

STATE OF NEW YORK

1986

2017-2018 Regular Sessions

IN SENATE

January 11, 2017

Introduced by Sen. MARCHIONE -- 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 providing a reduction in insurance premium charges for insured volunteer firefighters or emergency personnel for a three year period after successfully completing the emergency vehicle operator's course as part of his or her training

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) (1) Any schedule of rates or rating plan for motor vehicle liabil-
5 ity and collision insurance submitted to the superintendent shall
6 provide for an appropriate reduction in premium charges for any insured
7 for a three year period after successfully completing a motor vehicle
8 accident prevention course, known as the national safety council's
9 defensive driving course, or any driver improvement course approved by
10 the department of motor vehicles as being equivalent to the national
11 safety council's defensive driving course, provided that, except as
12 provided in article twelve-C of the vehicle and traffic law, there shall
13 be no reduction in premiums for a self instruction defensive driving
14 course or a course which does not provide for actual classroom instruc-
15 tion for a minimum number of hours as determined by the department of
16 motor vehicles. Such reduction in premium charges shall be subsequently
17 modified to the extent appropriate, based upon analysis of loss experi-
18 ence statistics and other relevant factors. All such accident prevention
19 courses shall be monitored by the department of motor vehicles and shall
20 include components of instruction in "Road Rage" awareness and in "Work
21 Zone Safety" awareness as defined by the commissioner of motor vehicles.
22 The provisions of this section shall not apply to attendance at a

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

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1 program pursuant to article twenty-one of the vehicle and traffic law as
2 a result of any traffic infraction.

3 (2) Any schedule of rates or rating plan for motor vehicle liability
4 and collision insurance submitted to the superintendent shall provide
5 for a reduction in premium charges for insured volunteer firefighters or
6 emergency personnel for a three year period after successfully complet-
7 ing the emergency vehicle operator's course (EVOC) as part of his or her
8 training, provided that there shall be no reduction in premiums for a
9 self-instruction defensive driving course or a course which does not
10 provide for actual classroom instruction for a minimum number of hours
11 as determined by the department of motor vehicles. Such reduction shall
12 be calculated (i) at the rate of fifteen percent if the insured volun-
13 teer firefighter or emergency personnel has not qualified for a
14 reduction in premiums as provided in this paragraph or (ii) at the rate
15 of five percent if the insured volunteer firefighter or emergency
16 personnel has qualified for a reduction in premiums as provided in this
17 paragraph.

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

20 (a) (1) Any schedule of rates or rating plan for motor vehicle liabil-
21 ity and collision insurance submitted to the superintendent shall
22 provide for an appropriate reduction in premium charges for any insured
23 for a three year period after successfully completing a motor vehicle
24 accident prevention course, known as the national safety council's
25 defensive driving course, or any driver improvement course approved by
26 the department of motor vehicles as being equivalent to the national
27 safety council's defensive driving course, provided that in either event
28 there shall be no reduction in premiums for a self instruction defensive
29 driving course or a course which does not provide for actual classroom
30 instruction for a minimum number of hours as determined by the depart-
31 ment of motor vehicles. Such reduction in premium charges shall be
32 subsequently modified to the extent appropriate, based upon analysis of
33 loss experience statistics and other relevant factors. All such accident
34 prevention courses shall be monitored by the department of motor vehi-
35 cles and shall include components of instruction in "Road Rage" aware-
36 ness and in "Work Zone Safety" awareness as defined by the commissioner
37 of motor vehicles. The provisions of this section shall not apply to
38 attendance at a program pursuant to article twenty-one of the vehicle
39 and traffic law as a result of any traffic infraction.

40 (2) Any schedule of rates or rating plan for motor vehicle liability
41 and collision insurance submitted to the superintendent shall provide
42 for a reduction in premium charges for insured volunteer firefighters or
43 emergency personnel for a three year period after successfully complet-
44 ing the emergency vehicle operator's course (EVOC) as part of his or her
45 training, provided that there shall be no reduction in premiums for a
46 self-instruction defensive driving course or a course which does not
47 provide for actual classroom instruction for a minimum number of hours
48 as determined by the department of motor vehicles. Such reduction shall
49 be calculated (i) at the rate of fifteen percent if the insured volun-
50 teer firefighter or emergency personnel has not qualified for a
51 reduction in premiums as provided in this paragraph or (ii) at the rate
52 of five percent if the insured volunteer firefighter or emergency
53 personnel has qualified for a reduction in premiums as provided in this
54 paragraph.

55 § 3. This act shall take effect immediately; provided however that the
56 amendments to subsection (a) of section 2336 of the insurance law made

1 by section one of this act shall be subject to the expiration and rever-
2 sion of such section pursuant to section 5 of chapter 751 of the laws of
3 2005, as amended, when upon such date the provisions of section two of
4 this act shall take effect.