle.

    The company may use information from the Vehicle Inspection System of the Registry of Motor Vehicles to verify annual mileage. The difference in the two most recent odometer readings reported by the Registry, if at least six months apart, shall be annualized to determine eligibility for the discount. If the Registry reports only one reading, which is more than six months before the application for the discount, the applicant may provide a current odometer reading on the Annual Mileage Discount Form, and the difference shall be annualized to determine eligibility.

    If two odometer readings, at least six months apart, are not available to the company through the Registry of Motor Vehicles, the Annual Mileage Discount Form or other standard forms, the vehicle is not eligible for the annual mileage discount.

3. **Application of Discount**

    The applicable discount applies to rates otherwise determined for each insured vehicle by coverage, limits purchased, territory, driver class, and model year and symbol prior to the application of points under a merit rating plan.

Rule 20.   MODEL YEAR RATING

A. Model Year Defined

The model year of an auto is used in rating physical damage coverage on an actual cash value basis.

The model year of the auto is the year assigned by the auto manufacturer. The model year of rebuilt or structurally altered autos is determined by the model year of the chassis.

B. Rating of Model Years Not Shown on Rate Pages

1. **1990 and Later Model Years**: Refer to the Miscellaneous Rating Factors section and apply the model year, symbol and coverage factor to the earliest model year $500 deductible rate displayed in the Rate Section to obtain the actual cash value premium.

2. 1989 and Earlier Model Years:

a. Refer to the Miscellaneous Rating Factors section and apply the earliest model year, symbol and coverage factor to the earliest model year $500 deductible rate for the same symbol displayed in the Rate Section to obtain the actual cash value premium.

b. Apply the appropriate symbol factor shown below to the premium obtained in 2.a.:

Comprehensive				Collision			
Symbol	Factor	Symbol	Factor	Symbol	Factor	Symbol	Factor
1	.24	10	.68	1	.29	10	.71
2	.28	11	.77	2	.32	11	.80
3	.32	12	.88	3	.36	12	.89
4	.36	13	1.00	4	.41	13	1.00
5	.41	14	1.14	5	.46	14	1.12
6	.46	15	1.29	6	.51	15	1.25
7	.53	16	1.47	7	.57	16	1.40
8	.60	17	1.67	8	.64	17	1.57

Rule 21. FIRE, THEFT AND COMBINED ADDITIONAL COVERAGE

A. Actual Cash Value

Refer to Miscellaneous Rating Factors section for the applicable factors.

B. Stated Amount

Refer to the Rate Section for any specified peril

Rule 22. **NON-SYMBOLLED VEHICLES AND RATING VEHICLES FOR WHICH SYMBOLS ARE NOT SHOWN ON THE RATE PAGES**

A. Non-Symbolled Vehicles

1. For rating of newly announced models for which no symbol is shown, use the symbol of the latest corresponding model which is shown until announcement is made.

2. For rating of other vehicles which have no prior corresponding model, determine the appropriate symbol based on the FOB List Price or Purchase Price, whichever is higher, from the following table.

Symbol	Model Years 1980 & Prior	Model Years 1981-1989	Model Years 1990 & Subsequent
1	0- 1600	0- 1600	0- 6500
2	1601- 2100	1601- 2100	6501- 8000
3	2101- 2750	2101- 2750	8001- 9000
4	2751- 3700	2751- 3700	9001-10000
5	3701- 5000	3701- 5000	10001-11250
6	5001- 6500	5001- 6500	11251-12500
7	6501- 8000	6501- 8000	12501-13750
8	8001-10000	8001-10000	13751-15000
10	10001-12500	10001-12500	15001-16250
11	12501-15000	12501-15000	16251-17500
12	15001-17500	15001-17500	17501-18750
13	17501-20000	17501-20000	18751-20000
14	20001 & above	20001-24000	20001-22000
15		24001-28000	22001-24000
16		28001-33000	24001-26000
17		33001-39000	26001-28000
18		39001-46000	28001-30000
19		46001-55000	30001-33000
20		55001-65000	33001-36000
21		65001 & above	36001-40000
22			40001-45000
23			45001-50000
24			50001-60000
25			60001-70000
26			70001-80000
27			80001 & above

3. Stated or Agreed Amount

If an automobile is appraised for stated or agreed amount coverage, the appraised value must be used to determine the symbol.

For model years 1980 and prior, with values of $20,001 and above, the auto must be rated on a Stated Amount Basis in accordance with Rule 41. The insurer has the option to waive the requirement of obtaining an appraisal as required under Rule 41.

4. Equipment: Vans and Pick-ups

Except with respect to the coverage provided under Rule 47 for custom furnishings or custom equipment, the cost of any equipment installed in or upon a pick-up or van shall be added to the FOB List Price, Purchase Price or Appraisal Value in determining the applicable symbol.

B. Rating Vehicles with Symbols 18 and Above

For model years 1981 and after, to determine the actual cash value premium for vehicle symbols 18 and above, apply the following factors to the premium shown for Symbol 17 and the applicable territory, class, and model year, before discounts are applied:

Symbol	Model Year 1989& Prior	Model Year 1990 & Subsequent
18	1.15	1.08
19	1.30	1.15
20	1.45	1.25
21	1.60	1.35
22		1.45
23		1.55
24		1.70
25		1.85
26		2.00
27		*

*Determine the actual cash value premium for Symbol 27 vehicles by:

a) Increasing the factor for Symbol 26 by +.15 for each $10,000 or portion of $10,000 above $80,000 of the FOB List Price or Purchase Price, whichever is higher.

b) Applying this factor to the Symbol 17 premium shown in the Rate Pages for the applicable territory, class, and model year, before discounts are applied.

RULE 23.   HIGH-THEFT VEHICLES

For certain model years, some makes and models are designated high-theft vehicles by the Commissioner of Insurance. These vehicles are identified as such in the Symbol and Identification Section of this Manual.

The insurer may, at its option, charge an extra-risk rate, refuse to write, or cancel coverage under parts 7, 8, or 9 if vehicle designated as a high-theft vehicle is not equipped with a category III, IV or V anti-theft device or vehicle recovery system as defined in Rule 54.

New Business Rule

Any high-theft vehicle listed on a New Business Application which does not have an appropriate anti-theft device or vehicle recovery system shall be written at the extra-risk rate. If an appropriate device is installed within thirty days of the policy effective date, the extra-risk premium will be waived and the anti-theft discount will be allowed retroactive to policy inception. If an appropriate device is not installed within thirty days of policy inception, the company, at its election, may cancel coverage under parts 7, 8, and 9 or continue such coverage at the extra-risk rate.

A category III, IV, or V device installed more than thirty days after the policy effective date qualifies for the applicable discount, but the discount shall be calculated pro-rata from the date of installation. Any premium charged for an extra-risk rate shall be earned on a pro-rata basis.

RULE 24.   EXTRA-RISK RATING (COLLISION AND COMPREHENSIVE)

The following circumstances require the application of the extra-risk rate if the insurer elects to write coverage under parts 7, 8, and 9, and the insurance to be provided is on a vehicle:

1. customarily driven by or owned by persons who within the five years preceding the policy effective date have been convicted of vehicular homicide, auto insurance related fraud, or auto theft.

2. customarily driven or owned by persons who within the three years preceding the policy effective date have been convicted of any category of driving under the influence of alcohol or drugs.

3. customarily driven by or owned by persons who, within three years preceding the policy effective date, have been involved in four or more at-fault auto accidents. An at-fault auto accident is one in which the owner or any person who customarily drives the auto was more than 50% at fault.

4. designated as a "high-theft vehicle" which does not have at least a minimum anti-theft or auto recovery device as prescribed by the Commissioner of Insurance. (Refer to Rule 23.)

5. customarily driven by or owned by persons who have two or more total auto theft or fire insurance claims within the three years immediately preceding the policy effective date.

6. customarily driven by or owned by persons who have within the five years preceding the policy effective date made an intentional and material misrepresentation in making claim under Collision or Comprehensive coverage.

7. for which a salvage title has been issued by the Registrar of Motor Vehicles unless a new certificate of title has been issued in accordance with Massachusetts law. (Coverage cannot be written on a vehicle which has been issued a salvage title.)

The factors for the extra-risk rate are multiplied by the manual rate as follows:

	Collision	Comprehensive
Vehicular Homicide	1.5	1.0
Auto Insurance Related Fraud	1.5	1.5
Auto Theft	1.5	1.5
Driving Under the Influence of Alcohol or Drugs	1.1	1.0
Four or More At-Fault Accidents	1.1	1.0
High-Theft Vehicle	1.0	1.5
Two or More Total Fire or Total Theft Losses	1.0	1.5
Material Misrepresentation	1.5 (1.2)	1.5 (1.2)
Salvage Title	Coverage not available	

NOTE: For the first instance of a material misrepresentation in the application for insurance, the lower indicated factor may be used, at the option of the insurer.

Application of Factors

A. Single Vehicle Policies

Where more than one category applies to the same operator or vehicle, the highest applicable factor shall be used respectively for Collision and Comprehensive. For example, if a listed operator is convicted of vehicular homicide and also has a high-theft vehicle, the factor for both Collision and Comprehensive is 1.5. The factors do not compound. In cases where separate policies are issued by the same insurer to the common owner of two or more vehicles, the highest applicable factors for Collision and Comprehensive shall be assigned to the vehicle with the highest premium for Collision and Comprehensive respectively. For each subsequent vehicle, the next highest applicable factor shall be assigned to the next highest premium for Collision and Comprehensive respectively, etc. If one or more of the extra-risk categories of insurance fraud, auto theft or material misrepresentation apply to such common owner, the applicable factor shall be used for both Collision and Comprehensive for each insured vehicle.

B. Multi-Vehicle Policies

The highest applicable factors for Collision and Comprehensive shall be assigned to the vehicle with the highest premium for Collision and Comprehensive respectively. Each subsequent vehicle shall be assigned the next highest applicable factor and so forth. If one or more of the extra-risk categories of insurance fraud, auto theft or material misrepresentation apply to the insured owner, the applicable factor shall be used for both Collision and Comprehensive for each insured vehicle.

RULE 25.   <u>VEHICLE SERIES RATING</u>

Vehicle Series Rating (VSR) is a program applied by the Insurance Services Office (ISO) to adjust the Price New Symbols of vehicles to increase or decrease the symbol due to loss experience reflecting crash damage, ease of

repair, cost of repair parts, and theft for the particular vehicle, resulting in the Rating Symbol. The Rating Symbol is used to determine a vehicle's premium for Collision, Limited Collision and Comprehensive coverage.

The VSR program reviews the symbol assignments for all vehicle series three times: when the model year is introduced and in each of the next two annual VSR review years. The symbol for a particular series may be upsymbolled, downsymbolled, or may remain the same.

Reassignment of symbols shall be effective with 2006 and subsequent model year vehicles. A policy shall not be changed mid-term solely due to a change in symbol assignment based on symbol review.

RULE 26. <u>**RESERVED FOR FUTURE USE**</u>

SECTION II - PRIVATE PASSENGER AUTOMOBILES

RULE 27.   PRIVATE PASSENGER DEFINITION

A.   A motor vehicle of the private passenger or station wagon type that is owned or leased under contract for a continuous period of at least twelve months by one or more individuals, excluding (1) partnerships, (2) corporations, (3) unincorporated business associations, and (4) other legal business entities with a federal employer identification number, and is not used as a public or livery conveyance nor rented to others. A vehicle which meets the conditions of Rule 31, regarding the transportation of fellow employees, students or others for consideration, is included in this definition, provided such vehicle is not registered for carrying passengers for hire.

B.   A motor vehicle that is a pick-up or van, that is owned or leased under contract for a continuous period of at least 12 months by one or more individuals, excluding (1) partnerships, (2) corporations, (3) unincorporated business associations, and (4) other legal business entities with a federal employer identification number, and

   1.   has a gross vehicle weight rating of less than 10,000 pounds or has a rating symbol assigned to it by the Insurance Services Office (ISO), and

   2.   is not used for the delivery or transportation of goods or materials unless such use is incidental to the insured's business of installing, maintaining or repairing furnishings or equipment.

C.   Gross Vehicle Weight Rating means the value specified by the manufacturer as the loaded weight of a single vehicle.

D.   At the option of the insurer, an eligible vehicle under this rule whose title has been transferred to a trust may be insured under a policy issued by assignment through the MAIP, subject to the following requirements: the grantor of the trust must be an individual or lawfully married individuals residing in the same household, and must be the only insured(s) named in Item 1 of the Coverage Selections Page. All vehicle(s) insured under the policy must be owned by the trust. A vehicle owned by a trust in which the grantor is a partnership or corporation must be written under a commercial auto policy.

If a motor vehicle is leased as described in the foregoing paragraphs, and the lessee is obtaining the insurance, the policy must be issued to the lessee as named insured and Endorsement M-0070-S, "Coverage For Anyone Renting An Auto To You," must be attached to the policy.

RULE 28.   PRIVATE PASSENGER CLASSIFICATIONS

A. Operator Classes

10   Experienced Operator. The operator has been licensed at least six years and is under the age of 65 and the automobile is not used in the occupation, profession or business of the insured.

15   Experienced Operator - age sixty-five or more. The operator has been licensed at least six years and is sixty-five years of age or more and the automobile is not used in the occupation, profession or business of the insured.

17   Inexperienced Principal Operator - licensed three or more years. The operator of the automobile has been licensed at least three years and less than six years and is the principal operator of the automobile.

18   Inexperienced Occasional Operator - licensed three or more years. The operator has been licensed at least three years and less than six years and is not the principal operator of the automobile.

20   Inexperienced Principal Operator - licensed less than three years. No driver training. The operator has been licensed less than three years, is the principal operator of the automobile, and has not completed a Satisfactory Driver Training Program.

21 **Inexperienced Occasional Operator - licensed less than three years. No driver training.** The operator has been licensed less than three years, is not the principal operator of the automobile, and has not completed a Satisfactory Driver Training Program.

25 **Inexperienced Principal Operator - licensed less than three years. Driver training.** The operator has been licensed less than three years, is the principal operator of the automobile, and has completed a Satisfactory Driver Training Program.

26 **Inexperienced Occasional Operator - licensed less than three years. Driver training.** The operator has been licensed less than three years, has completed a Satisfactory Driver Training Program, and is not the principal operator of the automobile.

30 **Business Use.** The operator has been licensed at least six years and the automobile is used in the occupation, profession, or business of the insured. Going to or from the principal place of the occupation, profession or business of the insured is not considered business use.

B.   Operators

All operators of the insured automobiles must be listed on the Coverage Selections Page of the Policy. An operator is a person who has an operator's license, but does not include a person who has only a learner's permit.

1.   Assignment of Operators to Automobiles

a. If an insurer defers operators listed on a policy who are rated on an automobile insured by another Massachusetts private passenger motor vehicle insurance policy for the purposes of rating the policy on which they are listed in the voluntary market, this practice must be extended to the rating of policies assigned to it through the MAIP. If the insurer does not defer any listed operator under the policy for the purposes of rating the policy, the insurer shall not adopt that practice for the purposes of rating a policy assigned to it through the MAIP

b.   Each operator listed on the policy shall be assigned to an automobile on the policy based on the operator's class and merit rating plan points in a manner which produces the highest Combined Premium (the sum of the premium for Parts 1, 2, 4, 5, 7, 8, and 9 for the operator's class and the operator's merit rating plan points) for each automobile.   The operators shall be assigned in order of the highest Combined Premium applied to the automobile with highest Base Premium (the automobile's Class 10 premium for Parts 1, 2, 4, 5, 7, 8, and 9) until all operators are assigned to an automobile, except that:

   i. If an inexperienced operator is the principal operator of a specific automobile, the automobile shall be rated with the appropriate inexperienced principal operator class and merit rating plan points of that operator;

   ii. If an operator age 65 or over is the principal operator of a specific automobile and all operators listed on the policy have been licensed at least six years, the automobile shall be rated as Class 15 and that operator's merit rating plan points shall be applied . However, if more than one listed operator is age 65 or over, Class 15 and the merit rating plan points of the Class 15 operators shall be applied in the manner which produces the highest Combined Premium.

   iii.   If only one operator is listed on the policy, all automobiles on the policy will be assigned the same principal operator classification and merit rating plan points.

   iv.   If each listed operator has been used in rating an automobile on the policy, any remaining automobiles shall be assigned the operator class and merit rating plan points which produces the lowest Combined Premium, unless the automobile is subject to rating as Class 30.

   v.   If more than one operator is listed on the policy, an operator cannot be assigned as the principal operator of more than one automobile on the policy until the other operators are assigned to an automobile.

c. The assignment of operators to automobiles applies regardless of the number of policies or insurers involved.

d.   An inexperienced operator in active military service with the Armed Forces of the United States of America shall not be considered an operator of the automobile unless such individual customarily operates the automobile.

e.   Private passenger automobiles owned by clergy are to be classified as Class 10 or 15 unless (a) Class 30 is required due to business use other than in connection with church use or (b) an inexperienced operator is listed on the policy.

2.   Excluded Operator

If an operator who is a member of the household is to be excluded in rating a particular automobile to produce a lower premium charge, the policyholder must submit a signed statement that such operator does not and will not operate the automobile to be insured. The signed statement must be on the Operator Exclusion Form, M-0106-S.

If any operator excluded as a result of such signed statement operates the automobile, the appropriate operator classification premium for the full policy period may be charged unless a collision or limited collision claim has been denied in accordance with the provisions of the policy because the excluded operator was driving the automobile at the time of the accident.

3.   Driving Experience

An operator new to Massachusetts must provide evidence of licensure from the state or country where the operator was previously licensed in order to assign the correct operator classification under this rule. If electronically available, the company will be responsible for obtaining the motor vehicle operator report from the other state or country. If necessary, a certified English translation may be required. No operator shall be assigned to Class 10 unless the operator has six or more years of driving experience.

The classification assigned to the operator is based on the number of years licensed in the other state or country and the completion of driver training, as established by the evidence of licensure. If no evidence of prior licensure is available, the operator may be assigned to Class 20 (inexperienced principal operator, licensed less than three years, no driver training) or Class 21 (inexperienced occasional operator, licensed less than three years, no driver training). The Massachusetts driving experience will be used thereafter to assign the operator classification.

4.   Operator Use

Operators will be classified by the amount of use of an insured automobile:

·   Principal Operator – a person who has an operator's license and operates the insured automobile more than any other listed operator as determined by the percentage of use of the automobile.

·   Occasional Operator – a person who has an operator's license and operates the insured automobile less than the principal operator.

C. Classification Changes

Classification of each automobile shall be determined by the facts existing as of the effective date of the policy. Premium adjustments shall be made on a pro rata basis if changes occur during the policy period.

D. Satisfactory Driver Training Program

1. Completion and receipt of a certificate under the Massachusetts Driver Education Program prescribed by the Registrar of Motor Vehicles, or

2. The presenting of satisfactory evidence (certificate signed by school officials) that such operators have successfully completed a driver education course in a state other than Massachusetts meeting the following standards:

a. The course had the official approval of the State Department of Education or other responsible state agency, and was conducted by:

(1) a recognized secondary school, college or university, or

(2) other school approved and supervised by the State Department of Education or other responsible state agency.

b. The course was conducted by instructors certified by the State Department of Education or other responsible state agency.

c. The course was composed of a minimum of thirty clock hours for classroom instruction, plus a minimum of twelve clock hours per student in the practice driving phase.

RULE 29.   RESERVED FOR FUTURE USE

RULE 30.   PERSONAL INJURY PROTECTION - DEDUCTIBLE OPTIONS

The policyholder, at his or her option, may elect an amount to be deducted from the amounts otherwise due each person subject to the deduction, under the following conditions:

1. The option of electing a deductible shall be limited to individual insureds and shall apply only to private passenger vehicles as defined in this Section and motor homes owned by such insureds.

2. The eligible policyholder may select a deductible amount of $100, $250, $500, $1,000, $2,000, $4,000 or $8,000.

3. The deductible applicable to the "Policyholder alone" is the only deductible available if the policyholder is the only member of the household, regardless of the number of vehicles which he owns. Lawfully married individuals having joint ownership and registration of a single motor vehicle which is the only vehicle in the household shall be considered to be an individual for purposes of paragraph 4 of this rule. In such a case the same form of deductible must apply to both of the lawfully married individuals.

4. Either the deductible for the policyholder "alone" or the policyholder and household members is available to a policyholder who has two or more members in his household and there is one motor vehicle in the household.

5. The deductible applicable to the policyholder and household members is the only deductible available for election if there are two or more members in the household, and also two or more motor vehicles insured for Personal Injury Protection by household members.

6. If two or more vehicles are insured under a single policy, the same deductible election shall apply to all vehicles insured under such a policy.

7. As used in this rule, the term "household members" means those persons living in the policyholder's household who are related to the policyholder by blood, marriage or adoption. This includes wards or foster children.

The Personal Injury Protection premium otherwise applicable shall be reduced by the dollar amount determined by applying the percentage shown on the Miscellaneous Rating Factors page to the manual premium.

RULE 31.   TRANSPORTATION OF FELLOW EMPLOYEES

If a private passenger motor vehicle has a seating capacity of not more than eight passengers other than the driver and is used to carry fellow employees, students or others for a consideration, expressed or implied, to or from, or near their place of employment or education, the premium to be charged shall be the otherwise applicable private passenger automobile rate. For vehicles in excess of eight passengers, refer to the rule for van pools in the commercial automobile manual.

All policies subject to this rule must contain the endorsement titled Transportation of Fellow Employees, Students or Others, M-0004-S.

RULE 32.   PICK-UPS, VANS AND SIMILAR TYPE VEHICLES

Except for those vehicles for which a specific symbol is shown in the Symbol and Identification Section, pick ups, vans and similar type vehicles which qualify as private passenger automobiles in accordance with Rule 27(B), refer to the Miscellaneous Motor Vehicles page for rating methods and factors.

To determine the private passenger symbol group for Parts 7, 8 and 9, refer to Rule 22.

Using FOB List or purchase price, whichever is greater, apply the age group factor for the model year and follow ACV rating procedure.

Refer to the assigned insurer's rating procedure for purposes of comparing the MAIP premiums to the assigned insurer's voluntary premiums.

RULE 33.   TOWING AND LABOR COST

Private Passenger Automobiles and Motorcycles only.

Refer to the Miscellaneous Rating Factors page for limits and premiums.

Applicable regardless of the term of the policy or endorsement.

Refer to the assigned insurer's rating procedure for purposes of comparing the MAIP premiums to the assigned insurer's voluntary premiums.

RULE 34.   TRAILERS DESIGNED FOR USE WITH PRIVATE PASSENGER MOTOR VEHICLES

This equipment includes utility, boat, horse, camping, travel or similar type trailers designed to be pulled by a private passenger auto, motorcycle, pick-up truck, van or similar type vehicle, and if not a home, office, store, display or passenger trailer.

Refer to the Miscellaneous Motor Vehicles page for rating methods and factors.

Refer to Rule 22 to determine rating symbol. Use the FOB List or purchase price, whichever is greater.

Refer to the assigned insurer's rating procedure for purposes of comparing the MAIP premiums to the assigned insurer's voluntary premiums.

RULES 35 - 38.   RESERVED FOR FUTURE USE

SECTION III - MISCELLANEOUS MOTOR VEHICLES AND COVERAGES

RULE 39.   MOTOR HOMES/CAMPER BODIES

A.   Motor Homes

Any motor vehicle originally designed or permanently altered as living quarters (including cooking, dining, plumbing or refrigeration facilities), and which is used exclusively for human habitation or camping purposes. This also includes pick-up trucks used solely to transport a camper body or other similar living quarters. A motor vehicle designed primarily to transport property which has been temporarily altered or equipped for human habitation shall not be deemed to be a motor home.

Refer to the Miscellaneous Motor Vehicles page under Motor Homes for rating methods and factors; for Parts 7, 8 and 9, refer to Rule 22 to determine rating symbol.

Refer to the assigned insurer's rating procedure for purposes of comparing the MAIP premiums to the assigned insurer's voluntary premiums.

B.   Camper Bodies

A pick-up truck used to transport a portable camper body or similar living quarters, but which is also used for other purposes should be rated, both pick-up and camper body, according to the otherwise regular use of the vehicle.

For Collision (Part 7), Limited Collision (Part 8), or Comprehensive (Part 9) coverages, the vehicle should be rated as follows:

Symbolled Pick-Up

1.   Obtain the rating symbol from the Symbol and Identification Section.

2.   Match the rating symbol with the appropriate price table in Rule 22. The value of the vehicle is the higher price displayed in the price range for the corresponding symbol.

3.   Develop the revised rating symbol by adding the value of the camper body to the value of the vehicle as determined in item 2.

4.   Develop the premium according to the rating symbol determined in item 3 and the model year indicated in the rate section.

Non-Symbolled Pick-Up

1.   Determine the FOB List Price or Purchase Price, whichever is higher, and include the value of the camper body.

2.   Based on the price developed in item 1 refer to Rule 22 to determine the symbol.

3.   Develop the premium according to the symbol determined in item 2 and the model year indicated in the rate section.

Refer to the assigned insurer's rating procedure for purposes of comparing the MAIP premiums to the assigned insurer's voluntary premiums.

RULE 40.   RESERVED FOR FUTURE USE

RULE 41.   STATED AMOUNT COVERAGE

Parts 7, 8 and 9

A motor vehicle may be insured on a stated amount basis when it can be clearly established that its value will produce an inadequate premium charge using normal rating procedures. In such case, the vehicle may be rated as follows:

1. An appraisal shall be made at the time of application to establish the current market value of the vehicle. The insurer shall verify the accuracy of the appraisal.

2. Using the appraised value and the vehicle's model year, refer to Rule 22 to determine the symbol group. Obtain the stated amount rate from the Stated Amount Rate Page in this manual. Apply the rate obtained from this Stated Amount Rate Page to each $100 of the appraised valuation. For Symbol 17 and above use the Symbol 17 rate.

Endorsement MPY-0027-S titled Stated Amount Coverage must be issued with the policy

RULES 42-43. RESERVED FOR FUTURE USE

RULE 44.   MOTORCYCLES, MOTORSCOOTERS, MOPEDS AND SIMILAR MOTOR VEHICLES

Experienced or inexperienced operator classifications apply to coverage parts 1, 2, 4, 5, 7 and 8. The experienced operator classification is applied when the operator of the motorcycle has been licensed to operate a motorcycle for at least six years. The inexperienced operator class is applied when the operator of the motorcycle has been licensed to operate a motorcycle for less than six years, or holds a motorcycle permit. When an inexperienced operator classification is applied to a motorcycle, the rates for parts 1, 2, 4, 5, 7 and 8 must be multiplied by a factor of 1.50. The merit rating plan points assigned to an operator on a private passenger automobile insurance policy, if available, shall also be applied to the motorcycle policy, except that an operator with less than five years of motorcycle experience will not be eligible for any discount and an operator with less than six years, but more than five years, of motorcycle experience will not be eligible for the highest discount. Operators assigned to motorcycles will also be considered for assignment to automobiles listed on the policy in accordance with Rule 28.

If there is more than one operator on a policy, the operators shall be assigned to the motorcycles in the order which produces the highest Combined Premium. The Combined Premium is the sum of the premium for Parts 1, 2, 4, 5, 7, 8 and 9 for the operator's classification, including the 25% discount for operators age 65 and over, and the operator's merit rating plan points. Any motorcycles remaining after assignment of all operators shall be assigned the classification merit rating plan points and merit rating plan points producing the lowest Combined Premium for the listed operators. If an inexperienced operator is the only listed operator of the motorcycle on the policy, all motorcycles shall be assigned an inexperienced operator classification.

Personal Injury Protection coverage for any operator or occupant of a motorcycle is excluded under the policy. The Personal Injury Protection premium in the rate pages must be charged for all motorcycles subject to the Compulsory Law. If Optional Bodily Injury to Others (Part 5) is purchased with guest occupants excluded, Endorsement M-0002-S titled "Guest Occupants Exclusion" must be issued with the policy.

The term "Motorcycle" shall include any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including any bicycle with a motor or driving wheel attached, except a tractor, a motorized lawnmower, a motor vehicle designed for the carrying of golf clubs and not more than four persons, an industrial three wheel truck, or a motor vehicle on which the operator and passengers ride within an enclosed cab.

The multi-car discount does not apply to any motorcycle.

Motorcycles shall be classified on the basis of cubic centimeter displacement in accordance with the following groups and written at the rate shown on the Rate Sheets.

Group A - Cubic Centimeter Engine Displacement of 100 or less.

Group B - Cubic Centimeter Engine Displacement of 101-350.

Group C - Cubic Centimeter Engine Displacement of 351-650

Group D - Cubic Centimeter Engine Displacement over 650

Fire - See rate section.

Theft - See rate section.

Comprehensive - See rate section.

Collision - See rate section.

Limited Collision - See rate section.

Substitute Transportation – See Miscellaneous Rating Factors page.

Towing and Labor – See Miscellaneous Rating Factors page.

Motorcycles subject to the Compulsory Law and classified in accordance with this Rule, shall be eligible for a 25% discount if the experienced operator has attained age 65, or older. The discount applies to all Parts.

Motorcycles subject to the Compulsory Law and classified in accordance with this Rule shall be eligible for a 10% discount if the principal operator has completed an approved motorcycle rider training program. The discount applies to Parts 1, 2, 3, 4, 5, 6, 7, 8 and 12. Refer to the Miscellaneous Motor Vehicles Page for a list of approved sites.

Motorcycles subject to the Compulsory Law and classified in accordance with this Rule shall be eligible for a 20% discount if the motorcycle is equipped with a Vehicle Recovery System which falls under Category IV of the Anti-Theft Device Standards and Discounts, as defined in Rule 54. This discount is applicable to Comprehensive coverage or other combinations of specified perils which afford Theft coverage.

RULE 45. AGREED AMOUNT COVERAGE - COMPREHENSIVE

At the option of the policyholder, Comprehensive (Part 9) coverage may be written to provide that in determining the actual cash value of a motor vehicle to be insured, no deduction shall be made to reduce the value of the vehicle to less than the agreed value in the event of loss. "Agreed value" means the value of the vehicle as determined by agreement between the insurer and the policyholder. As a condition to this coverage, the insurer shall be permitted to inspect the vehicle at the time of application. The vehicle shall be rated as follows:

1. An appraisal is to be made to establish the current market value of the vehicle. The cost of appraisal shall be borne by the policyholder.

2. Refer to Rule 22 to determine the appraised value symbol group.

3. Obtain the stated amount rate from the Rate Page Section of the Manual.

4. Apply the rate obtained to each $100 of valuation.

5. Multiply the premium obtained in (4) above by the factor of 110%.

Endorsement MPY-0034-S titled "Agreed Amount Coverage - Comprehensive" must be issued with the policy.

RULE 46. EXCESS ELECTRONIC EQUIPMENT COVERAGE

Coverage for loss or damage to any electronic equipment that reproduces, receives or transmits audio, visual or data signals, is excluded under the Massachusetts Automobile Insurance Policy, unless the electronic equipment has been permanently installed in the auto in locations used by the auto manufacturer for installation of such equipment. However, electronic equipment which is permanently installed in the auto in locations not used by the auto manufacturer for installation of such equipment is covered up to $1,000. Coverage in excess of $1,000 is available, as follows:

1. Determine the value of the equipment, including installation, in excess of $1,000

2. The rate charged is a flat rate and is not subject to any discount, other than that applicable to Class 15.

3. Endorsement MPY-0041-S, "Excess Electronic Equipment Coverage," must be issued with the policy.

Refer to the Miscellaneous Rating Factors page for premium charges.

RULE 47.   CUSTOMIZED VANS AND PICK-UPS

Coverage for loss or damage to customizing equipment located in or upon a pick-up or van is excluded under the Massachusetts Automobile Insurance Policy. Coverage for customizing equipment is available for any pick-up or van insured under the policy for Collision (Part 7), Limited Collision (Part 8), or Comprehensive (Part 9) by attaching Endorsement MPY-0037-S, Coverage for Customized Vans and Pick-Ups, and adding the value of the customized equipment to the value of the vehicle.

The vehicle should be rated as follows:

A. Symbolled Pick-Up or Van

1. Obtain the rating symbol from the Symbol and Identification Section.

2. Match the rating symbol with the appropriate price table in Rule 22. The value of the vehicle is the higher price displayed in the price range for the corresponding symbol.

3. Develop the revised rating symbol by adding the value of the customized equipment to the value of the vehicle as determined in Item 2.

4. Develop the premium according to the rating symbol determined in Item 3 and the model year indicated in the rate section.

B. Non-Symbolled Pick-Up or Van

1. Determine the FOB List Price or Purchase Price, whichever is higher, and include the value of the customized equipment.

2. Based on the price developed in Item 1, refer to Rule 22 to determine the symbol.

3. Develop the premium according to the symbol determined in Item 2 and the model year indicated in the rate section.

RULE 48.   RESERVED FOR FUTURE USE

<div align="center">SECTION IV - NON-OWNED AUTOMOBILES</div>

RULE 49.   RESERVED FOR FUTURE USE

RULE 50.   USE OF OTHER AUTOMOBILES

A policy may be extended to provide coverage for an individual who owns an auto but also drives borrowed or rented autos. The policy may also be extended to provide coverage for household members.

Endorsement M-0051-S, Use of Other Automobiles-Vehicles Furnished or Available For Regular Use may be used to cover vehicles furnished or available for regular use except vehicles furnished for use as public or livery conveyances.

Endorsement M-0052-S, Use of Other Automobiles-Vehicles Furnished or Available For Use as Public or Livery Conveyances, may be used to cover non-owned public or livery conveyances. Primary insurance must be in effect for these vehicles.

The following rates apply for Damage To Someone Else's Property (Part 4), Optional Bodily Injury To Others (Part 5), and Medical Payments (Part 6):

1. Vehicles Furnished or Available For Regular Use Except Public or Livery Conveyances

   A.   No Primary Insurance - 90% of the applicable Private Passenger rate for an individual
        and 100% for individual and household members.
   B.   Primary Insurance – 12% of the applicable Private Passenger rate for an individual and 13% for individual and household members.
   C.   If the named individual is in the business of selling, servicing, repairing or parking autos and there is no insurance afforded on a primary basis, the applicable exclusion may be eliminated and the rate to be changed shall be 100% of the applicable private passenger rate.

2. Vehicles Furnished or Available For Use As Public or Livery Conveyances

   50% of the applicable Private Passenger rate for an individual and 60% for an individual and household members.

Physical Damage Coverages

   A policy providing Collision (Part 7), Limited Collision (Part 8) or Comprehensive (Part 9) coverages may be extended to provide these coverages for non-owned private passenger autos furnished or available for regular use to the named individual other than for use as a public or livery conveyance.

   The premium for these coverages shall be the applicable private passenger class, symbol 5 and the latest model year shown in the manual for the territory in which the named individual resides.

RULES 51 - 53.   RESERVED FOR FUTURE USE

SECTION V - SUPPLEMENTAL INFORMATION

RULE 54.   ANTI-THEFT DISCOUNTS

1. **Purpose and Scope**

   This rule governs the reduction in premium charges for private passenger motor vehicles and certain commercial vehicles equipped with anti-theft devices and vehicle recovery systems.

2. **Eligibility**

   This rule is applicable to private passenger automobiles as defined in Rule 27 in this manual.

3. **Coverages**

   The discount is applicable to the Comprehensive coverage or other combination of specified perils which afford Theft coverage.

4. **Discounts Applicable**

   The following discounts are to be applied:

Vehicles Qualifying for	Discount
Category I	5%
Category II	15%
Category III	20%
Category IV	20%
Category IV, plus Category I	25%
Category IV, plus Category II	30%
Category IV, plus Category III	35%
Category V	25%
Category V, plus Category I	28%
Category V, plus Category II	32%
Category V, plus Category III	36%

5. **Definitions**

   As used in this regulation, the following words shall mean:

   "Passive device or system" describes an anti-theft device or system which is activated automatically when the operator turns the ignition key to the off position.

   "Alarm," except where otherwise specified, means horn, bell, siren or other sounding device which is audible at 300 feet.

   "Tubular" describes a type of lock whose key is cylindrically shaped and which has at least 50,000 combinations.

   "Electronic lock or keyless device" is an electronic coding device that has more than 10,000 combinations. The combination used to unlock the device can be entered through a keyboard or similar data entry device or by means of a remote control device.

6. **General**

   Stickers identifying the particular anti-theft system installed may not be attached to the car unless specifically permitted in these rules.

   If two or more qualifying devices are attached to a vehicle, the total discount shall be that applicable to the device meeting standards for the highest discount. If one of the qualifying devices is a Category IV device, the applicable discount shall be calculated as stated in Item 4.

Discounts Applicable.

Insurers may require reasonable evidence of installation of any anti-theft device but may not refuse to grant a discount to a qualifying device solely on the grounds that it was installed by the owner of the auto.

Categories Defined

Category I

Devices qualifying in this category receive 5% discounts.

(a) Ignition or Starter Cut-Off Switch in Combination with Flush or Tapered Door Lock Buttons

This device is an ignition cut-off switch (sometimes called a "kill switch") or a starter cut-off switch which is inserted into the ignition wiring of an auto. The switch is tripped upon leaving the auto and must be switched back in order to start the auto.

The switch must be installed so that it is not visible from the driver's position when the driver is seated. In addition, the vehicle must contain flush or tapered door lock buttons on all doors.

A sticker may identify the presence of this system.

(b) Ignition or Starter Cut-Off Switches

Such ignition or starter cut-of switches either must be designed so that the wires leading from the switch to the engine compartment are protected by armored tubing or cable, or operate passively.

(c) Non-Passive, Externally-Operated Alarm

This is a non-passive warning alarm which is installed in an auto and can be set to go off if any door, the trunk or the hood is opened without first turning off the alarm by use of a key inserted in a lock mounted on the outside of the auto.

(d) Steering Column Armored Collar

This is a device similar to an oversized padlock which clamps on the steering column over the ignition lock and prevents access to it. This device, upon being locked, prevents the vehicle from being started, or if the auto is hot-wired and started, the device prevents it from being steered. No part of the device, when not in operation, is attached to the steering column. A sticker may identify the presence of this device.

(e) Steering Wheel Removal Lock

This device prevents steering movement of the vehicle from a parked position. This is a high security steering wheel lock assembly manufactured of hardened steel components, which allows removal of the steering wheel from the vehicle. The assembly is permanently attached to the vehicle's steering column and is located between the column and the steering wheel. Operation of the lock is controlled by a high security configured key. Unlocking the assembly will permit removal of the steering wheel from the vehicle. A fitted security plate is then inserted onto the lock assembly in place of the steering wheel and the lock's security key is then removed. Re-attachment of the steering wheel onto the lock assembly requires use of the security key to first remove the fitted security plate and then to attach the steering wheel. The security key can be removed from the lock assembly only after either the security plate or steering wheel have been locked into place.

Category II

Devices qualifying in this category receive 15% discounts.

(a) Non-Passive Fuel Cut-Off Device

This is a shut-off device which operates to block the fuel line when a switch is tripped or when the device is engaged by a key. The switch to open or shut off the fuel line must be well hidden from view.

(b) Non-Passive Steering Wheel Lock

This device prevents the steering wheel from turning. A steel collar and barrel, into which the shackle of a lock fits, are permanently attached to the steering post. The shackle, made of case-hardened alloy steel, fits over the steering wheel spoke and into the barrel. A tubular key operates the lock. The collar, barrel and shackle must resist cutting with a file. A sticker may identify the presence of this system.

(c) Armored Cable Hood Lock and Ignition Cut-Off Switch

This system is one which meets all the criteria of Section (5.4)(f)(1) except paragraph (a). Armor must be similar to that used in outdoor telephone booths; it must extend through firewall and be secured so as to prevent retraction.

(d) Window Identification System

A window identification is one in which identification letters and/or numbers are etched by sandblasting, chemical process or other permanent marking into all the windows of the vehicle other than the small vent window.

Provision must be made for immediate telephone identification of the owner of the vehicle any time of day or night.

A sticker may identify the presence of this identification system.

(e) Emergency Handbrake Lock

This device prevents the release of the emergency handbrake. The lock replaces the handbrake grip, and is permanently attached to the handbrake lever. The lock encasement must be all metal construction. The lock is released by entering a preset digital combination. A sticker may identify the presence of this device.

(f)   Car Transmission Lock

The device prevents the vehicle from moving from a parked position by locking the gear shift. A steel encased lock is permanently attached to the floor of the vehicle by a steel stand. The shackle, made of case hardened alloy steel, fits around the gear shift and is inserted into the lock. The device must have a high security locking system with at least 50,000 combinations. The lock, shackle and stand must resist cutting and filing.

A sticker may identify this system.

Category III

Devices qualifying in this category receive 20% discounts.
   (a) Passive Alarm System - This is an alarm system meeting the following criteria:

   (1) Ignition must be cut off automatically, or starter must be disabled automatically.

   (2) Alarm must be triggered by entry of doors, hood or trunk.

   (3) Hood must not open unless unlocked from inside the vehicle by a key, or by an electronic keyless device.

   (4) Alarm must sound for no more than eight minutes, and upon ceasing to sound, must reset itself.

   (5) Alarm must not emit a pulsating, whooping, or yelping sound which would cause it to be mistaken for the modern police, fire or other emergency vehicle siren.

   (6) Alarm must be installed in the engine compartment so as to be inaccessible without opening the hood.

   (7) The system must be engaged passively by turning the ignition key to the off position. To disarm the system a tubular lock or electronic keyless device must be used. The maximum time delay permitted to disarm the system after re-entry is twenty seconds.

(b) Passive Fuel Cut-Off Device

This fuel cut-off device is engaged by turning the ignition key to the off position. The driver must trip a switch to open the fuel line each time the car is started. This device must meet the following criteria:

(1) The fuel line must be blocked when the power is off.

(2) The switch to open the fuel line must be well hidden from view, but accessible to the driver from the driver's seat. In the alternative a tubular key or an electronic keyless device may be used.

(3) A parking/service attendant override switch may be provided. It must be well hidden from view. It must not be accessible from the passenger compartment; alternatively, if the override switch is accessible from the passenger compartment, a warning buzzer must sound (or the operator must be distracted in some other way) while the engine is running and the override switch engaged. If the buzzer is disconnected, it must result in disconnection of the entire anti-theft system.

(4) Any under-the-dash wiring installed in connection with this device must blend in color with factory-installed wiring.

(c) Armored Ignition Cut-Off Switch

This device is a kill switch designed to resist tampering. To prevent hot-wiring of the auto, a protective cap is attached to the coil or starter solenoid. Such devices must meet the following criteria:

(1) Armored cable must run from a separate key to the coil, starter solenoid, or other engine component. Such cable must be similar to that used in outdoor telephone booths, collapse when cut, and preclude quick reconnection of the cut wire inside; alternatively, some other effective means of preventing defeat of the system by cutting the armored cable must be employed.

(2) The device must prevent hot-wiring of the car.

(3) A separate lock must be of tubular type and must be installed inside the auto so as to facilitate use by the driver; alternatively, an electronic keyless device may be used in lieu of a lock if it does not take significantly longer to engage the device than it takes to remove a key from a lock, and use of the system is otherwise facilitated.

(d) Passive Multi-Component Cut-Off Switch

This device is a kill switch activated when the ignition key is turned to the off position. It is designed to prevent hot-wiring of the auto. Such device must meet the following criteria:

(1) The primary wire to the ignition coil must be disconnected.

(2) The device must disconnect the starter.

(3) One or more wires to the electronic ignition system, or to the points and condenser must be disconnected and grounded to the chassis.

(4) The wiring must blend with factory-installed wiring, and the disconnecting/grounding wires must be routed to random points in the electrical system away from the components they affect.

(5) The control module, if separate from the electronic locking mechanism, must be hidden in the engine compartment or other part of the car so that it is not easily detectable.

(6) In order to start the car, a lock or electronic device must be used to deactivate the system. The lock must be of tubular type and must be installed inside the auto so as to facilitate use by the driver; alternatively, an electronic keyless device may be used in lieu of a lock if it does not take significantly longer to engage the device than it takes to remove a key from a lock, and use of the system is otherwise facilitated.

(e) Passive Time Delay Ignition System

This is a device which allows the car to start only if the operator waits a prescribed time, which must vary from device to device in a range of three to twenty seconds, before moving the ignition key from "On" to "Start". If the

auto does not start, the operator must be required to wait at least ninety seconds before the device can be operated successfully on a subsequent try.

The device must be resistant to tampering; for example, if it is forcibly removed, reconnection of the electrical system must not be possible with a hot-wire device. Alternatively, the device must be installed with a hood lock operated by a tubular key.

(f) Armored Cable or Electrically Operated Hood Lock and Ignition Cut-Off Switch

This is a supplemental hood lock operated from within the auto which also cuts off the ignition when engaged. Such devices must meet the following criteria:

(1) Armored Cable Hood Lock

(a) The hood lock cable must be armored by case hardened solid steel tubing designed to resist cutting; tubing must extend through firewall and be secured so as to prevent retraction. Otherwise, an alarm meeting the criteria of Section (5.3)(a) must be installed.

(b) The system must be engaged by a push button or other device which facilitates use. The push button or other device must be installed within reach of driver when seated.

(c) No portion of the hood lock cable may be accessible so that it could be grasped from underneath the car; and, if accessible through the grillwork, armor must extend to the locking mechanism.

(2) Electrically Operated Hood Lock

(a) The hood lock is electrically operated and functions so that it remains locked even if the wiring operating the hood lock is cut.

(b) The system must be engaged passively by turning the ignition key to the off position. To disarm the system a separate key or electronic keyless device must be used.

(c) If the hood lock can be reached through the grillwork or from underneath the car, the hood lock must be shielded or armored so that it cannot be manually operated. The locks controlling the devices must be of tubular type or operate electronically.

(g) Passive, Delayed Ignition Cut-Off System

This electronic system disables the ignition circuit at a preset engine speed such that the engine cannot be restarted or hot-wired. Such device must meet these criteria:

(1) The ignition must cut off automatically as soon as the engine reaches a speed in the range of 1,500 to 2,000 RPM.

(2) The system must be automatically armed when the ignition key is turned to the off position.

(3) A push button or other type of disarm switch must be well hidden from view. The wiring must blend with factory-installed wiring if placed under the dash. In the alternative, a tubular key or an electronic keyless device may be used.

(4) An alarm or horn shall be actuated at the same time the ignition is disabled.

(5) If a parking/service attendant switch is provided, a buzzer must sound all the time the engine is running. The switch must be hidden in a remote place.

(h) Passive Ignition Lock Protective system

This is a case hardened steel, protective cap which fits over the ignition lock so as to prevent extraction of the ignition lock cylinder. The cap fastens to a steel collar which fits around the steering post and over the ignition lock. The ignition key fits through a slot in the cap.

A sticker may identify the presence of this system.

(i)   High Security Ignition Replacement Lock

This is a high security, case hardened steering column ignition lock, conforming to NHTSA Standard No. 1141, which cannot be removed using a conventional slide hammer or lock puller equipment.

A sticker may identify the presence of this system.

(j)   Hydraulic Brake Lock

This is a dash-mounted device which, when activated and pressurized with the brake pedal, maintains hydraulic pressure on the brakes at two or more of a vehicle's wheels so that the vehicle cannot be driven. The device must have a high security locking system with at least 50,000 combinations and a lock which cannot be pulled using a conventional slide hammer or lock puller equipment.

(k) Chip Key

This device allows only the correct ignition key(s) to start the engine. The system prevents the motor vehicle from being started unless the key to the ignition enables the correct signal. The three types of systems that qualify are:
  (i)   Transponder immobile system: system must detect the proper transponder value from the chip in the key in order to start the engine
  (ii) VATS/PASS-Key system: system must detect the proper resistance value in the key in order to start the engine
  (iii) Passlock system: system must detect the proper R-code within the ignition lock or ignition switch to start the engine; this system does not have a chip in the key; the key turns the passlock cylinder which provides the R-code.

Category IV

Devices qualifying in this category receive 20% discounts.

Vehicle Recovery System

This is an electronic unit installed in a vehicle that is activated after that vehicle is stolen. When activated, the device provides information to law enforcement officials or another public or private entities regarding the vehicle's location. The system provides for the routine delivery of the information to the appropriate law enforcement organization to assist in the recovery of the vehicle.

Category V

Devices qualifying in this category receive 25% discounts.

Vehicle Recovery System with Unauthorized Movement Notification

This is an electronic unit installed in a vehicle that is activated after that vehicle is moved without authorization. When activated, the device provides information to law enforcement officials or another public or private entity regarding the vehicle's location. The system provides for the routine delivery of the information to the appropriate law enforcement organization to assist in the recovery of the vehicle. Additionally, the device must provide personalized notification to the owner of a vehicle (or his or her authorized user) in the event of a potentially unauthorized movement of the owner's vehicle. Personalized notification shall mean notification delivered directly to the owner or his or her authorized user via automated communication, which is available beyond the proximity of the vehicle itself, to one or more devices designated in advance by the owner or his or her authorized user, such as to the owner's home telephone, mobile phone, electronic mail service, or wireless text messaging service. If maintaining the system in effect requires the payment of a service fee, insureds must provide the insurer reasonable confirmation of the coverage.

RULE 55.   <u>PRE-INSURANCE INSPECTION PROGRAM</u>

General Laws Chapter 90, section 113S, and the implementing regulations, 211 CMR 94.00, require the pre-insurance inspection of private passenger motor vehicles. The following is a summary of the requirements of the regulation.

Eligibility

Unless specifically exempted or waived, all private passenger motor vehicles and pick-ups or vans having a gross vehicle weight up to 8,000 pounds are required to be inspected by an insurer prior to the issuance of physical damage coverages by the insurer. An insurer's decision to waive or not to waive an inspection pursuant to 211 CMR 94.00, shall not be based on the age, race, sex, or marital status of the applicant or the customary operators of the vehicle, the principal place of garaging, or the fact that the policy has been assigned to the insurer through the Massachusetts Automobile Insurance Plan.

Exemptions to Inspection Requirement

An inspection shall not be required if:

1.   The motor vehicle is a new, unused motor vehicle from a franchised automobile dealership where the insurer is provided with either: a copy of the bill of sale which contains a full description of the motor vehicle, including all options and accessories; or a copy of the RMV Form 1 provided by the Registry of Motor Vehicles, which establishes the transfer of ownership from the dealer to the customer and a copy of the window sticker or the dealer invoice showing the itemized options and equipment in addition to the total retail price of the vehicle.

2.   The applicant has been insured for three years or longer, without interruption, under a motor vehicle liability policy or policies which include(s) physical damage coverage, issued by the insurer to which the application is submitted; or any applicant involuntarily transferred to another insurer due to the applicant's original insurer's withdrawal from the Commonwealth if the applicant otherwise qualifies under this regulation.

3.   An inspection is waived by the insurer.

4.   Any private passenger motor vehicle not owned by the applicant, which is used by the applicant, with the permission of the owner, as a temporary substitute due to breakdown, repair, servicing, loss or destruction of the applicant's own motor vehicle.

5.   A motor vehicle which is leased less than six months, provided the insurer receives the lease or rental agreement containing a description of the leased motor vehicle, including its condition.

6.   When requiring an inspection would cause a serious hardship to the insurer or the applicant and such hardship is documented in the applicant's policy record.

7.   When the insurer has no inspection facility or authorized representative either in the city or town in which the motor vehicle is principally garaged or within five miles of said city or town.

An insurer may require an inspection of a motor vehicle otherwise exempt pursuant to 211 CMR 94.05(1) provided that the decision to inspect such motor vehicle is reasonable and supported by objective facts. An insurer shall maintain a written record of its reasons for requiring an inspection in situations that are otherwise exempt in the applicant's policy record.

Waiver of Inspection

An inspection may be waived if:

1.   The motor vehicle is ten or more model years older for all policies issued or renewed during the current calendar year.

   Example: For policies issued or renewed during calendar year 2005, inspection of all 1995 and older model year vehicles may be waived.

2.   A non-owned vehicle is insured under a policy providing physical damage coverage issued by an insurer which has inspected such motor vehicle in accordance with the provisions of this regulation.

3. A producer is transferring a book of business from one insurer to one or more insurers.

4. An individual applicant's coverage is being transferred by an independent insurance producer to a new insurer and said producer provides the new insurer with a copy of the inspection report completed on behalf of the previous insurer, provided the independent producer represents both insurers, and the insured vehicle was physically inspected by the previous insurer. However, if the new insurer does not receive a copy of the inspection report sixty days prior to the first annual date, the insurer must, upon renewal of the physical damage insurance, require an inspection.

5. When a motor vehicle is insured for physical damage on the applicant's expiring Massachusetts Automobile Insurance Policy, or when a copy of a prior Pre-insurance Inspection is provided.

6. When the applicant has been a customer of the producer for at least three years under a Massachusetts Automobile insurance Policy which included physical damage coverage.

An insurer shall maintain a written record of its reasons for not waiving an inspection in situations where it is permitted in the applicant's policy record.

Deferral of Inspection

An insurer may defer an inspection for ten calendar days (not including legal holidays and Sundays) following the effective date of coverage on new business and on additional or replacement vehicles to an existing policy, if an inspection at the time of the request for coverage would create a serious inconvenience for the applicant. An inspection may also be deferred for applicants ceded to Commonwealth Automobile Reinsurers.

Whenever an inspection is deferred, the Notice of Mandatory Pre-Insurance Inspection Requirement (Form B) or the Acknowledgment of Requirement for Pre-Insurance Inspection (Form D) must be used in accordance with the Regulation.

If an inspection is not conducted within the ten day deferral period, physical damage coverage is automatically suspended on the day following the ten day deferral period.

Coverage may be reinstated to be effective at the time of inspection or, in accordance with the Regulation, the Notice of Suspension of Physical Damage Coverage (Form C) must be used.

Inspection Procedures

Inspections required or permitted shall be made by a designated authorized representative of the insurer at a time and place reasonably convenient to the applicant.

The inspection shall be recorded on the prescribed Motor Vehicle Pre-Insurance Inspection Report (Form A) and include appropriate photos as required under the Regulation.

The insurer must retain the original report and photographs for three years except as provided by the Regulation.

The insurers shall maintain an up-to-date list of all its authorized representatives and inspection sites.

RULE 56.   MERIT RATING PLAN

Driving Record/Experience Period

Each listed operator on a policy is assigned a merit rate adjustment based on the operator's driving record. The merit rate adjustment is a percentage multiplied by the otherwise applicable premium to reflect the number, type, and age of at fault accidents and traffic violations of the rated operator during the policy experience period.

The policy experience period is the six years immediately preceding the effective date of the policy. At fault accidents or traffic violations that occurred more than five years prior to the policy effective date are not considered in the determination of the merit rate adjustment.

The Merit Rating Board will compute and report to the Insurer the total number of operator accident or violation points incurred during the five years preceding the policy effective date for each operator. For an operator with no at fault

accidents or traffic violations during this time, the Merit Rating Board will report a code 98 for that operator. For an operator with no at fault accidents or traffic violations in the six years immediately preceding the policy effective date, the Merit Rating Board will report a code 99 for that operator.

Operators New to Massachusetts

If an application for insurance indicates that an operator new to Massachusetts was licensed outside of Massachusetts within the last six years or such operator is being added to an existing policy, the operator's policy experience period will begin as of the effective date of that policy until the insurer receives an authorized inquiry response from the Merit Rating Board indicating the operator's merit rating information.

If an operator's Motor Vehicle Report (MVR) is electronically available, the insurer will be responsible for obtaining it from the state or country where the operator was licensed. Driving history on MVRs obtained from more than one state or country must be combined by the insurer and considered as one report. An acceptable MVR must have three years or more driving history, unless the operator has been licensed less than three years. If there are no motor vehicle violations or at-fault accidents shown on the MVR, the insurer must submit a policy inquiry to the Merit Rating Board in compliance with its Administrative Procedures. An operator's MVR with motor vehicle violations or at-fault accidents must be submitted to the Merit Rating Board. The Merit Rating Board will determine the operator'smerit rating information.

If an operator's MVR is not electronically available, the policy experience period for the operator will begin as of the effective date of the policy until the insurer receives an authorized inquiry response from the Merit Rating Board with the operator's actual merit rating information. The operator may obtain an official driving record or a record from a previous insurer and submit it to the new insurer. If the driving record is not in English, a translation certified as true and correct by the translator must be obtained by the operator and attached to the driving record submitted to the insurer. An acceptable driving record must have three or more years driving history, unless the operator has been licensed less than three years. If there are no motor vehicle violations or at-fault accidents shown on the operator's record, the insurer must submit a policy inquiry to the Merit Rating Board in compliance with its Administrative Procedures. An operator's record with motor vehicle violations or at-fault accidents must be submitted to the Merit Rating Board. The Merit Rating Board will determine the operator's merit rating information.

Classification of Points By Driving Infraction

Points are assigned as follows:

Minor traffic law violation	2 points	Major at-fault accident	4 points
Minor at-fault accident	3 points	Major traffic law violation	5 points

A claim payment for Bodily Injury Liability, Damage to Someone Else's Property, Collision or Limited Collision of at least $500 and up to $2,000 constitutes a minor at-fault accident. A claim payment of more than $2,000 constitutes a major at-fault accident. An "at-fault" accident is one in which the insurer determines that the involved operator is more than 50% at fault.

An operator's total number of points is based on the number of years since the last at fault accident or traffic violation. If the most recent at fault accident or traffic violation occurred less than three years prior to the policy effective date, the total number of points is equal to the sum of the above point values for each driving infraction in the policy experience period. If the most recent at fault accident or traffic violation occurred more than three years prior to the policy effective date, and the number of driving infractions during the policy experience period is three or less, the total number of points is equal to the sum of the above point values for each driving infraction minus the number of driving infractions in the policy experience period. In no event shall the points for any at fault accident or traffic violation be reduced below zero.

Points are not assigned to a non-criminal minor motor vehicle traffic law violation if it is the first such violation.

Calculation of the Merit Rate Adjustment

The merit rate adjustment is applied to Bodily Injury (Parts 1 and 5), PIP (Part 2), Property Damage (Part 4) and Collision (Part 7).

The merit rate adjustment is the last step in the rating process after all discounts and rating factors have been applied to the rate.

	Experienced Operators	Inexperienced Operators
	Adjustment Factor	Adjustment Factor
Excellent Driver Discount Plus (6 Years Incident-Free)	-17.0%	
Excellent Driver Discount (5 Years Incident-Free)	-7.0%	-7.0%
	Adjustment Factor	Adjustment Factor
Number of Points X	+ 15.0%	+ 7.5%

Merit Rating Plan

Calculation of Merit Rate Adjustments
Percentages to Apply to Otherwise Applicable Premiums *

	Experienced Operators (Rate Class 10, 15 or 30)		Inexperienced Operators (All Other Rate Classes)	
Points	Parts 1, 2, 4 and 5	Part 7	Parts 1, 2, 4 and 5	Part 7
	Credit Factors			
Excellent Driver Plus	0.170	0.170	NA	NA
Excellent Driver	0.070	0.070	0.070	0.070
	No Credit/No Surcharge Factors			
0	0.000	0.000	0.000	0.000
	Surcharge Factors			
1	0.150	0.150	0.075	0.075
2	0.300	0.300	0.150	0.150
3	0.450	0.450	0.225	0.225
4	0.600	0.600	0.300	0.300
5	0.750	0.750	0.375	0.375
6	0.900	0.900	0.450	0.450
7	1.050	1.050	0.525	0.525
8	1.200	1.200	0.600	0.600
9	1.350	1.350	0.675	0.675
10	1.500	1.500	0.750	0.750
11	1.650	1.650	0.825	0.825
12	1.800	1.800	0.900	0.900
13	1.950	1.950	0.975	0.975
14	2.100	2.100	1.050	1.050
15	2.250	2.250	1.125	1.125
16	2.400	2.400	1.200	1.200
17	2.550	2.550	1.275	1.275
18	2.700	2.700	1.350	1.350
19	2.850	2.850	1.425	1.425
20	3.000	3.000	1.500	1.500
21	3.150	3.150	1.575	1.575
22	3.300	3.300	1.650	1.650
23	3.450	3.450	1.725	1.725
24	3.600	3.600	1.800	1.800
25	3.750	3.750	1.875	1.875
26	3.900	3.900	1.950	1.950
27	4.050	4.050	2.025	2.025
28	4.200	4.200	2.100	2.100
29	4.350	4.350	2.175	2.175
30	4.500	4.500	2.250	2.250
31	4.650	4.650	2.325	2.325
32	4.800	4.800	2.400	2.400

33	4.950	4.950	2.475	2.475

Merit Rating Plan

34	5.100	5.100	2.550	2.550
35	5.250	5.250	2.625	2.625
36	5.400	5.400	2.700	2.700
37	5.550	5.550	2.775	2.775
38	5.700	5.700	2.850	2.850
39	5.850	5.850	2.925	2.925
40	6.000	6.000	3.000	3.000
41	6.150	6.150	3.075	3.075
42	6.300	6.300	3.150	3.150
43	6.450	6.450	3.225	3.225
44	6.600	6.600	3.300	3.300
45	6.750	6.750	3.375	3.375

* Total merit rate adjustment is determined by multiplying the above percentages (for the appropriate points) to premiums by coverage (after all other applicable discounts and rating factors), rounding to the nearest whole dollar amount, and then summing the results for all coverages.

RULE 57. RESERVED FOR FUTURE USE

RULE 58. REGISTRY OF MOTOR VEHICLES PROCEDURES

The following is a general summary of Registry of Motor Vehicles procedures. For specific details about procedures, contact the Registry.

Registration Requirements

Registration is required for all vehicles and trailers. A complete "RMV-1" form must be submitted, along with the previous owner's title or certificate of origin, or a bill of sale for a vehicle that has not been titled previously.

Six to eight weeks prior to the expiration date of registration, the Registry will mail an "RMV-2" renewal card, which will show the current registration data for the owner of the vehicle and the vehicle. Certain changes may be made by the owner on the application.

An "RMV-3" Amendment of Registration form may be used to change information on a current registration, renew a current registration if an "RMV-2" form has not been received, swap from one license plate to another type of plate, such as a vanity plate, and re-register a vehicle for the same owner, if a new title is not required.

Registration Transfer

Valid plates from a previously-owned vehicle may be transferred to a newly acquired vehicle provided the owner is at least eighteen and has lost possession of the vehicle through either a transfer of ownership or sale of the vehicle.

An owner has seven (7) calendar days to operate a newly acquired vehicle with current plates before the transfer is processed at the Registry, and the intent of the owner is to transfer the registration from the previous vehicle to a newly acquired vehicle of the same type.

Restrictions on a registration transfer are: the owner must be the same on both vehicles, the transferred registration must be active, and the new vehicle must have the same type of plate.

Salvage Title

All vehicles for which an insurance company has made a total loss payment must be titled as a salvage vehicle except for vehicles 10 years or older. A vehicle which has a Salvage Title may not be provided with physical damage insurance until a new Certificate of Title is issued by the Registry. The Reconstructed or Recovered Theft Title will be awarded after the vehicle has passed a salvage inspection. The vehicle must be either towed to the salvage inspection site or a repair plate must be attached.

PRIVATE PASSENGER ENDORSEMENTS
ALPHABETICAL INDEX

TITLE	AIB FORM NO.
Agreed Amount – Comprehensive	MPY-0034-S Ed. 04-08)
Antique Auto	M-0047-S (Ed. 04-08)
Coverage for Anyone Renting An Auto To You	M-0070-S (Ed. 04-08)
Coverage for Customized Vans and Pickups	MPY-0037-S (Ed. 04-08)
Excess Electronic Equipment Coverage	MPY-0041-S (Ed. 04-08)
$100 Glass Deductible	MPY-0039-S (Ed. 04-08)
Guest Occupants Exclusion – Motorcycles	M-0002-S (Ed. 04-08)
Non-Renewal of Policy – Motorcycles, Recreational Vehicles and Trailers	M-0103-S (Ed. 04-08)
Operator Exclusion Form	M-0106-S (Ed. 04-08)
Other Optional Insurance – Combined Additional Coverage	MPY-0031-S (Ed. 04-08)
Other Optional Insurance – Fire, Lightning and Transportation	MPY-0028-S (Ed. 04-08)
Other Optional Insurance – Theft	MPY-0029-S (Ed. 04-08)
Stated Amount Coverage	MPY-0027-S (Ed. 04-08)
Suspension of Coverage - Reduction of Limits	MPY-0032-S (Ed. 04-08)
Transportation of Fellow Employees, Students or Others	M-0004-S (Ed. 04-08)
Use of Other Autos - Vehicles Furnished or Available for Regular Use	M-0051-S (Ed. 04-08)
Use of Other Autos - Vehicles Furnished or Available for Use As Public or Livery Conveyances	M-0052—S (Ed. 040-08)
Waiver of Deductible	MPY-0016-S (Ed. 04-08)

PRIVATE PASSENGER FORMS

Title	Edition
Massachusetts Automobile Insurance Policy	2008 Ed.
Application for Massachusetts Motor Vehicle Insurance	2008 Ed.
Coverage Selections Page	2008 Ed.
Massachusetts Renewal Form	2008 Ed.
Annual Mileage Discount Form	2008 Ed.
Application for Benefits – Personal Injury Protection	
Statutory Notice of Cancellation of the Massachusetts Motor Vehicle Liability Policy	2008 Ed.
Legal Notice of Non-Renewal of Your Massachusetts Automobile Insurance Policy	

RATING TERRITORIES SECTION

TERRITORY DEFINITIONS

Except for East Boston and South Boston, sections of cities and towns designated "North," "East," "South," and "West" or with a prefix or suffix merely supplemental to the principal name (such as West Newton or Arlington Heights) are not separately listed (see principal designation).

In some instances (such as North Andover) there are two distinct townships, Andover and North Andover, in which case both are listed.

Counties are indicated by the Statistical Code Numbers as follows:

Left Hand Digit	County	Left Hand Digit	County
0	Barnstable	4	Franklin
	Dukes		Hampden
	Nantucket	5	Hampshire
	Plymouth	6	Middlesex
1	Berkshire	7	Norfolk
2	Bristol	8	Suffolk
3	Essex	9	Worcester

CITY OF BOSTON

Definition	Rating Territory	Statistical Code
BOSTON CENTRAL - (Zip Codes 02101-02118, 02123, 02133, 02199, 02201, 02202, 02203, 02210, 02215, 02241)	23	821
BRIGHTON - (Zip Codes 02134, 02135, 02163)	24	822
CHARLESTOWN - EAST BOSTON - (Zip Codes 02128, 02129)	26	824
DORCHESTER - (North Dorchester and South Dorchester) - (Zip Codes 02122, 02124, 02125, 02126)	21*	819
EAST BOSTON - CHARLESTOWN - (Zip Codes 02128, 02129)	26	824
HYDE PARK - (Zip Codes 02136, 02137)	20	818
JAMAICA PLAIN - (Zip Code 02130)	19	817
ROSLINDALE - (Zip Code 02131)	18	816
ROXBURY - (Including parts of Dorchester) (Zip Codes 02119, 02120, 02121)	22	820
SOUTH BOSTON - (Zip Code 02127)	25	823
WEST ROXBURY (Zip Code 02132)	17	815

The following list contains subdivisions of Boston with territorial schedules and statistical codes:

Name	Rating Territory	Statistical Code
Allston - (Brighton)	24	822
Mattapan - (Dorchester - North)	21	819
Readville - (Hyde Park)	20	818

*A portion of postal zip code district 02126 falls in Hyde Park (Territory 20) and should be rated as such. The correct border between South Dorchester and Hyde Park is as follows:

Southeast, then East on Cummins Highway, Southwest on Rugby Road (1 block), Southeast on Greenfield Road, short stretch Southwest on River Street, Southeast on Mattakeeset St. to Neponset River. Border goes down the middle of these streets.

The following list contains Out of State Territorial Schedules and Statistical Codes

Location	Rating Territory	Statistical Code
Connecticut	9	991
Maine	9	992
New Hampshire	9	993
New York	9	994
Rhode Island	9	995
Vermont	9	996
Other	9	999

RATING TERRITORIES

City or Town	Rating Territory	Statistical Code	City or Town	Territory	Code
A			CHARLESTOWN - Boston (Zip Codes 02128, 02129)	26	824
ABINGTON	8	010	CHARLTON	4	936
ACTON	27	630	CHATHAM	27	051
ACUSHNET	7	230	CHELMSFORD	2	612
ADAMS	27	110	CHELSEA	16	802
AGAWAM	7	420	CHESHIRE	27	130
ALFORD	27	170	CHESTER	1	440
AMESBURY	2	310	CHESTERFIELD	27	570
AMHERST	5	510	CHICOPEE	9	402
ANDOVER	3	311	CHILMARK	27	081
ARLINGTON	4	610	CLARKSBURG	27	131
ASHBURNHAM	1	930	CLINTON	6	911
ASHBY	1	670	COHASSET	4	732
ASHFIELD	27	470	COLRAIN	1	431
ASHLAND	5	631	CONCORD	27	613
ATHOL	3	910	CONWAY	27	473
ATTLEBORO	5	210	CUMMINGTON	27	571
AUBURN	6	931	**D**		
AVON	11	730	DALTON	27	132
AYER	3	632	DANVERS	5	313
B			DARTMOUTH	7	211
			DEDHAM	8	712
BARNSTABLE	5	021	DEERFIELD	27	432
BARRE	2	932	DENNIS	3	052
BECKET	2	171	DIGHTON	5	232
BEDFORD	2	633	DORCHESTER - Boston (Zip Codes 02122, 02124, 02125, 02126)	21	819
BELCHERTOWN	3	530	DOUGLAS	2	937
BELLINGHAM	3	731	DOVER	2	733
BELMONT	3	611	DRACUT	6	614
BERKLEY	6	231	DUDLEY	3	938
BERLIN	27	933	DUNSTABLE	1	673
BERNARDSTON	27	471	DUXBURY	3	031
BEVERLY	5	312	**E**		
BILLERICA	5	634	EAST BOSTON - Boston (Zip Codes 02128, 02129)	26	824
BLACKSTONE	2	934	EAST BRIDGEWATER	6	032
BLANDFORD	3	490	EAST BROOKFIELD	2	973
BOLTON	1	970	EASTHAM	27	082
BOSTON CENTRAL - (Zip Codes 02101- 02118, 02123, 02133, 02199, 02201, 02202, 02203, 02210, 02215, 02241)	23	821	EASTHAMPTON	3	511
BOURNE	4	050	EAST LONGMEADOW	6	441
BOXBOROUGH	27	671	EASTON	7	212
BOXFORD	3	370	EDGARTOWN	27	053
BOYLSTON	2	971	EGREMONT	27	172
BRAINTREE	8	710	ERVING	27	433
BREWSTER	27	080	ESSEX	2	330
BRIDGEWATER	6	011	EVERETT	14	602
BRIGHTON - Boston (Zip Codes 02134, 02135, 02163)	24	822	**F**		
BRIMFIELD	3	491	FAIRHAVEN	7	213
BROCKTON	45	002	FALL RIVER	13	201
BROOKFIELD	3	935	FALMOUTH	3	054
BROOKLINE	8	702	FITCHBURG	7	902
BUCKLAND	27	430	FLORIDA	2	173
BURLINGTON	4	635	FOXBOROUGH	3	734
C			FRAMINGHAM	9	615
CAMBRIDGE	11	600	FRANKLIN	1	713
CANTON	8	711	FREETOWN	5	233
CARLISLE	27	672			
CARVER	7	030			
CHARLEMONT	27	472			

	Rating	Statistical

City or Town	Rating Territory	Statistical Code
G		
GARDNER	3	912
GAY HEAD	27	083
GEORGETOWN	3	331
GILL	27	474
GLOUCESTER	5	314
GOSHEN	27	573
GOSNOLD	27	084
GRAFTON	3	913
GRANBY	4	574
GRANVILLE	2	492
GREAT BARRINGTON	1	111
GREENFIELD	3	410
GROTON	27	636
GROVELAND	3	332
H		
HADLEY	27	531
HALIFAX	5	070
HAMILTON	1	333
HAMPDEN	5	493
HANCOCK	27	174
HANOVER	4	033
HANSON	5	034
HARDWICK	27	939
HARVARD	27	974
HARWICH	1	055
HATFIELD	27	532
HAVERHILL	8	302
HAWLEY	27	475
HEATH	2	476
HINGHAM	4	012
HINSDALE	2	133
HOLBROOK	11	735
HOLDEN	3	940
HOLLAND	1	494
HOLLISTON	2	637
HOLYOKE	40	403
HOPEDALE	2	941
HOPKINTON	27	638
HUBBARDSTON	1	942
HUDSON	3	616
HULL	9	035
HUNTINGTON	2	533
HYDE PARK - Boston (Zip Codes 02136, 02137)	20	818
I		
IPSWICH	2	315
J		
JAMAICA PLAIN - Boston (Zip Code 02130)	19	817
K		
KINGSTON	4	036
L		
LAKEVILLE	5	037
LANCASTER	2	943
LANESBOROUGH	1	134
LAWRENCE	44	303
LEE	27	135
LEICESTER	7	944
LENOX	27	136
LEOMINSTER	5	914
LEVERETT	1	477
LEXINGTON	2	617
LEYDEN	1	478

City or Town	Territory	Code
LINCOLN	1	639
LITTLETON	27	640
LONGMEADOW	4	442
LOWELL	41	601
LUDLOW	7	421
LUNENBURG	1	945
LYNN	43	300
LYNNFIELD	7	334
M		
MALDEN	14	603
MANCHESTER	27	335
MANSFIELD	3	214
MARBLEHEAD	4	316
MARION	3	038
MARLBOROUGH	5	618
MARSHFIELD	7	039
MASHPEE	5	085
MATTAPOISETT	3	040
MAYNARD	27	620
MEDFIELD	27	736
MEDFORD	12	604
MEDWAY	27	737
MELROSE	6	619
MENDON	27	946
MERRIMAC	3	336
METHUEN	10	317
MIDDLEBOROUGH	6	013
MIDDLEFIELD	1	576
MIDDLETON	6	337
MILFORD	5	915
MILLBURY	4	916
MILLIS	27	738
MILLVILLE	1	947
MILTON	11	714
MONROE	1	479
MONSON	3	422
MONTAGUE	27	411
MONTEREY	27	175
MONTGOMERY	27	495
MOUNT WASHINGTON	27	176
N		
NAHANT	8	338
NANTUCKET	27	056
NATICK	3	621
NEEDHAM	2	715
NEW ASHFORD	1	177
NEW BEDFORD	13	200
NEW BRAINTREE	27	975
NEWBURY	1	339
NEWBURYPORT	1	318
NEW MARLBOROUGH	27	178
NEW SALEM	27	480
NEWTON	6	605
NORFOLK	1	739
NORTH ADAMS	2	112
NORTHAMPTON	3	512
NORTH ANDOVER	5	319
NORTH ATTLEBORO	3	215
NORTHBOROUGH	27	949
NORTH BROOKFIELD	3	948
NORTHBRIDGE	3	917
NORTH DORCHESTER - Boston (Zip Codes 02122, 02124, 02125, 02126)	21	819

	Rating	Statistical

City or Town	Rating Territory	Statistical Code
NORTHFIELD	27	434
NORTH READING	5	641
NORTON	5	234
NORWELL	3	041
NORWOOD	7	716
O		
OAK BLUFFS	27	057
OAKHAM	1	976
ORANGE	2	412
ORLEANS	27	058
OTIS	27	179
OXFORD	5	950
P		
PALMER	4	423
PAXTON	5	977
PEABODY	10	320
PELHAM	27	577
PEMBROKE	6	042
PEPPERELL	27	642
PERU	1	180
PETERSHAM	27	978
PHILLIPSTON	1	979
PITTSFIELD	4	102
PLAINFIELD	27	578
PLAINVILLE	4	740
PLYMOUTH	7	014
PLYMPTON	6	071
PRINCETON	27	980
PROVINCETOWN	27	059
Q		
QUINCY	12	703
R		
RANDOLPH	14	717
RAYNHAM	6	235
READING	3	622
REHOBOTH	4	236
REVERE	15	803
RICHMOND	27	181
ROCHESTER	3	043
ROCKLAND	9	015
ROCKPORT	2	340
ROSLINDALE - Boston (Zip Code 02131)	18	816
ROWE	27	481
ROWLEY	3	341
ROXBURY - Boston (Zip Codes 02119, 02120, 02121)	22	820
ROYALSTON	1	981
RUSSELL	3	443
RUTLAND	3	951
S		
SALEM	12	304
SALISBURY	5	342
SANDISFIELD	27	182
SANDWICH	3	060
SAUGUS	12	321
SAVOY	27	183
SCITUATE	6	044
SEEKONK	4	237
SHARON	6	741
SHEFFIELD	27	137
SHELBURNE	1	435
SHERBORN	1	674
SHIRLEY	2	643

City or Town	Territory	Code
SHREWSBURY	5	918
SHUTESBURY	2	482
SOMERSET	6	238
SOMERVILLE	12	606
SOUTHAMPTON	1	580
SOUTHBOROUGH	27	952
SOUTH BOSTON - Boston (Zip Code 02127)	25	823
SOUTHBRIDGE	6	919
SOUTH HADLEY	4	513
SOUTHWICK	4	444
SPENCER	6	920
SPRINGFIELD	42	400
STERLING	27	953
STOCKBRIDGE	1	138
STONEHAM	8	623
STOUGHTON	12	718
STOW	27	644
STURBRIDGE	1	954
SUDBURY	27	645
SUNDERLAND	3	436
SUTTON	27	955
SWAMPSCOTT	9	322
SWANSEA	5	239
T		
TAUNTON	9	202
TEMPLETON	27	956
TEWKSBURY	5	646
TISBURY	27	061
TOLLAND	1	496
TOPSFIELD	4	371
TOWNSEND	27	647
TRURO	1	086
TYNGSBOROUGH	3	648
TYRINGHAM	27	184
U		
UPTON	27	957
UXBRIDGE	27	921
W		
WAKEFIELD	6	624
WALES	2	497
WALPOLE	4	719
WALTHAM	7	607
WARE	3	514
WAREHAM	8	016
WARREN	3	958
WARWICK	27	483
WASHINGTON	27	185
WATERTOWN	7	608
WAYLAND	2	649
WEBSTER	7	922
WELLESLEY	1	720
WELLFLEET	27	087
WENDELL	27	484
WENHAM	2	343
WESTBOROUGH	2	923
WEST BOYLSTON	2	959
WEST BRIDGEWATER	8	045
WEST BROOKFIELD	27	960
WESTFIELD	6	424
WESTFORD	27	650
WESTHAMPTON	27	581
WESTMINSTER	1	961
WEST NEWBURY	27	344

City or Town	Rating Territory	Statistical Code

			WILLIAMSTOWN	27	140	
WESTON	3	651	WILMINGTON	4	652	
WESTPORT	5	240	WINCHENDON	3	924	
WEST ROXBURY - Boston (Zip			WINCHESTER	3	625	
Code 02132)	17	815	WINDSOR	1	186	
WEST SPRINGFIELD	10	425	WINTHROP	13	810	
WEST STOCKBRIDGE	1	139	WOBURN	7	626	
WEST TISBURY	27	088	WORCESTER	13	900	
WESTWOOD	4	742	WORTHINGTON	1	582	
WEYMOUTH	9	721	WRENTHAM	2	743	
WHATELY	27	437		Y		
WHITMAN	8	017	YARMOUTH	4	062	
WILBRAHAM	5	445				
WILLIAMSBURG	27	534				