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Determination of Merit Rating Code

Points are assigned to an operator for each of the following at-fault accidents and traffic violations occurring during the five years immediately preceding the effective date of the policy:

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

An "at-fault" accident is one in which the company determines that the involved operator is more than 50% at fault.

For accidents occurring prior to July 1, 2015, an at-fault accident is defined as minor only if it resulted in 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. An at-fault accident is defined as major only if it resulted in a claim payment of more than \$2,000.

For accidents occurring on or after July 1, 2015, an at-fault accident is defined as minor only if it resulted in a claim payment for bodily injury liability, damage to someone else's property, collision or limited collision of more than \$1,000 and up to \$5,000. An at-fault accident is defined as major only if it resulted in a claim payment of more than \$5,000.

If the most recent at-fault accident or traffic violation occurred less than three years prior to the policy effective date, the operator's merit rating code will equal the sum of the points accumulated for at-fault accidents and traffic violations that occurred during the five years immediately preceding the effective date of the policy. 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 at fault accidents or traffic violations in the past five years is three or less, the operator's merit rating code is equal to the sum of the points accumulated for at-fault accidents or traffic violations that occurred during the five years immediately preceding the effective date of the policy minus the total number of at-fault accidents or traffic violations that occurred during that same time 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.

If there are no at-fault accidents or traffic violations attributable to an operator during the six years immediately preceding the policy effective date, the operator's merit rating code is 99. If there are no at-fault accidents or traffic violations attributable to an operator during the five years immediately preceding the policy effective date, the operator's merit rating code is 98.

In determining the merit rating adjustment for motorcycles, the merit rating code for a motorcycle operator is the merit rating code otherwise determined unless the operator is classified as inexperienced under Rule 44 and the otherwise applicable merit rating code for the operator is 98 or 99. The motorcycle rating code will be determined as follows:

Number of Years	Operator	Motorcycle
Motorcycle	Merit	Merit
Experience	Rating	Rating
	Code	Code
5 but less than 6	99	98
	98	98
<5	99	00
	98	00

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

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**Massachusetts Personal Auto
NGM Insurance Company
RULE MANUAL EXPLANATORY**

Summary of changes: NGM Insurance Company is revising its auto program.

On page MA-E-28 of our rules manual, we are modifying our accident threshold rule to comply with SECTION 14, Subsection (b) of section 57A, chapter 6C as amended in the Massachusetts Fiscal Year 2016 Budget.

On the same page, to maintain consistency within the manual the order was switched for “Major at-fault accident 4 points” with “Major traffic law violation 5 points.” This was a formatting change only.

This filing will pertain to the following accident date, and beyond: 07-1-2015.

No page shifting occurred as a result of this change.

No other changes were made to the rules manual.

NGM Insurance Company utilizes a third-party policy system to process and rate auto policies in Massachusetts; the CGI platform. We were advised by CGI that the platform obtains minor/major accident information directly from the Massachusetts Registry of Motor Vehicles (RMV), which allows us to comply with the new law. The change we are filing is to align the rule manual with existing practice.

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