



NOTICE OF MANDATORY PRE-INSURANCE INSPECTION REQUIREMENT
(THIS IS NOT A SAFETY INSPECTION)

IMMEDIATE ACTION REQUIRED TO AVOID LOSS OF INSURANCE COVERAGE

DATE OF MAILING: _____

NAME OF INSURED: _____

ADDRESS: _____

POLICY #: _____

EFFECTIVE DATE OF COVERAGE: _____

(DATE)

INSPECTION MUST BE COMPLETED BY: _____

(DATE)

Dear Policyholder:

This will confirm coverage for FIRE & THEFT/COMPREHENSIVE _____; COLLISION _____; LIMITED COLLISION; _____ on your:

- | | | | |
|----|-------------|-------------|--------------|
| 1. | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ |
| | YEAR | MAKE | MODEL |

Please disregard this notice if you have already had your car inspected.

Pursuant to Regulation 211 CMR 94.00 as required by Massachusetts General Law Chapter 175, Section 113s., this notice will serve as notification that the above described car(s) must be inspected by the date indicated above for the reasons noted below, or your physical damage coverages will be suspended effective 12:01 a.m. on _____.
(DATE)

Reasons for Inspection: The Applicant or a rated operator has a Merit Rating Code of 16 through 45.

If you have your car inspected after the above deadline your coverage will only be restored after your car has been inspected and the adjusted premium due for the coverages listed above has been paid. You will have no coverage for any physical damage loss that occurs during the suspension period.

NAME AND PHONE NUMBER OF AGENCY REPRESENTATIVE

Signature of Insured or applicant (if applying for coverage in person)

cc: The Company
Producer of Record

CIC801 (12/09)

RULE 55. PRE-INSURANCE INSPECTION OF PRIVATE PASSENGER MOTOR VEHICLES PROGRAM

General Laws Chapter 175, section 113S, and the implementing regulations, 211 CMR 94.00, require the pre-insurance inspection of Private Passenger Motor Vehicles. These requirements apply to both Voluntary and MAIP policies, as required by regulation 211 CMR 94.00. The following is a summary of the requirements of the regulation.

Inspection Requirements

1. No Motor Vehicle Liability Policy for a Private Passenger Motor Vehicle including Physical Damage Coverage shall be issued or renewed in the Commonwealth unless the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.
2. Physical Damage Coverage shall not be effective on an additional or replacement Private Passenger Motor Vehicle under an existing Motor Vehicle Liability Policy until the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.

Unless specifically exempted or waived, all Private Passenger Motor Vehicles and pick-ups or vans having a gross vehicle weight up to 10,000 pounds are required to be inspected by the insurer prior to the issuance of physical damage coverages by the insurer. The Notice of Mandatory Pre-Insurance Inspection Requirement Form, CIC801 will be provided by the Insurance Producer at the time of request for Physical Damage Coverage.

Mandatory Waivers of Inspection Requirements

Commerce will waive an inspection of a Private Passenger Motor Vehicle under the following circumstances:

1. The Private Passenger Motor Vehicle is a new, unused motor vehicle from a franchised automobile dealership where Commerce 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 motor 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 Commerce 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. the Private Passenger Motor Vehicle is already insured for comprehensive, collision or limited collision by Commerce;
4. Commerce waives the inspection in accordance to the "Optional Waivers of Inspection Requirements" referenced below.
5. the Private Passenger Motor Vehicle is a Temporary Substitute Motor Vehicle;
6. the Private Passenger Motor Vehicle is leased less than six months, provided the insurer receives a copy of the lease or rental agreement containing a description of the leased motor vehicle, including its condition;
7. the inspection would cause a serious hardship to Commerce or the Insurer or the Applicant; or
8. Commerce has no Authorized Representative's or Inspection Service either in the city or town in which the Private Passenger Motor Vehicle is principally garaged or within five miles of said city or town.

- Deleted: 90
- Deleted: private
- Deleted: passenger
- Deleted: motor
- Deleted: vehicles
- Deleted: Eligibility
- Deleted: <#>Application for Physical Damage Coverage is submitted to Commerce where the applicant or a rated operator has a Merit Rating ¶
- Deleted: private
- Deleted: passenger
- Deleted: motor
- Deleted: vehicles
- Deleted: 8
- Deleted: Exemptions to Insp[... [1]
- Deleted: An inspection will not [... [2]
- Deleted: motor
- Deleted: vehicle
- Deleted: 3
- Deleted: An inspection is waived [... [3]
- Deleted: 4
- Deleted: Any
- Deleted: private
- Deleted: passenger
- Deleted: motor
- Deleted: vehicle
- Deleted: not owned by the ap [... [4]
- Deleted: 5
- Deleted: A
- Deleted: motor
- Deleted: vehicle
- Deleted: which
- Deleted: 6
- Deleted: When requiring an
- Deleted: applicant
- Deleted: and
- Deleted: such hardship is [... [5]
- Deleted: 7
- Deleted: When
- Deleted: inspection facility or a
- Deleted: representative
- Deleted: motor
- Deleted: vehicle

Optional Waivers of Inspection Requirements

Commerce may waive an inspection of a Private Passenger Motor Vehicle under any of the following circumstances:

- for Motor Vehicle Liability Policies issued or renewed with Physical Damage Coverage during the current calendar year, when the difference between the current calendar year and the model year designated by the manufacturer of the motor vehicle is ten years or more;

Example: if the calendar year is 2002, Commerce may waive the inspection for all 1992 and older model year motor vehicles.

- where a non-owned Motor Vehicle is insured under a Motor Vehicle Liability Policy providing Physical Damage Coverage issued by Commerce which has inspected such motor vehicle in accordance with the provisions of 211 CMR 94.00;

- where the Private Passenger Motor Vehicle is insured under a commercially-rated Motor Vehicle Liability Policy;

- when an insurance producer is transferring a Book of Business from one Insurer to one or more Insurers;

- when an insurance producer is transferring an individual Applicant's coverage from one Insurer to another Insurer. Commerce may require the insurance producer to provide the inspection information completed on behalf of the former Insurer, provided the Private Passenger Motor Vehicle previously was inspected by the former Insurer. If the new Insurer does not receive the inspection information within 60 days prior to the first policy renewal date of the Physical Damage Coverages, Commerce may require an inspection as set forth in 211 CMR 94.00 prior to the first policy renewal;

- when the Private Passenger Motor Vehicle is insured for Physical Damage Coverage on the Applicant's expiring Motor Vehicle Liability Policy, or when prior Pre-insurance Inspection information is provided;

- when the Applicant has been a customer of the insurance producer of record for at least three (3) years under a Motor Vehicle Liability Policy which included Physical Damage Coverage;

- when the applicant or a rated operator has a Merit Rating Code of 99, 98, or 0 through 15.

Deferral of Inspection Requirements

- An insurer may defer an inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private passenger Motor Vehicle must be inspected, whichever is later, if an inspection at the time of the request for coverage would create a serious inconvenience for the Applicant.

- If Commerce is required, pursuant to the Assigned Risk Plan, to provide Physical Damage Coverage at the option of the Applicant, Commerce will provide immediate coverage upon an Applicant's request for such Physical Damage Coverage, and may defer the inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of such coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private Passenger Motor Vehicle must be inspected, whichever is later.

- (a) When an inspection is deferred pursuant to 211 CMR 94.07 (1) or (2), Commerce or its insurance producer, will either:

- immediately obtain written acknowledgement from the Applicant if the Applicant has applied for coverage; or
- immediately confirm Physical Damage Coverage on the Private Passenger Motor Vehicle and issue a notice to the Applicant, if the Applicant has applied for coverage either by mail, phone, or internet.

- (b) In addition to the notice requirement of 211 CMR 94.07(3)(a), Commerce, or its insurance producer, will furnish the Applicant, at the time of Physical Damage Coverage is effected, with a list of Inspection Services, including location(s), at which the inspection can be conducted. The list of Inspection Services may be provided to the Applicant in writing, through a toll free number or by electronic access, as convenient for the

Deleted: An inspection may be waived if:

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

Deleted: For policies issued or renewed during ...5...of ...5... may be waived.¶ [6]

Deleted: A ...vehicle ...policy physical ...damage ...coverage ...this regulation [7]

Deleted: ¶

Deleted: 3...A ...book ...business insurer ...insurers [8]

Deleted: 4. An individual applicant's coverage is being transferred by an independent insurance producer to Commerce and said producer provides Commerce 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 Commerce does not receive a copy of the inspection report sixty days prior to the first annual date, Commerce must, upon renewal of the physical damage insurance, require an inspection.¶

Deleted: 5...When ...a...motor ...vehicle physical ...damage ...applicant's Massachusetts Automobile...Insurance ...a co [9]

Deleted: 6...When ...applicant Massachusetts Automobile... insurance ...physical ...damage coverage [10]

Formatted: No underline, Font color: Auto

Formatted: Indent: Left: 0.25", Hanging: 0.25", Tabs: 0.5", Left + Not at 0.75" + 1"

Formatted [11]

Deleted: on new business and on additional or replacement vehicles to an existing policy...applicant [12]

Deleted: ever... [13]

Deleted: 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.¶

Applicant. The Applicant immediately shall be notified of the location of the inspection Service(s), as well as the consequences of the Applicant's failure to obtain a timely inspection of the motor vehicle. Documentation of such notice, including the name of the person providing such notice to the Applicant, will be contained in the Applicant's policy record.

Standards for Suspension of Physical Damage Coverage for Failure to Inspect

If an inspection is not conducted prior to the expiration of the deferral period specified in 211 CMR 94.07 (1), Physical Damage Coverage on the Private Passenger Motor Vehicle is automatically suspended at 12:01 a.m. on the day following the tenth calendar day allowed by 211 CMR 94.07(1), and will continue until the inspection is effected.

Commerce will reinstate Physical Damage Coverage effective at the time of inspection, in accordance to the Regulation, if the Applicant thereafter requests an inspection.

Standards and Procedures for Inspection

(1) Pre-insurance Inspections required or permitted pursuant 211 CMR 94.00 will be conducted by an Authorized Representative of Commerce at a time and place reasonably convenient to the Applicant. A reasonable convenient time shall include, in addition to customary business hours, sufficient early morning, evening and weekend hours. A reasonably convenient place shall not be more than five miles from the city of town where the Private Passenger Motor Vehicle is principally garaged.

(2) (a) Any forms issued by Commerce to the Applicant, for presentation to the Authorized Representative will not contain the Vehicle Identification Number (VIN) of the motor vehicle to be inspected.

(b) The Inspection will:

1. be recorded in the Motor Vehicle Pre-Insurance Inspection Report;

2. include two color photographs of the Private Passenger Motor Vehicle;

3. include a close-up color photograph showing the Vehicle Identification Number (VIN) located on the Environmental Protection Agency/Federal Certification Label (EPA) sticker affixed to the driver's side door jamb. The photograph will be of sufficient clarity that the information contained on the EPA sticker and the VIN is legible. If the EPA sticker is damaged, faded, missing or otherwise not legible, a photograph of the EPA sticker or of the area of the door jamb where the sticker normally is located still is required.

(c) The Authorized Representative will take additional photographs showing any damaged areas of the Private Passenger Motor Vehicle.

(d) The inspection information and photographs must be sent immediately to Commerce which will be retained for three years as provided by the Regulation.

(3) Commerce will maintain an up-to-date list of all its authorized representatives and inspection sites.

(4) There will be no additional or separate charge to the Applicant in connection with an inspection of a Private Passenger Motor Vehicle.

- Deleted: within the ten day
- Deleted: physical
- Deleted: damage
- Deleted: coverage
- Deleted: day deferral period.
- Deleted: 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.
- Deleted: made

Deleted: designated authorized representative of Commerce at a time and place reasonably convenient to the applicant.¶

Deleted: The inspection will be recorded on the prescribed Motor Vehicle Pre-Insurance Inspection Report (Form A) and include appropriate photos as required under the Regulation.¶
 ¶ Commerce must retain the original report and photographs for three years except as provided by the Regulation.¶
 ¶

RULE 55. PRE-INSURANCE INSPECTION OF PRIVATE PASSENGER MOTOR VEHICLES PROGRAM

General Laws Chapter 175, section 113S, and the implementing regulations, 211 CMR 94.00, require the pre-insurance inspection of Private Passenger Motor Vehicles. These requirements apply to both Voluntary and MAIP policies, as required by regulation 211 CMR 94.00. The following is a summary of the requirements of the regulation.

Inspection Requirements

1. No Motor Vehicle Liability Policy for a Private Passenger Motor Vehicle including Physical Damage Coverage shall be issued or renewed in the Commonwealth unless the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.
2. Physical Damage Coverage shall not be effective on an additional or replacement Private Passenger Motor Vehicle under an existing Motor Vehicle Liability Policy until the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.

Unless specifically exempted or waived, all Private Passenger Motor Vehicles and pick-ups or vans having a gross vehicle weight up to 10,000 pounds are required to be inspected by the insurer prior to the issuance of physical damage coverages by the insurer. The Notice of Mandatory Pre-Insurance Inspection Requirement Form, CIC801 will be provided by the Insurance Producer at the time of request for Physical Damage Coverage.

Mandatory Waivers of Inspection Requirements

Commerce will waive an inspection of a Private Passenger Motor Vehicle under the following circumstances:

1. The Private Passenger Motor Vehicle is a new, unused motor vehicle from a franchised automobile dealership where Commerce 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 motor 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 Commerce 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. the Private Passenger Motor Vehicle is already insured for comprehensive, collision or limited collision by Commerce;
4. Commerce waives the inspection in accordance to the "Optional Waivers of Inspection Requirements" referenced below.
5. the Private Passenger Motor Vehicle is a Temporary Substitute Motor Vehicle;
6. the Private Passenger Motor Vehicle is leased less than six months, provided the insurer receives a copy of the lease or rental agreement containing a description of the leased motor vehicle, including its condition;
7. the inspection would cause a serious hardship to Commerce or the Insurer or the Applicant; or
8. Commerce has no Authorized Representative's or Inspection Service either in the city or town in which the Private Passenger Motor Vehicle is principally garaged or within five miles of said city or town.

Optional Waivers of Inspection Requirements

Commerce may waive an inspection of a Private Passenger Motor Vehicle under any of the following circumstances:

1. for Motor Vehicle Liability Policies issued or renewed with Physical Damage Coverage during the current calendar year, when the difference between the current calendar year and the model year designated by the manufacturer of the motor vehicle is ten years or more;

Example: if the calendar year is 2002, Commerce may waive the inspection for all 1992 and older model year motor vehicles.
2. where a non-owned Motor Vehicle is insured under a Motor Vehicle Liability Policy providing Physical Damage Coverage issued by Commerce which has inspected such motor vehicle in accordance with the provisions of 211 CMR 94.00;
3. where the Private Passenger Motor Vehicle is insured under a commercially-rated Motor Vehicle Liability Policy;
4. when an insurance producer is transferring a Book of Business from one Insurer to one or more Insurers;
5. when an insurance producer is transferring an individual Applicant's coverage from one Insurer to another Insurer. Commerce may require the insurance producer to provide the inspection information completed on behalf of the former Insurer, provided the Private Passenger Motor Vehicle previously was inspected by the former Insurer. If the new Insurer does not receive the inspection information within 60 days prior to the first policy renewal date of the Physical Damage Coverages, Commerce may require an inspection as set forth in 211 CMR 94.00 prior to the first policy renewal;
6. when the Private Passenger Motor Vehicle is insured for Physical Damage Coverage on the Applicant's expiring Motor Vehicle Liability Policy, or when prior Pre-insurance Inspection information is provided;
7. when the Applicant has been a customer of the insurance producer of record for at least three (3) years under a Motor Vehicle Liability Policy which included Physical Damage Coverage.
8. when the applicant or a rated operator has a Merit Rating Code of 99, 98, or 0 through 15.

Deferral of Inspection Requirements

- (1) An insurer may defer an inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private passenger Motor Vehicle must be inspected, whichever is later, if an inspection at the time of the request for coverage would create a serious inconvenience for the Applicant.
- (2) If Commerce is required, pursuant to the Assigned Risk Plan, to provide Physical Damage Coverage at the option of the Applicant, Commerce will provide immediate coverage upon an Applicant's request for such Physical Damage Coverage, and may defer the inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of such coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private Passenger Motor Vehicle must be inspected, whichever is later.
- (3) (a) When an inspection is deferred pursuant to 211 CMR 94.07 (1) or (2), Commerce or its insurance producer, will either:
 1. immediately obtain written acknowledgement from the Applicant if the Applicant has applied for coverage; or
 2. immediately confirm Physical Damage Coverage on the Private Passenger Motor Vehicle and issue a notice to the Applicant, if the Applicant has applied for coverage either by mail, phone, or internet.
- (b) In addition to the notice requirement of 211 CMR 94.07(3)(a), Commerce, or its insurance producer, will furnish the Applicant, at the time of Physical Damage Coverage is effected, with a list of Inspection Services, including location(s), at which the inspection can be conducted. The list of Inspection Services may be provided to the Applicant in writing, through a toll free number or by electronic access, as convenient for the

MASSACHUSETTS PRIVATE PASSENGER AUTOMOBILE INSURANCE MANUAL

Applicant. The Applicant immediately shall be notified of the location of the inspection Service(s), as well as the consequences of the Applicant's failure to obtain a timely inspection of the motor vehicle. Documentation of such notice, including the name of the person providing such notice to the Applicant will be contained in the Applicant's policy record.

Standards for Suspension of Physical Damage Coverage for Failure to Inspect

If an inspection is not conducted prior to the expiration of the deferral period specified in 211 CMR 94.07 (1), Physical Damage Coverage on the Private Passenger Motor Vehicle is automatically suspended at 12:01 a.m. on the day following the tenth calendar day allowed by 211 CMR 94.07(1), and will continue until the inspection is effected.

Commerce will reinstate Physical Damage Coverage effective at the time of inspection, in accordance to the Regulation, if the Applicant thereafter requests an inspection.

Standards and Procedures for Inspection

- (1) Pre-insurance Inspections required or permitted pursuant 211 CMR 94.00 will be conducted by an Authorized Representative of Commerce at a time and place reasonably convenient to the Applicant. A reasonable convenient time shall include, in addition to customary business hours, sufficient early morning, evening and weekend hours. A reasonably convenient place shall not be more than five miles from the city or town where the Private Passenger Motor Vehicle is principally garaged.
- (2) (a) Any forms issued by Commerce to the Applicant, for presentation to the Authorized Representative will not contain the Vehicle Identification Number (VIN) of the motor vehicle to be inspected.

(b) The Inspection will:
 1. be recorded in the Motor Vehicle Pre-Insurance Inspection Report;
 2. include two color photographs of the Private Passenger Motor Vehicle;
 3. include a close-up color photograph showing the Vehicle Identification Number (VIN) located on the Environmental Protection Agency/Federal Certification Label (EPA) sticker affixed to the driver's side door jamb. The photograph will be of sufficient clarity that the information contained on the EPA sticker and the VIN is legible. If the EPA sticker is damaged, faded, missing or otherwise not legible, a photograph of the EPA sticker or of the area of the door jamb where the sticker normally is located still is required.
(c) The Authorized Representative will take additional photographs showing any damaged areas of the Private Passenger Motor Vehicle.

(d) The inspection information and photographs must be sent immediately to Commerce which will be retained for three years as provided by the Regulation.
- (3) Commerce will maintain an up-to-date list of all its authorized representatives and inspection sites.
- (4) There will be no additional or separate charge to the Applicant in connection with an inspection of a Private Passenger Motor Vehicle.

RULE 55. PRE-INSURANCE INSPECTION OF PRIVATE PASSENGER MOTOR VEHICLES PROGRAM

General Laws Chapter 175, section 113S, and the implementing regulations, 211 CMR 94.00, require the pre-insurance inspection of Private Passenger Motor Vehicles. These requirements apply to both Voluntary and MAIP policies, as required by regulation 211 CMR 94.00. The following is a summary of the requirements of the regulation.

Inspection Requirements

1. No Motor Vehicle Liability Policy for a Private Passenger Motor Vehicle including Physical Damage Coverage shall be issued or renewed in the Commonwealth unless the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.
2. Physical Damage Coverage shall not be effective on an additional or replacement Private Passenger Motor Vehicle under an existing Motor Vehicle Liability Policy until the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.
3. Application for Physical Damage Coverage is submitted to Commerce where the applicant or a rated operator has a Merit Rating Code of 16 through 45.

Unless specifically exempted or waived, all Private Passenger Motor Vehicles and pick-ups or vans having a gross vehicle weight up to 10,000 pounds are required to be inspected by the insurer prior to the issuance of physical damage coverages by the insurer. The Notice of Mandatory Pre-Insurance Inspection Requirement Form, CIC801 will be provided by the Insurance Producer at the time of request for Physical Damage Coverage.

Mandatory Waivers of Inspection Requirements

Commerce will waive an inspection of a Private Passenger Motor Vehicle under the following circumstances:

1. The Private Passenger Motor Vehicle is a new, unused motor vehicle from a franchised automobile dealership where Commerce 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 motor 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 Commerce 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. the Private Passenger Motor Vehicle is already insured for comprehensive, collision or limited collision by Commerce;
4. Commerce waives the inspection pursuant to 211 CMR 94.06;
5. the Private Passenger Motor Vehicle is a Temporary Substitute Motor Vehicle;
6. the Private Passenger Motor Vehicle is leased less than six months, provided the insurer receives a copy of the lease or rental agreement containing a description of the leased motor vehicle, including its condition;
7. the inspection would cause a serious hardship to Commerce or the Insurer or the Applicant; or
8. Commerce has no Authorized Representative's or Inspection Service either in the city or town in which the Private Passenger Motor Vehicle is principally garaged or within five miles of said city or town.

Optional Waivers of Inspection Requirements

Commerce may waive an inspection of a Private Passenger Motor Vehicle under any of the following circumstances:

1. for Motor Vehicle Liability Policies issued or renewed with Physical Damage Coverage during the current calendar year, when the difference between the current calendar year and the model year designated by the manufacturer of the motor vehicle is ten years or more;

Example: if the calendar year is 2002, Commerce may waive the inspection for all 1992 and older model year motor vehicles.
2. where a non-owned Motor Vehicle is insured under a Motor Vehicle Liability Policy providing Physical Damage Coverage issued by Commerce which has inspected such motor vehicle in accordance with the provisions of 211 CMR 94.00;
3. where the Private Passenger Motor Vehicle is insured under a commercially-rated Motor Vehicle Liability Policy;
4. when an insurance producer is transferring a Book of Business from one Insurer to one or more Insurers;
5. when an insurance producer is transferring an individual Applicant's coverage from one Insurer to another Insurer. Commerce may require the insurance producer to provide the inspection information completed on behalf of the former Insurer, provided the Private Passenger Motor Vehicle previously was inspected by the former Insurer. If the new Insurer does not receive the inspection information within 60 days prior to the first policy renewal date of the Physical Damage Coverages, Commerce may require an inspection as set forth in 211 CMR 94.00 prior to the first policy renewal;
6. when the Private Passenger Motor Vehicle is insured for Physical Damage Coverage on the Applicant's expiring Motor Vehicle Liability Policy, or when prior Pre-insurance Inspection information is provided;
7. when the Applicant has been a customer of the insurance producer of record for at least three (3) years under a Motor Vehicle Liability Policy which included Physical Damage Coverage.

Deferral of Inspection Requirements

- (1) An insurer may defer an inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private passenger Motor Vehicle must be inspected, whichever is later, if an inspection at the time of the request for coverage would create a serious inconvenience for the Applicant.
- (2) If Commerce is required, pursuant to the Assigned Risk Plan, to provide Physical Damage Coverage at the option of the Applicant, Commerce will provide immediate coverage upon an Applicant's request for such Physical Damage Coverage, and may defer the inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of such coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private Passenger Motor Vehicle must be inspected, whichever is later.
- (3) (a) When an inspection is deferred pursuant to 211 CMR 94.07 (1) or (2), Commerce or its insurance producer, will either:
 1. immediately obtain written acknowledgement from the Applicant if the Applicant has applied for coverage; or
 2. immediately confirm Physical Damage Coverage on the Private Passenger Motor Vehicle and issue a notice to the Applicant, if the Applicant has applied for coverage either by mail, phone, or internet.
- (b) In addition to the notice requirement of 211 CMR 94.07(3)(a), Commerce, or its insurance producer, will furnish the Applicant, at the time of Physical Damage Coverage is effected, with a list of Inspection Services, including location(s), at which the inspection can be conducted. The list of Inspection Services may be provided to the Applicant in writing, through a toll free number or by electronic access, as convenient for the

MASSACHUSETTS PRIVATE PASSENGER AUTOMOBILE INSURANCE MANUAL

Applicant. The Applicant immediately shall be notified of the location of the inspection Service(s), as well as the consequences of the Applicant's failure to obtain a timely inspection of the motor vehicle. Documentation of such notice, including the name of the person providing such notice to the Applicant will be contained in the Applicant's policy record.

Standards for Suspension of Physical Damage Coverage for Failure to Inspect

If an inspection is not conducted prior to the expiration of the deferral period specified in 211 CMR 94.07 (1), Physical Damage Coverage on the Private Passenger Motor Vehicle is automatically suspended at 12:01 a.m. on the day following the tenth calendar day allowed by 211 CMR 94.07(1), and will continue until the inspection is effected. Commerce will reinstate Physical Damage Coverage (effective at the time of inspection) if the Applicant thereafter requests an inspection.

Commerce will reinstate Physical Damage Coverage effective at the time of inspection, in accordance to the Regulation, if the Applicant requests an inspection.

Standards and Procedures for Inspection

- (1) Pre-insurance Inspections required or permitted pursuant 211 CMR 94.00 will be conducted by an Authorized Representative of Commerce at a time and place reasonably convenient to the Applicant. A reasonable convenient time shall include, in addition to customary business hours, sufficient early morning, evening and weekend hours. A reasonably convenient place shall not be more than five miles from the city or town where the Private Passenger Motor Vehicle is principally garaged.
- (2) (a) Any forms issued by Commerce to the Applicant, for presentation to the Authorized Representative will not contain the Vehicle Identification Number (VIN) of the motor vehicle to be inspected.

(b) The Inspection will:
 1. be recorded in on the Motor Vehicle Pre-Insurance Inspection Report (CIC801 (12/09));
 2. include two color photographs of the Private Passenger Motor Vehicle;
 3. include a close-up color photograph showing the Vehicle Identification Number (VIN) located on the Environmental Protection Agency/Federal Certification Label (EPA) sticker affixed to the driver's side door jamb. The photograph will be of sufficient clarity that the information contained on the EPA sticker and the VIN is legible. If the EPA sticker is damaged, faded, missing or otherwise not legible, a photograph of the EPA sticker or of the area of the door jamb where the sticker normally is located still is required.
(c) The Authorized Representative will take additional photographs showing any damaged areas of the Private Passenger Motor Vehicle.

(d) The inspection information and photographs must be sent immediately to Commerce which will be retained for three years as provided by the Regulation.
- (3) Commerce will maintain an up-to-date list of all its authorized representatives and inspection sites.
- (4) There will be no additional or separate charge to the Applicant in connection with an inspection of a Private Passenger Motor Vehicle.

RULE 55. PRE-INSURANCE INSPECTION OF PRIVATE PASSENGER MOTOR VEHICLES PROGRAM

General Laws Chapter 175, section 113S, and the implementing regulations, 211 CMR 94.00, require the pre-insurance inspection of Private Passenger Motor Vehicles. These requirements apply to both Voluntary and MAIP policies, as required by regulation 211 CMR 94.00. The following is a summary of the requirements of the regulation.

Inspection Requirements

1. No Motor Vehicle Liability Policy for a Private Passenger Motor Vehicle including Physical Damage Coverage shall be issued or renewed in the Commonwealth unless the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.
2. Physical Damage Coverage shall not be effective on an additional or replacement Private Passenger Motor Vehicle under an existing Motor Vehicle Liability Policy until the Insurer has inspected the motor vehicle in accordance with 211 CMR 94.00.
3. Application for Physical Damage Coverage is submitted to Commerce where the applicant or a rated operator has a Merit Rating Code of 16 through 45.

Unless specifically exempted or waived, all Private Passenger Motor Vehicles and pick-ups or vans having a gross vehicle weight up to 10,000 pounds are required to be inspected by the insurer prior to the issuance of physical damage coverages by the insurer. The Notice of Mandatory Pre-Insurance Inspection Requirement Form, CIC801 will be provided by the Insurance Producer at the time of request for Physical Damage Coverage.

Mandatory Waivers of Inspection Requirements

Commerce will waive an inspection of a Private Passenger Motor Vehicle under the following circumstances:

1. The Private Passenger Motor Vehicle is a new, unused motor vehicle from a franchised automobile dealership where Commerce 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 motor 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 Commerce 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. the Private Passenger Motor Vehicle is already insured for comprehensive, collision or limited collision by Commerce;
4. Commerce waives the inspection pursuant to 211 CMR 94.06;
5. the Private Passenger Motor Vehicle is a Temporary Substitute Motor Vehicle;
6. the Private Passenger Motor Vehicle is leased less than six months, provided the insurer receives a copy of the lease or rental agreement containing a description of the leased motor vehicle, including its condition;
7. the inspection would cause a serious hardship to Commerce or the Insurer or the Applicant; or
8. Commerce has no Authorized Representative's or Inspection Service either in the city or town in which the Private Passenger Motor Vehicle is principally garaged or within five miles of said city or town.

- Deleted: 90
- Deleted: private
- Deleted: passenger
- Deleted: motor
- Deleted: vehicles
- Deleted: Eligibility
- Deleted: private
- Deleted: passenger
- Deleted: motor
- Deleted: vehicles
- Deleted: 8
- Deleted: Exemptions to Inspection Requirement
- Deleted: An inspection will not be required if:[]
- Deleted: motor
- Deleted: vehicle
- Deleted: 3
- Deleted: An inspection is waived by Commerce.
- Deleted: 4
- Deleted: Any
- Deleted: private
- Deleted: passenger
- Deleted: motor
- Deleted: vehicle
- Deleted: not owned by the applicant, which is used by the applicant, [... [1]
- Deleted: 5
- Deleted: A
- Deleted: motor
- Deleted: vehicle
- Deleted: which
- Deleted: 6
- Deleted: When requiring an
- Deleted: applicant
- Deleted: and
- Deleted: such hardship is [... [2]
- Deleted: 7
- Deleted: When
- Deleted: inspection facility or a
- Deleted: representative
- Deleted: motor
- Deleted: vehicle

Optional Waivers of Inspection Requirements

Commerce may waive an inspection of a Private Passenger Motor Vehicle under any of the following circumstances:

- for Motor Vehicle Liability Policies issued or renewed with Physical Damage Coverage during the current calendar year, when the difference between the current calendar year and the model year designated by the manufacturer of the motor vehicle is ten years or more;

Example: if the calendar year is 2002, Commerce may waive the inspection for all 1992 and older model year motor vehicles.

- where a non-owned Motor Vehicle is insured under a Motor Vehicle Liability Policy providing Physical Damage Coverage issued by Commerce which has inspected such motor vehicle in accordance with the provisions of 211 CMR 94.00;

- where the Private Passenger Motor Vehicle is insured under a commercially-rated Motor Vehicle Liability Policy;

- when an insurance producer is transferring a Book of Business from one Insurer to one or more Insurers;

- when an insurance producer is transferring an individual Applicant's coverage from one Insurer to another Insurer. Commerce may require the insurance producer to provide the inspection information completed on behalf of the former Insurer, provided the Private Passenger Motor Vehicle previously was inspected by the former Insurer. If the new Insurer does not receive the inspection information within 60 days prior to the first policy renewal date of the Physical Damage Coverages, Commerce may require an inspection as set forth in 211 CMR 94.00 prior to the first policy renewal;

- when the Private Passenger Motor Vehicle is insured for Physical Damage Coverage on the Applicant's expiring Motor Vehicle Liability Policy, or when prior Pre-insurance Inspection information is provided;

- when the Applicant has been a customer of the insurance producer of record for at least three (3) years under a Motor Vehicle Liability Policy which included Physical Damage Coverage.

Deferral of Inspection Requirements

- An insurer may defer an inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private passenger Motor Vehicle must be inspected, whichever is later, if an inspection at the time of the request for coverage would create a serious inconvenience for the Applicant.

- If Commerce is required, pursuant to the Assigned Risk Plan, to provide Physical Damage Coverage at the option of the Applicant, Commerce will provide immediate coverage upon an Applicant's request for such Physical Damage Coverage, and may defer the inspection for ten (10) calendar days (not including legal holidays and Sundays) following the effective date of such coverage or the date on which Commerce or the insurance producer of record issued notice to the Applicant that the Private Passenger Motor Vehicle must be inspected, whichever is later.

- (a) When an inspection is deferred pursuant to 211 CMR 94.07 (1) or (2), Commerce or its insurance producer, will either:

- immediately obtain written acknowledgement from the Applicant if the Applicant has applied for coverage; or

- immediately confirm Physical Damage Coverage on the Private Passenger Motor Vehicle and issue a notice to the Applicant, if the Applicant has applied for coverage either by mail, phone, or internet.

- (b) In addition to the notice requirement of 211 CMR 94.07(3)(a), Commerce, or its insurance producer, will furnish the Applicant, at the time of Physical Damage Coverage is effected, with a list of Inspection Services, including location(s), at which the inspection can be conducted. The list of Inspection Services may be provided to the Applicant in writing, through a toll free number or by electronic access, as convenient for the

Deleted: ¶

Deleted: An inspection may be waived if:

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

Deleted: For policies issued or renewed during ...5...of ...5... may be waived.¶ [3]

Deleted: A ...vehicle ...policy physical ...damage ...coverage ...this regulation [4]

Deleted: 3...A ...book ...business insurer ...insurers [5]

Deleted: 4. An individual applicant's coverage is being transferred by an independent insurance producer to Commerce and said producer provides Commerce 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 Commerce does not receive a copy of the inspection report sixty days prior to the first annual date, Commerce must, upon renewal of the physical damage insurance, require an inspection.¶

Deleted: 5...When ...a...motor ...vehicle physical ...damage ...applicant's Massachusetts Automobile...Insurance ...a cor [6]

Deleted: 6...When ...applicant Massachusetts Automobile... insurance ...physical ...damage coverage [7]

Deleted: ¶ Deleted: on new business and on additional or replacement vehicles to an existing policy...applicant [8]

Deleted: ever... [9]

Formatted: Indent: Left: 0", Hanging: 0.75"

Deleted: 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.¶

Applicant. The Applicant immediately shall be notified of the location of the inspection Service(s), as well as the consequences of the Applicant's failure to obtain a timely inspection of the motor vehicle. Documentation of such notice, including the name of the person providing such notice to the Applicant, will be contained in the Applicant's policy record.

Standards for Suspension of Physical Damage Coverage for Failure to Inspect

If an inspection is not conducted prior to the expiration of the deferral period specified in 211 CMR 94.07 (1), Physical Damage Coverage on the Private Passenger Motor Vehicle is automatically suspended at 12:01 a.m. on the day following the tenth calendar day allowed by 211 CMR 94.07(1), and will continue until the inspection is effected. Commerce will reinstate Physical Damage Coverage (effective at the time of inspection) if the Applicant thereafter requests an inspection.

Commerce will reinstate Physical Damage Coverage effective at the time of inspection, in accordance to the Regulation, if the Applicant requests an inspection.

Standards and Procedures for Inspection

(1) Pre-insurance Inspections required or permitted pursuant 211 CMR 94.00 will be conducted by an Authorized Representative of Commerce at a time and place reasonably convenient to the Applicant. A reasonable convenient time shall include, in addition to customary business hours, sufficient early morning, evening and weekend hours. A reasonably convenient place shall not be more than five miles from the city or town where the Private Passenger Motor Vehicle is principally garaged.

(2) (a) Any forms issued by Commerce to the Applicant, for presentation to the Authorized Representative will not contain the Vehicle Identification Number (VIN) of the motor vehicle to be inspected.

(b) The Inspection will:

1. be recorded in on the Motor Vehicle Pre-Insurance Inspection Report (CIC801 (12/09));
2. include two color photographs of the Private Passenger Motor Vehicle;
3. include a close-up color photograph showing the Vehicle Identification Number (VIN) located on the Environmental Protection Agency/Federal Certification Label (EPA) sticker affixed to the driver's side door jamb. The photograph will be of sufficient clarity that the information contained on the EPA sticker and the VIN is legible. If the EPA sticker is damaged, faded, missing or otherwise not legible, a photograph of the EPA sticker or of the area of the door jamb where the sticker normally is located still is required.

(c) The Authorized Representative will take additional photographs showing any damaged areas of the Private Passenger Motor Vehicle.

(d) The inspection information and photographs must be sent immediately to Commerce which will be retained for three years as provided by the Regulation.

(3) Commerce will maintain an up-to-date list of all its authorized representatives and inspection sites.

(4) There will be no additional or separate charge to the Applicant in connection with an inspection of a Private Passenger Motor Vehicle.

Deleted: within the ten day

Deleted: physical

Deleted: damage

Deleted: coverage

Deleted: day deferral period.

Deleted: 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.

Deleted: made

Deleted: designated authorized representative of Commerce at a time and place reasonably convenient to the applicant.¶

Deleted: The inspection will be recorded on the prescribed Motor Vehicle Pre-Insurance Inspection Report (Form A) and include appropriate photos as required under the Regulation.¶
 ¶
 Commerce must retain the original report and photographs for three years except as provided by the Regulation.¶
 ¶



NOTICE OF MANDATORY PRE-INSURANCE INSPECTION REQUIREMENT
(THIS IS NOT A SAFETY INSPECTION)

IMMEDIATE ACTION REQUIRED TO AVOID LOSS OF INSURANCE COVERAGE

DATE OF MAILING: _____

NAME OF INSURED: _____

ADDRESS: _____

POLICY #: _____

**EFFECTIVE DATE OF
COVERAGE:** _____

(DATE)

**INSPECTION MUST BE
COMPLETED BY:** _____

(DATE)

Commerce Insurance Company Citation Insurance Company

Dear Policyholder:

This will confirm coverage for FIRE & THEFT/COMPREHENSIVE _____; COLLISION _____;
LIMITED COLLISION; _____ on your:

- | | | | |
|----|-------------|-------------|--------------|
| 1. | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ |
| | YEAR | MAKE | MODEL |

Please disregard this notice if you have already had your car inspected.

Pursuant to Regulation 211 CMR 94.00 as required by Massachusetts General Law Chapter 175, Section 113s., this notice will serve as notification that the above described car(s) must be inspected by the date indicated above for the reasons noted below, or your physical damage coverages will be suspended effective 12:01 a.m. on _____.
(DATE)

Reasons for Inspection: The Applicant or a rated operator has a Merit Rating Code of 16 through 45.

If you have your car inspected after the above deadline your coverage will only be restored after your car has been inspected and the adjusted premium due for the coverages listed above has been paid. You will have no coverage for any physical damage loss that occurs during the suspension period.

NAME AND PHONE NUMBER OF AGENCY REPRESENTATIVE

Signature of Insured or applicant (if applying for coverage in person)

cc: The Company
 Producer of Record

CIC801 (12/09)