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Joint Committee on Financial Services  
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Cc: Joint Committee on Financial Services Members

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## Re: Support S.790—Redrafted Bill on Massachusetts Auto Insurance Market

The Consumer Federation of America<sup>1</sup> (CFA) urges your support for the redrafted version of S.790, a bill that would reform Massachusetts's auto insurance market. Importantly, the amendments to this bill maintain existing consumer protections in Massachusetts law in order to ensure that insurance companies do not have access to loopholes by which they would replace one form of socioeconomic discrimination with another.

With these changes, CFA supports S.790, which preserves and expands on the Massachusetts promise of fair auto insurance rates for drivers. It would help lower auto insurance costs for consumers by ensuring that insurance premiums are tied to consumers' driving and not their socioeconomic status.

Massachusetts requires all drivers to purchase and maintain auto insurance. Therefore, the state has a responsibility to make sure this product is affordable and consumers do not experience unfair discrimination. Currently Massachusetts prohibits the use of credit scores

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<sup>1</sup> The Consumer Federation of America is an association of over 200 consumer organizations that works to advance consumer interests through research, advocacy, and education. Our testimony is based on many years of experience working to make insurance more affordable and accessible. CFA's Director of Insurance Douglas Heller is a member of the Federal Advisory Committee on Insurance as well as a Board member who helps oversee California's low-cost auto insurance program. CFA's Research and Advocacy Associate Michael DeLong is a member of the Nevada Advisory Committee on Property and Casualty Insurance and a funded Consumer Representative with the National Association of Insurance Commissioners (NAIC).



and certain other non-driving factors, but there are important gaps in consumer protection still to be filled.

S.790 would require auto insurance rates to be based on classifications of risk that consumers understand and support: the driver's driving safety record, the number of miles they drive annually, the driver's level of experience, and the make and model of their car. These mandatory classifications would make up 75% of the insurance rate, although the Insurance Commissioner can consider other classifications that are substantially related to loss.

Critically, the redrafted bill maintains and expands existing consumer protections in insurance by preventing the use of a series of non-driving factors by auto insurers, including: sex, marital status, age, race, creed, national origin, religion, occupation, income, education, homeownership, homeownership insurance, territory, ZIP code, principal place of garaging, and prior insurance coverage (including the provider of prior coverage, the level of prior coverage, and the consistency of prior coverage).

We hope that you will support this revised version of S.790, which will make auto insurance more affordable and accessible in the state. Please contact us at [mdelong@consumerfed.org](mailto:mdelong@consumerfed.org) with any questions.

Sincerely,

Douglas Heller  
Director of Insurance  
Consumer Federation of America

Michael DeLong  
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Consumer Federation of America