

7708

I N   S E N A T E

May 4, 2010

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Introduced by Sen. THOMPSON -- 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 directing the superintendent of insurance to establish a separate classification for liability insurance for businesses engaged in the installation of wind or solar electric generating systems

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

1     Section 1. The insurance law is amended by adding a new section 2346-b  
2     to read as follows:

3     S 2346-B. REDUCTION IN RATES OF LIABILITY INSURANCE FOR INSTALLERS OF  
4     WIND OR SOLAR ELECTRIC GENERATING SYSTEMS. (A) FOR THE PURPOSES OF THIS  
5     SECTION:

6     (1) "SOLAR ELECTRIC GENERATING SYSTEM" MEANS A PHOTOVOLTAIC SYSTEM  
7     THAT IS MANUFACTURED, INSTALLED AND OPERATED IN ACCORDANCE WITH APPLICABLE  
8     GOVERNMENT AND INDUSTRY STANDARDS, AND THAT IS CONNECTED TO THE  
9     ELECTRIC SYSTEM AND OPERATED IN CONJUNCTION WITH AN ELECTRIC CORPORATION'S  
10    TRANSMISSION AND DISTRIBUTION FACILITIES.

11    (2) "WIND ELECTRIC GENERATING SYSTEM" MEANS ONE OR MORE WIND GENERATORS  
12    THAT ARE MANUFACTURED, INSTALLED AND OPERATED IN ACCORDANCE WITH  
13    APPLICABLE GOVERNMENT AND INDUSTRY STANDARDS, AND THAT ARE CONNECTED TO  
14    THE ELECTRIC SYSTEM AND OPERATED IN PARALLEL WITH AN ELECTRIC CORPORATION'S  
15    TRANSMISSION AND DISTRIBUTION FACILITIES.

16    (B) THE SUPERINTENDENT SHALL ESTABLISH A SEPARATE CLASSIFICATION FOR  
17    THE DETERMINATION OF RATES AND PREMIUMS FOR LIABILITY, MOTOR VEHICLE AND  
18    WORKERS' COMPENSATION PROVIDED TO ANY PERSON OR ENTITY ENGAGED IN THE  
19    BUSINESS OF INSTALLING SOLAR AND/OR WIND ELECTRIC GENERATING SYSTEMS.

20    (C) THE SUPERINTENDENT SHALL PROVIDE FOR A REDUCTION IN THE RATES OF  
21    LIABILITY, MOTOR VEHICLE AND WORKERS' COMPENSATION INSURANCE PREMIUMS  
22    APPLICABLE TO SOLAR AND/OR WIND ELECTRICITY GENERATING SYSTEM INSTALLERS,  
23    WHEN SUCH INSTALLERS HAVE FILED NO OR MINIMAL INSURANCE CLAIMS, AND  
24    ADHERE TO SOUND JOBSITE SAFETY PRACTICES. THE REDUCTIONS PROVIDED  
25    FOR SHALL BE PROPORTIONALLY RELATED TO THE ACTUARIALLY CALCULABLE  
26    DECREASE IN LOSSES IN THE AFOREMENTIONED CIRCUMSTANCES.

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

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1     S 2. This act shall take effect on the first of January next succeed-  
2     ing the date on which it shall have become a law, and shall apply to all  
3     policies issued, renewed, modified, altered or amended on or after such  
4     date.