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

8519

I N S E N A T E

December 3, 2010

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the insurance law, in relation to motor vehicle liability insurance rates and to amend chapter 277 of the laws of 2010 amending the insurance law relating to prohibiting surcharges for certain automobile accidents, in relation to the effectiveness thereof

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

Section 1. Subsection (a) of section 2335 of the insurance law, as amended by chapter 277 of the laws of 2010, is amended to read as follows:

(a) has had an accident ON OR AFTER JANUARY FIRST, TWO THOUSAND ELEVEN that does not result in aggregate damage to property in excess of two thousand dollars, provided that any policy surcharge shall be permissible for any accident [which] THAT results in bodily injury or if the insured has more than one accident in the merit rating experience period. THE SUPERINTENDENT MAY, PURSUANT TO REGULATION, INCREASE THE TWO THOUSAND DOLLAR THRESHOLD FOR INFLATION OR ANY OTHER REASON FOR WHICH THE SUPERINTENDENT DETERMINES THE INCREASE TO BE REASONABLE AND APPROPRIATE. Nothing in this subsection shall change the dollar amount of the accident reporting threshold required under paragraph one of subdivision (a) of section six hundred five of the vehicle and traffic law.

S 2. Section 2 of chapter 277 of the laws of 2010 amending the insurance law relating to prohibiting surcharges for certain automobile accidents is amended to read as follows:

S 2. This act shall take effect on the [one hundred twentieth day after] FIRST OF JANUARY NEXT SUCCEEDING THE DATE ON WHICH it shall have become a law, provided that the amendments to section 2335 of the insurance law made by section one of this act shall expire on the same date as such section expires[; and provided, further, that this act shall only apply to policies entered into, modified, or renewed on or after such effective date].

S 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the first of January next

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

LBD18275-01-0

succeeding the date on which this act shall have become a law; provided, however, that the amendments made to subsection (a) of section 2335 of the insurance law by section one of this act shall not affect the expiration of such section and shall expire therewith.