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

1600

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subsection (d) of section 2336 of the insurance law, as amended by chapter 95 of the laws of 1993, is amended to read as follows:

(d) Premium charge reductions made pursuant to the provisions of subsection (a) of this section shall be effective upon issuance of a certificate of completion to the insured and such premium charge reduction shall be calculated from such completion date unless such completion certificate is presented within forty-five days prior to the renewal of the policy, in which case the insurer may elect to commence the discount upon the first day of the new policy period for the full term of statutory discount; provided, however, that if the certificate of completion is not presented to the insurer within ninety days after completion of the course the insurer may, at its discretion, apply the premium discount from the date such certificate was presented rather than the date of completion. A discount applied during a policy period shall be prorated over the term of the policy. NO LESS THAN NINETY DAYS BEFORE THE DATE OF TERMINATION OF THE PERIOD FOR WHICH THE PREMIUM REDUCTION IS VALID, THE INSURER SHALL PROVIDE WRITTEN NOTICE TO THE INSURED THAT THE PERIOD DURING WHICH THE PREMIUM REDUCTION IS VALID IS TO TERMINATE, NOTING THE DATE UPON WHICH THE TERMINATION SHALL BE EFFECTIVE, AND ADVISING THE INSURED THAT HE OR SHE MUST COMPLETE ANOTHER QUALIFYING MOTOR VEHICLE ACCIDENT PREVENTION COURSE TO RE-QUALIFY FOR THE PREMIUM REDUCTION.

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

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

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

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

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