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

6287--B

2011-2012 Regular Sessions

I N A S S E M B L Y

March 11, 2011

Introduced by M. of A. MORELLE -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to motor vehicle liability insurance rates

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)(1) WITH RESPECT TO POLICIES ISSUED, MODIFIED OR RENEWED ON OR AFTER NOVEMBER TWENTY-SEVENTH, TWO THOUSAND TEN AND PRIOR TO JULY FIRST, TWO THOUSAND ELEVEN AND ANY RENEWALS THEREOF WITH RESPECT TO ANY ACCIDENT WHICH OCCURRED PRIOR TO JULY FIRST, TWO THOUSAND ELEVEN has had an accident 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 results in bodily injury or if the insured has more than one accident in the merit rating experience period. 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; AND

(2) WITH RESPECT TO POLICIES ISSUED OR RENEWED ON OR AFTER JULY FIRST, TWO THOUSAND ELEVEN HAS HAD AN ACCIDENT ON OR AFTER JULY 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 RESULTS IN BODILY INJURY OR IF THE INSURED HAS MORE THAN ONE ACCIDENT IN THE MERIT RATING EXPERIENCE PERIOD.

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

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(3) 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. WHENEVER THE SUPERINTENDENT INCREASES THE THRESHOLD, SUCH INCREASE SHALL APPLY TO ACCIDENTS OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE REGULATION. 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. This act shall take effect immediately; provided, however, that the amendments to subsection (a) of section 2335 of the insurance law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.