

2733

2009-2010 Regular Sessions

I N S E N A T E

February 27, 2009

Introduced by Sens. LAVALLE, ALESI, DIAZ, LARKIN, VOLKER -- 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 placement to the
assigned risk plan

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

1 Section 1. Section 2335-a of the insurance law, as added by chapter
2 152 of the laws of 1998, is amended to read as follows:
3 S 2335-a. Prohibition [of] AGAINST rate increases AND PLACEMENT IN AN
4 ASSIGNED RISK PLAN for persons involved in emergency use of vehicles. No
5 insurer authorized to transact or transacting business in this state, or
6 controlling or controlled by or under common control by or with an
7 insurer authorized to transact or transacting business in this state,
8 which sells a policy providing motor vehicle liability insurance cover-
9 age in this state shall increase the policy premium in connection with
10 the insurance permitted or required by this chapter OR SHALL PLACE ANY
11 INSURED TO THE MOTOR VEHICLE INSURANCE ASSIGNED RISK PLAN ESTABLISHED
12 PURSUANT TO ARTICLE FIFTY-THREE OF THIS CHAPTER solely because the
13 insured or any other person who customarily operates an automobile
14 covered by the policy has had an accident while operating a motor vehi-
15 cle in response to an emergency, where the insured was either responding
16 to a call to duty as a paid or volunteer member of any police or fire
17 department or first aid squad; or was performing any other function on
18 behalf of the state, any political subdivision thereof, a public author-
19 ity, public benefit corporation, or any other governmental agency or
20 instrumentality in a public emergency.
21 S 2. This act shall take effect on the ninetieth day after it shall
22 have become a law.

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

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