

3554

2009-2010 Regular Sessions

I N   S E N A T E

March 24, 2009

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Introduced by Sens. BRESLIN, STACHOWSKI, ESPADA, LARKIN -- (at request of the Office of Alcoholism and Substance Abuse Services) -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to losses sustained as a result of intoxication

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph 2 of subsection (b) of section 5103 of the insur-  
2     ance law is amended to read as follows:  
3     (2) Is injured as a result of operating a motor vehicle while in an  
4     intoxicated condition or while his ability to operate such vehicle is  
5     impaired by the use of a drug within the meaning of section eleven  
6     hundred ninety-two of the vehicle and traffic law; PROVIDED, HOWEVER,  
7     THAT AN INSURER SHALL NOT EXCLUDE SUCH PERSON FROM COVERAGE WITH RESPECT  
8     TO NECESSARY EMERGENCY HEALTH SERVICES RENDERED IN A GENERAL HOSPITAL,  
9     AS DEFINED IN SUBDIVISION TEN OF SECTION TWO THOUSAND EIGHT HUNDRED ONE  
10    OF THE PUBLIC HEALTH LAW, INCLUDING AMBULANCE SERVICES ATTENDANT THERETO  
11    AND RELATED MEDICAL SCREENING.  
12    S 2. This act shall take effect on the one hundred eightieth day after  
13    it shall have become a law and shall apply to all policies issued,  
14    renewed, modified, altered or amended on or after such date.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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