

7518

I N S E N A T E

May 31, 2012

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

AN ACT to amend the vehicle and traffic law and the insurance law, in relation to motor vehicle accident prevention courses for certain individuals

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 510-d to read as follows:
3 S 510-D. MOTOR VEHICLE ACCIDENT PREVENTION COURSE FOR VIOLATIONS
4 COMMITTED BY HOLDERS OF CLASS DJ OR CLASS MJ LEARNER'S PERMITS OR
5 LICENSES. ANY PERSON WHOSE CLASS DJ OR CLASS MJ LEARNER'S PERMIT OR
6 LICENSE IS REVOKED OR SUSPENDED PURSUANT TO SECTION FIVE HUNDRED TEN-C
7 OF THIS ARTICLE SHALL COMPLETE A MOTOR VEHICLE ACCIDENT PREVENTION
8 COURSE AS APPROVED PURSUANT TO ARTICLE TWELVE-B OR TWELVE-C OF THIS
9 CHAPTER PRIOR TO REINSTATEMENT OF HIS OR HER DRIVING PRIVILEGES;
10 PROVIDED, HOWEVER, THAT COMPLETION OF SUCH COURSE PURSUANT TO THIS
11 SECTION SHALL NOT ENTITLE SUCH INDIVIDUAL TO A POINT REDUCTION OR INSUR-
12 ANCE PREMIUM REDUCTION PURSUANT TO SECTION TWENTY-THREE HUNDRED THIRTY-
13 SIX OF THE INSURANCE LAW.
14 S 2. Subsection (a) of section 2336 of the insurance law, as amended
15 by chapter 751 of the laws of 2005, is amended to read as follows:
16 (a) Any schedule of rates or rating plan for motor vehicle liability
17 and collision insurance submitted to the superintendent shall provide
18 for an appropriate reduction in premium charges for any insured for a
19 three year period after successfully completing a motor vehicle accident
20 prevention course, known as the national safety council's defensive
21 driving course, or any driver improvement course approved by the depart-
22 ment of motor vehicles as being equivalent to the national safety coun-
23 cil's defensive driving course, provided that, except as provided in
24 article twelve-C of the vehicle and traffic law, there shall be no
25 reduction in premiums for a self instruction defensive driving course or
26 a course which does not provide for actual classroom instruction for a
27 minimum number of hours as determined by the department of motor vehi-

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

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cles. Such reduction in premium charges shall be subsequently modified to the extent appropriate, based upon analysis of loss experience statistics and other relevant factors. All such accident prevention courses shall be monitored by the department of motor vehicles and shall include components of instruction in "Road Rage" awareness and in "Work Zone Safety" awareness as defined by the commissioner of motor vehicles. The provisions of this section shall not apply to A MOTOR VEHICLE ACCIDENT PREVENTION COURSE COMPLETED PURSUANT TO SECTION FIVE HUNDRED TEN-D OF THE VEHICLE AND TRAFFIC LAW OR attendance at a program pursuant to article twenty-one of the vehicle and traffic law as a result of any traffic infraction.

S 3. Subsection (a) of section 2336 of the insurance law, as amended by chapter 585 of the laws of 2002, is amended to read as follows:

(a) Any schedule of rates or rating plan for motor vehicle liability and collision insurance submitted to the superintendent shall provide for an appropriate reduction in premium charges for any insured for a three year period after successfully completing a motor vehicle accident prevention course, known as the national safety council's defensive driving course, or any driver improvement course approved by the department of motor vehicles as being equivalent to the national safety council's defensive driving course, provided that in either event there shall be no reduction in premiums for a self instruction defensive driving course or a course which does not provide for actual classroom instruction for a minimum number of hours as determined by the department of motor vehicles. Such reduction in premium charges shall be subsequently modified to the extent appropriate, based upon analysis of loss experience statistics and other relevant factors. All such accident prevention courses shall be monitored by the department of motor vehicles and shall include components of instruction in "Road Rage" awareness and in "Work Zone Safety" awareness as defined by the commissioner of motor vehicles. The provisions of this section shall not apply to A MOTOR VEHICLE ACCIDENT PREVENTION COURSE COMPLETED PURSUANT TO SECTION FIVE HUNDRED TEN-D OF THE VEHICLE AND TRAFFIC LAW OR attendance at a program pursuant to article twenty-one of the vehicle and traffic law as a result of any traffic infraction.

S 4. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that the amendments to subsection (a) of section 2336 of the insurance law made by section two of this act shall be subject to the expiration and reversion of such subsection pursuant to section 5 of chapter 751 of the laws of 2005, as amended, when upon such date the provisions of section three of this act shall take effect.