

2683

2011-2012 Regular Sessions

I N   S E N A T E

January 28, 2011

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Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law and chapter 277 of the laws of 2010 amending the insurance law relating to prohibiting surcharges for certain automobiles accidents; in relation to motor vehicle liability insurance rates

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

1     Section 1. Subsection (a) of section 2335 of the insurance law, as  
2     amended by chapter 277 of the laws of 2010, is amended to read as  
3     follows:  
4     (a) has had an accident ON OR AFTER MARCH FIRST, TWO THOUSAND ELEVEN  
5     that does not result in aggregate damage to property in excess of two  
6     thousand dollars, provided that any policy surcharge shall be permissi-  
7     ble for any accident [which] THAT results in bodily injury or if the  
8     insured has more than one accident in the merit rating experience peri-  
9     od.     THE SUPERINTENDENT MAY, PURSUANT TO REGULATION, INCREASE THE TWO  
10    THOUSAND DOLLAR THRESHOLD FOR INFLATION OR ANY OTHER REASON FOR WHICH  
11    THE SUPERINTENDENT DETERMINES THE INCREASE TO BE REASONABLE AND APPRO-  
12    PRIATE.     WHENEVER THE SUPERINTENDENT INCREASES THE THRESHOLD, SUCH  
13    INCREASE SHALL APPLY TO ACCIDENTS OCCURRING ON OR AFTER THE EFFECTIVE  
14    DATE OF THE REGULATION. Nothing in this subsection shall change the  
15    dollar amount of the accident reporting threshold required under para-  
16    graph one of subdivision (a) of section six hundred five of the vehicle  
17    and traffic law.  
18    S 2. Section 2 of chapter 277 of the laws of 2010, amending the insur-  
19    ance law relating to prohibiting surcharges for certain automobile acci-  
20    dents, is amended to read as follows:  
21    S 2. This act shall take effect on the one hundred twentieth day after  
22    it shall have become a law provided that the amendments to section 2335  
23    of the insurance law made by section one of this act shall expire on the

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

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1 same date as such section expires[; and provided, further, that this act  
2 shall only apply to policies entered into, modified, or renewed on or  
3 after such effective date].

4 S 3. This act shall take effect immediately; provided that section one  
5 of this act shall not apply to policies entered into, modified, or  
6 renewed between November 27, 2010 and the date on which this act shall  
7 become a law.