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

3345

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. ENGLEBRIGHT, J. RIVERA, SCHROEDER, FIELDS, DelMONTE -- Multi-Sponsored by -- M. of A. BRENNAN, GUNTHER, HOOPER, JOHN, MAISEL, PHEFFER, SWEENEY, WEISENBERG -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to discrimination against volunteer drivers in the issuance of motor vehicle liability insurance coverage

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

Section 1. The insurance law is amended by adding a new section 2335-b to read as follows:

S 2335-B. DISCRIMINATION AGAINST VOLUNTEER DRIVERS. NO INSURER AUTHORIZED TO TRANSACT OR TRANSACTING BUSINESS IN THIS STATE, OR CONTROLLING OR CONTROLLED BY OR UNDER COMMON CONTROL BY OR WITH AN INSURER AUTHORIZED TO TRANSACT OR TRANSACTING BUSINESS IN THIS STATE, WHICH SELLS POLICIES PROVIDING MOTOR VEHICLE LIABILITY INSURANCE COVERAGE IN THIS STATE SHALL REFUSE TO PROVIDE SUCH A POLICY OR INCREASE THE POLICY PREMIUM IN CONNECTION WITH THE INSURANCE PERMITTED OR REQUIRED BY THIS CHAPTER SOLELY BECAUSE THE INSURED OR ANY OTHER PERSON WHO CUSTOMARILY OPERATES AN AUTOMOBILE COVERED BY THE POLICY IS A VOLUNTEER DRIVER. FOR THE PURPOSES OF THIS SECTION, "VOLUNTEER DRIVER" MEANS A PERSON WHO PROVIDES SERVICES, INCLUDING TRANSPORTING INDIVIDUALS OR GOODS, WITHOUT COMPENSATION ABOVE EXPENSES TO A NOT-FOR-PROFIT CORPORATION OR CHARITABLE ORGANIZATION.

S 2. This act shall take effect immediately.

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

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