

Does Your Insurance Go Up After Being Rear-Ended?

Massachusetts Rear-End Accident Attorneys Explain Insurance Rate Increases

Getting rear-ended is stressful enough without worrying about your own insurance bill. Many injured drivers wonder if their premium will increase after a [rear-end accident](#). Massachusetts law generally protects drivers who were not responsible for causing a crash. Understanding how the rules work can ease a real source of stress after a serious Massachusetts [car accident](#).

Massachusetts uses a merit rating system that allows insurers to consider at-fault accidents and traffic violations when setting premiums. Some insurers use the state's Safe Driver Insurance Plan (SDIP), while others use their own approved merit rating plans. Being involved in an accident does not automatically mean your premium will increase. At-fault accident determinations can affect premiums under Massachusetts merit rating plans.

Our Massachusetts rear-end accident attorneys at the [Law Offices of Mark E. Salomone](#) help injured drivers understand how a crash affects their insurance. We fight to make sure the at-fault driver, not the victim, bears the consequences of a rear-end collision. Our team knows how to hold the right party accountable.

Will My Insurance Go Up If I Was Rear-Ended and Not at Fault?

In most cases, no. Under [211 CMR 134.00](#), Massachusetts merit rating plans generally focus on at-fault accidents and traffic violations rather than simply being involved in a crash. If you were stopped and hit from behind, you are usually not the one facing an at-fault accident surcharge.

Massachusetts merit rating rules distinguish between being found at fault and simply being involved in a crash. Simply filing a claim after someone else hits you does not automatically mean your own rates will rise. The state's rules are designed with that distinction in mind.

Mistakes can still happen from time to time. Insurers sometimes apply the wrong code to a claim by accident. Knowing how the system is supposed to work helps you catch an error early. It also helps you push back if your bill goes up unfairly after a crash.

What Is the Safe Driver Insurance Plan?

The Safe Driver Insurance Plan, often called SDIP, was established under Massachusetts law, including [M.G.L. c. 175, § 113B](#), and is implemented through state insurance regulations. Insurers may use SDIP as their merit rating plan, or they may use their own approved merit rating plans.

SDIP assigns points for what the law calls surchargeable incidents under its rules. A surchargeable incident generally means an at-fault accident or certain traffic violations. These points can raise your rate for several years after the qualifying incident actually occurs.

Accidents where you were not at fault generally do not result in SDIP surcharge points. Understanding this distinction matters a great deal to injured drivers across Massachusetts. It explains why being hit by another driver should not carry the same consequences as causing a crash yourself.

Does My Insurance Company Automatically Know Who Was at Fault?

Not immediately, but insurers use a specific process to decide fault after any crash occurs on the road. Massachusetts regulations list certain crash types where fault is presumed against one driver right away. A rear-end collision is one of those listed scenarios under [211 CMR 74.04\(3\)](#). This state regulation assumes that the rear driver is more than 50 percent at fault.

Your insurer reviews the accident details, any police report, and statements from both drivers involved in the crash. Based on that information, the company assigns fault for surcharge purposes specifically. This determination usually mirrors, though isn't always identical to, fault in a separate injury claim.

If your insurer wrongly treats you as at fault, you do have options available to you as a driver. You can request the reasoning behind that decision in writing from the company. You can also appeal the insurer's at-fault determination.

What Counts as a Surchargeable Incident?

Under [211 CMR 134.00](#), the state's Safe Driver Insurance Plan regulation, not every incident affects your rates the same way. SDIP assigns surcharge points to specific categories of at-fault accidents and traffic violations.

The following types of incidents generally count as surchargeable under SDIP:

- **An At-Fault Accident** – A crash where you are found more than 50 percent responsible for causing the collision.
- **A Major Traffic Violation** – Serious offenses such as operating under the influence carry the heaviest point penalties.
- **A Minor Traffic Violation** – Lesser offenses like speeding still add points, though fewer than major violations do.

Being the driver who was hit doesn't fall into any of these categories on its own. This distinction matters a great deal. It explains why a rear-end collision, when you were not at fault, generally should not raise your premium at all going forward.

Will Using My PIP Benefits Raise My Rates?

Personal Injury Protection (PIP) is a type of mandatory car insurance that pays for certain medical bills, lost wages, and other accident expenses regardless of who's at fault, as required under [M.G.L. c. 90, § 34M](#). Using PIP benefits does not by itself mean you were at fault for an

accident. PIP provides benefits regardless of who caused the crash. If you were rear-ended and were not found at fault, using your PIP coverage generally should not by itself result in an at-fault accident surcharge.

This distinction surprises many injured drivers at first glance, understandably enough given the circumstances. They worry that using their own coverage will somehow count against them later on. In most cases, using PIP benefits after being rear-ended should not trigger any surcharge on your policy at all.

Collision coverage can work differently in some situations, though, depending on the facts. If your insurer pays to repair your car under your own collision coverage, fault still matters here. If you are later found to be more than 50 percent at fault for the accident, the accident could become surchargeable under applicable merit rating rules.

What Should I Do If I Receive a Surcharge Notice by Mistake?

Receiving a surcharge notice after being rear-ended can feel unfair right away, and understandably so. This is especially true when you did nothing at all to cause the crash. Massachusetts law gives you a path to challenge it. Consider taking the following steps as soon as possible:

- **Read the Notice Carefully** – Confirm which accident the surcharge references and what fault determination was actually made.
- **Request the Insurer's Reasoning** – Ask your insurance company to explain exactly why it found you at fault.
- **Gather Supporting Evidence** – Police reports, photographs, and witness statements can help show the other driver caused the crash.
- **File an Appeal** – You may be able to appeal the determination to the Board of Appeal on Motor Vehicle Liability Policies and Bonds.
- **Act Promptly** – Appeal deadlines apply, so gathering evidence and filing quickly helps protect your rights.

Successfully appealing an incorrect surcharge can prevent years of higher premiums. It also creates a clearer record for your file. That record shows the other driver was actually responsible for causing the crash in the first place, not you.

Can My Rates Still Go Up for Other Reasons After an Accident?

Sometimes, though usually not because of one rear-end collision alone. Insurers consider factors beyond the surcharge point system when setting rates for coverage. A rear-end accident that does not result in an at-fault determination may not produce an accident surcharge, although other factors permitted under an insurer's approved rating plan can affect premiums.

For a single rear-end accident where you were not at fault, you generally should not receive an at-fault accident surcharge. Documenting the crash thoroughly still helps protect against any confusion.

Can I Appeal an Insurance Rate Increase After My Rear-End Crash?

Yes. If you believe your insurer wrongly surcharged you after a rear-end crash, Massachusetts law gives you the right to appeal. You can bring your case to the [Board of Appeal on Motor Vehicle Liability Policies and Bonds](#), a body created under [M.G.L. c. 26, § 8A](#).

This board reviews disputed at-fault determinations under a formal hearing process established by state regulation [211 CMR 88.00](#). You can present evidence, such as a police report or witness statements, showing the other driver actually caused the crash. A hearing officer then decides whether the surcharge should stand.

Winning your appeal results in the at-fault accident surcharge being removed from your driving history. Your insurer must then re-rate your policy to reflect that change accurately. Filing promptly matters a lot, since you have 30 days from the date of the insurer's Notice of At-Fault Accident Determination to file your appeal under 211 CMR 88.00.

What Can You Do to Protect Your Insurance Rates After a Rear-End Accident?

Taking a few deliberate steps after a rear-end collision can help protect your rates. It can also help protect your health and any injury claim you may have. Consider the following actions after any crash:

- **Call the Police** – An official report can document important details about the crash and may contain information relevant to determining fault.
- **Photograph the Damage** – Images of both vehicles can support your position if fault is later disputed.
- **Avoid Admitting Fault** – Statements made at the scene can be used later, even casual ones said in passing.
- **Notify Your Insurer Promptly** – Reporting the crash quickly helps ensure it gets coded correctly from the very start.
- **Keep Copies of Everything** – Save the police report, photographs, and any correspondence with your insurance company.

These steps won't guarantee a particular outcome in every situation you face after a crash. They do, however, give you a stronger position overall. That position matters if your insurer ever tries to hold this crash against you unfairly later on.

How Can a Massachusetts Rear-End Accident Attorney Help?

Sorting out fault after a rear-end collision in Massachusetts affects more than just your medical bills. An incorrect at-fault determination after a rear-end collision can affect your insurance rates for years. An experienced car accident attorney can help make sure the responsibility lands where it truly belongs.

Our Massachusetts rear-end accident attorneys at the [Law Offices of Mark E. Salomone](#) fight to establish clear fault after a rear-end collision. We help clients push back against incorrect surcharges on their policy. We also pursue full compensation from the driver who actually caused the crash in the first place.

If you were rear-ended and you're worried about your insurance rates increasing, don't wait to find out what happens next. [Contact us](#) for a free case evaluation. We can explain your options and help you fight for the outcome you deserve.