

# STATE OF NEW YORK

1179

2017-2018 Regular Sessions

## IN SENATE

January 6, 2017

Introduced by Sen. MARCELLINO -- 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 requiring an appropriate reduction in premium charges for any insured that completes any driver education curriculum at any high school

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subsection (a) of section 2336 of the insurance law, as  
2 amended by chapter 751 of the laws of 2005, is amended to read as  
3 follows:  
4 (a) Any schedule of rates or rating plan for motor vehicle liability  
5 and collision insurance submitted to the superintendent shall provide  
6 for an appropriate reduction in premium charges for any insured for a  
7 three year period after successfully completing: (i) a motor vehicle  
8 accident prevention course, known as the national safety council's  
9 defensive driving course, [or] (ii) any driver improvement course  
10 approved by the department of motor vehicles as being equivalent to the  
11 national safety council's defensive driving course, or (iii) the driver  
12 education course prescribed by the commissioner of motor vehicles pursu-  
13 ant to subdivision four of section five hundred two of the vehicle and  
14 traffic law, provided that, except as provided in article twelve-C of  
15 the vehicle and traffic law, there shall be no reduction in premiums for  
16 a self instruction defensive driving course or a course which does not  
17 provide for actual classroom instruction for a minimum number of hours  
18 as determined by the department of motor vehicles. Such reduction in  
19 premium charges shall be subsequently modified to the extent appropriate,  
20 based upon analysis of loss experience statistics and other relevant  
21 factors. All such accident prevention courses shall be monitored by  
22 the department of motor vehicles and shall include components of  
23 instruction in "Road Rage" awareness and in "Work Zone Safety" awareness  
24 as defined by the commissioner of motor vehicles. The provisions of this

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

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1 section shall not apply to attendance at a program pursuant to article  
2 twenty-one of the vehicle and traffic law as a result of any traffic  
3 infraction.

4 § 2. Subsection (a) of section 2336 of the insurance law, as amended  
5 by chapter 585 of the laws of 2002, is amended to read as follows:

6 (a) Any schedule of rates or rating plan for motor vehicle liability  
7 and collision insurance submitted to the superintendent shall provide  
8 for an appropriate reduction in premium charges for any insured for a  
9 three year period after successfully completing: (i) a motor vehicle  
10 accident prevention course, known as the national safety council's  
11 defensive driving course, [✗] (ii) any driver improvement course  
12 approved by the department of motor vehicles as being equivalent to the  
13 national safety council's defensive driving course, or (iii) the driver  
14 education course prescribed by the commissioner of motor vehicles pursu-  
15 ant to subdivision four of section five hundred two of the vehicle and  
16 traffic law, provided that in either event there shall be no reduction  
17 in premiums for a self instruction defensive driving course or a course  
18 which does not provide for actual classroom instruction for a minimum  
19 number of hours as determined by the department of motor vehicles. Such  
20 reduction in premium charges shall be subsequently modified to the  
21 extent appropriate, based upon analysis of loss experience statistics  
22 and other relevant factors. All such accident prevention courses shall  
23 be monitored by the department of motor vehicles and shall include  
24 components of instruction in "Road Rage" awareness and in "Work Zone  
25 Safety" awareness as defined by the commissioner of motor vehicles. The  
26 provisions of this section shall not apply to attendance at a program  
27 pursuant to article twenty-one of the vehicle and traffic law as a  
28 result of any traffic infraction.

29 § 3. This act shall take effect on the first of January next succeed-  
30 ing the date on which it shall have become a law; provided that section  
31 one of this act shall expire on the same date and in the same manner as  
32 section 1 of chapter 751 of the laws of 2005, as amended, expires, when  
33 upon such date section two of this act shall take effect.