

## **RULE 56. MERIT RATING PLAN**

The merit rating plan is adapted from the 2006 Safe Driver Insurance Plan and additional information can be found in 211 CMR 134.00 and the administrative procedures of the Merit Rating Board.

### **Driving Record/Experience Period**

Each listed operator on a policy is assigned merit rating code based on the operator's driving record and reported to the company by the Merit Rating Board. The merit rating code reflects the number, type, and age of at-fault accidents and traffic violations during the policy experience period. The policy experience period is the six year period 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 rating code.

### **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 company receives an authorized inquiry response from the Merit Rating Board indicating the operator's merit rating code.

If an operator's Motor Vehicle Report (MVR) is electronically available, the company 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 will be combined by the company 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 company will 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's merit rating code.

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 company receives an authorized inquiry response from the Merit Rating Board with the operator's actual merit rating code. The operator may obtain an official driving record or a record from a previous insurer and submit it to the company. 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 company. 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 company will 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 will be submitted to the Merit Rating Board. The Merit Rating Board will determine the operator's merit rating code.

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

#### Calculation of the Merit Rating Adjustment

The merit rating adjustment is the last step in the rating process after all discounts and rating factors have been applied to the rate. The merit rating adjustment is determined by multiplying the otherwise applicable premium for Compulsory Bodily Injury (Part 1), PIP (Part 2), Property Damage (Part 4), Optional Bodily Injury to Others (Part 5) and Collision (Part 7) by the merit rating percentage identified below.

#### Calculation of Merit Rate Percentages to Apply to Otherwise Applicable Premiums

Merit Rating Code	<u>Experienced Operators</u> (Rate Class 10, 15 or 30)		<u>Inexperienced Operators</u> (All Other Rate Classes)	
	<u>Parts 1, 2, 4 and 5</u>	<u>Part 7</u>	<u>Parts 1, 2, 4, and 5</u>	<u>Part 7</u>
	99	-17.0%	-17.0%	NA
98	-7.0%	-7.0%	-7.0%	7.0%
0	0%	0%	0%	0%
1	15.0%	15.0%	7.5%	7.5%
2	30.0%	30.0%	15.0%	15.0%
3	45.0%	45.0%	22.5%	22.5%
4	60.0%	60.0%	30.0%	30.0%
5	75.0%	75.0%	37.5%	37.5%
6	90.0%	90.0%	45.0%	45.0%
7	105.0%	105.0%	52.5%	52.5%
8	120.0%	120.0%	60.0%	60.0%

9	135.0%	135.0%	67.5%	67.5%
10	150.0%	150.0%	75.0%	75.0%
11	165.0%	165.0%	82.5%	82.5%
12	180.0%	180.0%	90.0%	90.0%
13	195.0%	195.0%	97.5%	97.5%
14	210.0%	210.0%	105.0%	105.0%
15	225.0%	225.0%	112.5%	112.5%
16	240.0%	240.0%	120.0%	120.0%
17	255.0%	255.0%	127.5%	127.5%
18	270.0%	270.0%	135.0%	135.0%
19	285.0%	285.0%	142.5%	142.5%
20	300.0%	300.0%	150.0%	150.0%
21	315.0%	315.0%	157.5%	157.5%
22	330.0%	330.0%	165.0%	165.0%
23	345.0%	345.0%	172.5%	172.5%
24	360.0%	360.0%	180.0%	180.0%
25	375.0%	375.0%	187.5%	187.5%
26	390.0%	390.0%	195.0%	195.0%
27	405.0%	405.0%	202.5%	202.5%
28	420.0%	420.0%	210.0%	210.0%
29	435.0%	435.0%	217.5%	217.5%
30	450.0%	450.0%	225.0%	225.0%
31	465.0%	465.0%	232.5%	232.5%
32	480.0%	480.0%	240.0%	240.0%
33	495.0%	495.0%	247.5%	247.5%
34	510.0%	510.0%	255.0%	255.0%
35	525.0%	525.0%	262.5%	262.5%
36	540.0%	540.0%	270.0%	270.0%
37	555.0%	555.0%	277.5%	277.5%
38	570.0%	570.0%	285.0%	285.0%
39	585.0%	585.0%	292.5%	292.5%
40	600.0%	600.0%	300.0%	300.0%
41	615.0%	615.0%	307.5%	307.5%
42	630.0%	630.0%	315.0%	315.0%
43	645.0%	645.0%	322.5%	322.5%
44	660.0%	660.0%	330.0%	330.0%
45	675.0%	675.0%	337.5%	337.5%

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