

2757

2013-2014 Regular Sessions

I N S E N A T E

January 23, 2013

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, in relation to supplementary uninsured and underinsured motorist coverage for ambulance services, volunteer fire departments and voluntary ambulance services

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

1 Section 1. Paragraph 5 of subsection (f) of section 3420 of the insurance law, as added by chapter 496 of the laws of 2012, is amended to
2 read as follows:
3 (5) [A] THIS PARAGRAPH SHALL APPLY TO A POLICY THAT PROVIDES SUPPLEMENTARY UNINSURED/UNDERINSURED MOTORIST INSURANCE COVERAGE FOR BODILY
4 INJURY AND IS A POLICY: (A) ISSUED OR DELIVERED IN THIS STATE THAT
5 INSURES AGAINST LIABILITY ARISING OUT OF THE OWNERSHIP, MAINTENANCE, AND
6 USE OF A FIRE VEHICLE, AS DEFINED IN SECTION ONE HUNDRED FIFTEEN-A OF
7 THE VEHICLE AND TRAFFIC LAW, WHERE THE FIRE VEHICLE IS PRINCIPALLY
8 GARAGED OR USED IN THIS STATE; OR (B) AS SPECIFIED IN PARAGRAPH ONE OF
9 THIS SUBSECTION. EVERY SUCH policy that [names] INSURES a [volunteer]
10 fire department, FIRE COMPANY, AS DEFINED IN SECTION ONE HUNDRED OF THE
11 GENERAL MUNICIPAL LAW, an ambulance service, or a voluntary ambulance
12 service, as defined in section three thousand one of the public health
13 law, [as a named insured] shall [be deemed to] provide [the maximum
14 uninsured or underinsured] SUCH SUPPLEMENTARY UNINSURED/UNDERINSURED
15 motorist INSURANCE coverage [available under the provisions of the policy] to an individual employed by OR WHO IS A MEMBER OF the FIRE DEPARTMENT, FIRE COMPANY, ambulance service, or [a member of the volunteer
16 fire department or] voluntary ambulance service [or a member of the
17 board of directors of such ambulance service, volunteer fire department
18 or voluntary ambulance service] and who is injured by an uninsured or
19 underinsured MOTOR vehicle while acting in the scope of the individual's
20 duties for the [volunteer] fire department, FIRE COMPANY, ambulance
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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.

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1 service, or voluntary ambulance service [listed as the named insured]
2 COVERED UNDER THE POLICY, EXCEPT WITH RESPECT TO THE USE OR OPERATION BY
3 SUCH AN INDIVIDUAL OF A MOTOR VEHICLE NOT COVERED UNDER THE POLICY.
4 S 2. This act shall take effect on the same date and in the same
5 manner as chapter 496 of the laws of 2012, takes effect.