S T A T E O F N E W Y O R K

3554

2009-2010 Regular Sessions

I N S E N A T E

March 24, 2009

Introduced by Sens. BRESLIN, STACHOWSKI, ESPADA, LARKIN -- (at request of the Office of Alcoholism and Substance Abuse Services) -- 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 losses sustained as a result of intoxication

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

Section 1. Paragraph 2 of subsection (b) of section 5103 of the insurance law is amended to read as follows:

(2) Is injured as a result of operating a motor vehicle while in an intoxicated condition or while his ability to operate such vehicle is impaired by the use of a drug within the meaning of section eleven hundred ninety-two of the vehicle and traffic law; PROVIDED, HOWEVER, THAT AN INSURER SHALL NOT EXCLUDE SUCH PERSON FROM COVERAGE WITH RESPECT TO NECESSARY EMERGENCY HEALTH SERVICES RENDERED IN A GENERAL HOSPITAL, AS DEFINED IN SUBDIVISION TEN OF SECTION TWO THOUSAND EIGHT HUNDRED ONE OF THE PUBLIC HEALTH LAW, INCLUDING AMBULANCE SERVICES ATTENDANT THERETO AND RELATED MEDICAL SCREENING.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to all policies issued, renewed, modified, altered or amended on or after such date.

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

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