

6396

I N S E N A T E

February 3, 2012

Introduced by Sen. MARCELLINO -- 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 requiring an appropriate reduction in premium charges for any insured that completes any driver education curriculum at any high school

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

1 Section 1. Subsection (a) of section 2336 of the insurance law, as
2 amended by chapter 751 of the laws of 2005, is amended to read as
3 follows:
4 (a) Any schedule of rates or rating plan for motor vehicle liability
5 and collision insurance submitted to the superintendent shall provide
6 for an appropriate reduction in premium charges for any insured for a
7 three year period after successfully completing: (I) a motor vehicle
8 accident prevention course, known as the national safety council's
9 defensive driving course, [or] (II) any driver improvement course
10 approved by the department of motor vehicles as being equivalent to the
11 national safety council's defensive driving course, OR (III) THE DRIVER
12 EDUCATION COURSE PRESCRIBED BY THE COMMISSIONER OF MOTOR VEHICLES PURSU-
13 ANT TO SUBDIVISION FOUR OF SECTION FIVE HUNDRED TWO OF THE VEHICLE AND
14 TRAFFIC LAW, provided that, except as provided in article twelve-C of
15 the vehicle and traffic law, there shall be no reduction in premiums for
16 a self instruction defensive driving course or a course which does not
17 provide for actual classroom instruction for a minimum number of hours
18 as determined by the department of motor vehicles. Such reduction in
19 premium charges shall be subsequently modified to the extent appropriate,
20 based upon analysis of loss experience statistics and other relevant
21 factors. All such accident prevention courses shall be monitored by
22 the department of motor vehicles and shall include components of
23 instruction in "Road Rage" awareness and in "Work Zone Safety" awareness
24 as defined by the commissioner of motor vehicles. The provisions of this
25 section shall not apply to attendance at a program pursuant to article
26 twenty-one of the vehicle and traffic law as a result of any traffic
27 infraction.

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

LBD14018-01-2

1 S 2. Subsection (a) of section 2336 of the insurance law, as amended
2 by chapter 585 of the laws of 2002, is amended to read as follows:

3 (a) Any schedule of rates or rating plan for motor vehicle liability
4 and collision insurance submitted to the superintendent shall provide
5 for an appropriate reduction in premium charges for any insured for a
6 three year period after successfully completing: (I) a motor vehicle
7 accident prevention course, known as the national safety council's
8 defensive driving course, [or] (II) any driver improvement course
9 approved by the department of motor vehicles as being equivalent to the
10 national safety council's defensive driving course, OR (III) THE DRIVER
11 EDUCATION COURSE PRESCRIBED BY THE COMMISSIONER OF MOTOR VEHICLES PURSU-
12 ANT TO SUBDIVISION FOUR OF SECTION FIVE HUNDRED TWO OF THE VEHICLE AND
13 TRAFFIC LAW, provided that in either event there shall be no reduction
14 in premiums for a self instruction defensive driving course or a course
15 which does not provide for actual classroom instruction for a minimum
16 number of hours as determined by the department of motor vehicles. Such
17 reduction in premium charges shall be subsequently modified to the
18 extent appropriate, based upon analysis of loss experience statistics
19 and other relevant factors. All such accident prevention courses shall
20 be monitored by the department of motor vehicles and shall include
21 components of instruction in "Road Rage" awareness and in "Work Zone
22 Safety" awareness as defined by the commissioner of motor vehicles. The
23 provisions of this section shall not apply to attendance at a program
24 pursuant to article twenty-one of the vehicle and traffic law as a
25 result of any traffic infraction.

26 S 3. This act shall take effect on the first of January next succeed-
27 ing the date on which it shall have become a law; provided that section
28 one of this act shall expire on the same date and in the same manner as
29 section 1 of chapter 751 of the laws of 2005, as amended, expires, when
30 upon such date section two of this act shall take effect.