

1600

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. ZEBROWSKI -- read once and referred to the  
Committee on Insurance

AN ACT to amend the insurance law and the navigation law, in relation to  
notification of the expiration of a rate reduction based on completion  
of a safety course

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

1     Section 1. Subsection (d) of section 2336 of the insurance law, as  
2     amended by chapter 95 of the laws of 1993, is amended to read as  
3     follows:  
4     (d) Premium charge reductions made pursuant to the provisions of  
5     subsection (a) of this section shall be effective upon issuance of a  
6     certificate of completion to the insured and such premium charge  
7     reduction shall be calculated from such completion date unless such  
8     completion certificate is presented within forty-five days prior to the  
9     renewal of the policy, in which case the insurer may elect to commence  
10    the discount upon the first day of the new policy period for the full  
11    term of statutory discount; provided, however, that if the certificate  
12    of completion is not presented to the insurer within ninety days after  
13    completion of the course the insurer may, at its discretion, apply the  
14    premium discount from the date such certificate was presented rather  
15    than the date of completion. A discount applied during a policy period  
16    shall be prorated over the term of the policy. NO LESS THAN NINETY DAYS  
17    BEFORE THE DATE OF TERMINATION OF THE PERIOD FOR WHICH THE PREMIUM  
18    REDUCTION IS VALID, THE INSURER SHALL PROVIDE WRITTEN NOTICE TO THE  
19    INSURED THAT THE PERIOD DURING WHICH THE PREMIUM REDUCTION IS VALID IS  
20    TO TERMINATE, NOTING THE DATE UPON WHICH THE TERMINATION SHALL BE EFFEC-  
21    TIVE, AND ADVISING THE INSURED THAT HE OR SHE MUST COMPLETE ANOTHER  
22    QUALIFYING MOTOR VEHICLE ACCIDENT PREVENTION COURSE TO RE-QUALIFY FOR  
23    THE PREMIUM REDUCTION.

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

LBD02529-01-9

1 S 2. Section 78-a of the navigation law, as added by chapter 160 of  
2 the laws of 1990, is amended to read as follows:

3 S 78-a. Insurance rate reduction. 1. Any insurance carrier licensed to  
4 issue yacht or boating liability insurance in this state is authorized  
5 to grant rate reductions with the approval of the insurance department  
6 to any owner of a yacht or boat who has successfully completed a boating  
7 safety course or holds a valid United States Coast Guard operators  
8 license.

9 2. ANY INSURER GRANTING A PREMIUM RATE REDUCTION TO YACHT OR BOAT  
10 OWNERS ON THE BASIS OF COMPLETION OF A BOATING SAFETY COURSE SHALL, NO  
11 LESS THAN NINETY DAYS BEFORE THE DATE OF TERMINATION OF THE PERIOD FOR  
12 WHICH THE PREMIUM REDUCTION IS VALID, PROVIDE WRITTEN NOTICE TO SUCH  
13 INSURED OWNER THAT THE PERIOD DURING WHICH THE PREMIUM REDUCTION IS  
14 VALID IS TO TERMINATE, NOTING THE DATE UPON WHICH THE TERMINATION SHALL  
15 BE EFFECTIVE, AND ADVISING THE INSURED OWNER THAT HE OR SHE MUST  
16 COMPLETE ANOTHER QUALIFIED BOATING SAFETY COURSE IN ORDER TO RE-QUALIFY  
17 FOR THE PREMIUM REDUCTION.

18 S 3. This act shall take effect January 1, 2010.