

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

3104--A

2011-2012 Regular Sessions

I N S E N A T E

February 8, 2011

Introduced by Sens. KENNEDY, GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to providing for a review of certain existing rating territory definitions for non-business automobile insurance policies

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

- 1 Section 1. Section 2307 of the insurance law is amended by adding a
2 new subsection (f) to read as follows:
- 3 (F) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WITH RESPECT TO
4 NON-BUSINESS AUTOMOBILE INSURANCE POLICIES, THE SUPERINTENDENT SHALL
5 UNDERTAKE A THOROUGH REVIEW OF RATING TERRITORY DEFINITIONS AND RATE
6 IMPLICATIONS OF CURRENT TERRITORIAL DEFINITIONS IN USE IN THIS STATE,
7 WITH PARTICULAR FOCUS ON CHANGING DEMOGRAPHICS, BORDERLINE ZIP CODES,
8 TERRITORIAL GROUPINGS, AND ALTERNATIVE APPROACHES TO ACHIEVING HOMOGENE-
9 ITY.
- 10 (2) BASED ON SUCH REVIEW, THE SUPERINTENDENT MAY REQUIRE INSURERS TO
11 ADJUST EXISTING OR ESTABLISH NEW TERRITORY DEFINITIONS AND TO USE SUCH
12 ADJUSTED OR NEW TERRITORIES IN RELATION TO SUCH POLICIES.
- 13 (3) WITH RESPECT TO SUCH REVIEW AND ANY REQUIREMENTS MADE PURSUANT TO
14 THIS SECTION, THE SUPERINTENDENT SHALL FIRST FOCUS ON CITIES WITH A
15 POPULATION OF MORE THAN NINETEEN THOUSAND FORTY BUT LESS THAN
16 TWENTY-FIVE THOUSAND HAVING HAD A DECREASE IN TRAFFIC DENSITY AND ACCI-
17 DENTS, WHICH ARE GEOGRAPHICALLY CONTIGUOUS WITH A CITY WITH A POPULATION
18 OF MORE THAN TWO HUNDRED NINETY-TWO THOUSAND SIX HUNDRED FORTY-EIGHT BUT
19 LESS THAN THREE HUNDRED FIFTY THOUSAND.
- 20 (4) THE SUPERINTENDENT SHALL REPORT TO THE GOVERNOR AND THE LEGISLA-
21 TURE ON SUCH REVIEW AND ACTIONS TAKEN PURSUANT TO THIS SUBSECTION.

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

LBD06774-02-2

1 S 2. The review required by section one of this act shall be completed
2 by July first in the year next succeeding the year in which it shall
3 have become law, and the report required by section one of this act
4 shall be submitted no later than December thirty-first in the year next
5 succeeding the year in which it shall have become law.
6 S 3. This act shall take effect immediately.