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

10222

I N A S S E M B L Y

May 17, 2016

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to providing a reduction in insurance premium charges for insured volunteer firefighters or emergency personnel for a three year period after successfully completing the emergency vehicle operator's course as part of his or her training

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

Section 1. Subsection (a) of section 2336 of the insurance law, as amended by chapter 751 of the laws of 2005, is amended to read as follows:

(a) (1) 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, except as provided in article twelve-C of the vehicle and traffic law, 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 attendance at a program pursuant to article twenty-one of the vehicle and traffic law as a result of any traffic infraction.

(2) ANY SCHEDULE OF RATES OR RATING PLAN FOR MOTOR VEHICLE LIABILITY AND COLLISION INSURANCE SUBMITTED TO THE SUPERINTENDENT SHALL PROVIDE FOR A REDUCTION IN PREMIUM CHARGES FOR INSURED VOLUNTEER FIREFIGHTERS OR EMERGENCY PERSONNEL FOR A THREE YEAR PERIOD AFTER SUCCESSFULLY COMPLET-

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

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ING THE EMERGENCY VEHICLE OPERATOR'S COURSE (EVOC) AS PART OF HIS OR HER TRAINING, PROVIDED THAT 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 SHALL BE CALCULATED (I) AT THE RATE OF FIFTEEN PERCENT IF THE INSURED VOLUNTEER FIREFIGHTER OR EMERGENCY PERSONNEL HAS NOT QUALIFIED FOR A REDUCTION IN PREMIUMS AS PROVIDED IN THIS PARAGRAPH OR (II) AT THE RATE OF FIVE PERCENT IF THE INSURED VOLUNTEER FIREFIGHTER OR EMERGENCY PERSONNEL HAS QUALIFIED FOR A REDUCTION IN PREMIUMS AS PROVIDED IN THIS PARAGRAPH.

S 2. 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) (1) 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 attendance at a program pursuant to article twenty-one of the vehicle and traffic law as a result of any traffic infraction.

(2) ANY SCHEDULE OF RATES OR RATING PLAN FOR MOTOR VEHICLE LIABILITY AND COLLISION INSURANCE SUBMITTED TO THE SUPERINTENDENT SHALL PROVIDE FOR A REDUCTION IN PREMIUM CHARGES FOR INSURED VOLUNTEER FIREFIGHTERS OR EMERGENCY PERSONNEL FOR A THREE YEAR PERIOD AFTER SUCCESSFULLY COMPLETING THE EMERGENCY VEHICLE OPERATOR'S COURSE (EVOC) AS PART OF HIS OR HER TRAINING, PROVIDED THAT 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 SHALL BE CALCULATED (I) AT THE RATE OF FIFTEEN PERCENT IF THE INSURED VOLUNTEER FIREFIGHTER OR EMERGENCY PERSONNEL HAS NOT QUALIFIED FOR A REDUCTION IN PREMIUMS AS PROVIDED IN THIS PARAGRAPH OR (II) AT THE RATE OF FIVE PERCENT IF THE INSURED VOLUNTEER FIREFIGHTER OR EMERGENCY PERSONNEL HAS QUALIFIED FOR A REDUCTION IN PREMIUMS AS PROVIDED IN THIS PARAGRAPH.

S 3. This act shall take effect immediately; provided however that the amendments to subsection (a) of section 2336 of the insurance law made by section one of this act shall be subject to the expiration and reversion of such section pursuant to section 5 of chapter 751 of the laws of 2005, as amended, when upon such date the provisions of section two of this act shall take effect.