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

7902--A

Cal. No. 504

2013-2014 Regular Sessions

I N A S S E M B L Y

June 7, 2013

Introduced by M. of A. CYMBROWITZ, ABBATE, WEPRIN -- read once and referred to the Committee on Insurance -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the insurance law, in relation to insurance companies and car rental steering

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

Section 1. Subsection (c) of section 2610-a of the insurance law, as added by chapter 322 of the laws of 2010, is amended and a new subsection (e) is added to read as follows:

(c) In processing any such claim, the insurer shall disclose to the insured that the insured has the right, as granted by this section, to utilize any rental vehicle company, rental vehicle company location or a particular concern. THE INSURER SHALL MAKE AVAILABLE ON ITS WEBSITE A SERVICE WHEREIN INSUREDS MAY SEARCH FOR RENTAL VEHICLE COMPANIES BY ZIP CODE. THIS SERVICE SHALL INCLUDE THE NAME, PHONE NUMBER, AND ADDRESS OF THE RENTAL VEHICLE COMPANIES IN OR NEAR THE ENTERED ZIP CODE. THIS INFORMATION SHALL ALSO BE PROVIDED TO THE INSURED VERBALLY, IF THE INSURED SO REQUESTS. THE INSURER SHALL MAKE THE INSURED AWARE THAT THIS SERVICE IS AVAILABLE AT THE SAME TIME AS THE OTHER DISCLOSURE REQUIRED BY THIS SUBSECTION.

(E) ANY INSURER WHO RECEIVES ANY COMPENSATION, REBATE, DISCOUNT, OR ANYTHING OF MONETARY VALUE FROM A RENTAL VEHICLE COMPANY IN CONSIDERATION OF A DIRECT REFERRAL OF A CLAIMANT MUST MAKE DISCLOSURE IN WRITING TO THE INSURED. SUCH WRITTEN DISCLOSURE SHALL INCLUDE:

(1) INFORMATION PERTAINING TO ANY COMPENSATION, REBATE, DISCOUNT, OR THING OF MONETARY OR PROPRIETARY VALUE THE INSURER RECEIVES OR EXPECTS TO RECEIVE, INCLUDING THE VALUE;

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

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(2) WHETHER SUCH COMPENSATION, REBATE, DISCOUNT, OR THING OF MONETARY OR PROPRIETARY VALUE THE INSURER RECEIVES OR EXPECTS TO RECEIVE IS IN RETURN FOR A CERTAIN AMOUNT OF REFERRALS AND, IF SO, HOW MANY; AND

(3) THAT THE INSURED IS NOT REQUIRED TO USE THE SERVICES OF SUCH RENTAL VEHICLE COMPANY.

S 2. This act shall take effect immediately.