

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:

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) (1) Any schedule of rates or rating plan for motor vehicle liability and collision insurance submitted to the superintendent shall
5 provide for an appropriate reduction in premium charges for any insured
6 for a three year period after successfully completing a motor vehicle
7 accident prevention course, known as the national safety council's
8 defensive driving course, or any driver improvement course approved by
9 the department of motor vehicles as being equivalent to the national
10 safety council's defensive driving course, provided that, except as
11 provided in article twelve-C of the vehicle and traffic law, there shall
12 be no reduction in premiums for a self instruction defensive driving
13 course or a course which does not provide for actual classroom instruction for a minimum number of hours as determined by the department of
14 motor vehicles. Such reduction in premium charges shall be subsequently
15 modified to the extent appropriate, based upon analysis of loss experience statistics and other relevant factors. All such accident prevention
16 courses shall be monitored by the department of motor vehicles and shall
17 include components of instruction in "Road Rage" awareness and in "Work
18 Zone Safety" awareness as defined by the commissioner of motor vehicles.
19 The provisions of this section shall not apply to attendance at a
20 program pursuant to article twenty-one of the vehicle and traffic law as
21 a result of any traffic infraction.

22 (2) ANY SCHEDULE OF RATES OR RATING PLAN FOR MOTOR VEHICLE LIABILITY
23 AND COLLISION INSURANCE SUBMITTED TO THE SUPERINTENDENT SHALL PROVIDE
24 FOR A REDUCTION IN PREMIUM CHARGES FOR INSURED VOLUNTEER FIREFIGHTERS OR
25 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.

LBD14656-01-6

1 ING THE EMERGENCY VEHICLE OPERATOR'S COURSE (EVOC) AS PART OF HIS OR HER
2 TRAINING, PROVIDED THAT THERE SHALL BE NO REDUCTION IN PREMIUMS FOR A
3 SELF-INSTRUCTION DEFENSIVE DRIVING COURSE OR A COURSE WHICH DOES NOT
4 PROVIDE FOR ACTUAL CLASSROOM INSTRUCTION FOR A MINIMUM NUMBER OF HOURS
5 AS DETERMINED BY THE DEPARTMENT OF MOTOR VEHICLES. SUCH REDUCTION SHALL
6 BE CALCULATED (I) AT THE RATE OF FIFTEEN PERCENT IF THE INSURED VOLUN-
7 TEER FIREFIGHTER OR EMERGENCY PERSONNEL HAS NOT QUALIFIED FOR A
8 REDUCTION IN PREMIUMS AS PROVIDED IN THIS PARAGRAPH OR (II) AT THE RATE
9 OF FIVE PERCENT IF THE INSURED VOLUNTEER FIREFIGHTER OR EMERGENCY
10 PERSONNEL HAS QUALIFIED FOR A REDUCTION IN PREMIUMS AS PROVIDED IN THIS
11 PARAGRAPH.

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

14 (a) (1) Any schedule of rates or rating plan for motor vehicle liabil-
15 ity and collision insurance submitted to the superintendent shall
16 provide for an appropriate reduction in premium charges for any insured
17 for a three year period after successfully completing a motor vehicle
18 accident prevention course, known as the national safety council's
19 defensive driving course, or any driver improvement course approved by
20 the department of motor vehicles as being equivalent to the national
21 safety council's defensive driving course, provided that in either event
22 there shall be no reduction in premiums for a self instruction defensive
23 driving course or a course which does not provide for actual classroom
24 instruction for a minimum number of hours as determined by the depart-
25 ment of motor vehicles. Such reduction in premium charges shall be
26 subsequently modified to the extent appropriate, based upon analysis of
27 loss experience statistics and other relevant factors. All such accident
28 prevention courses shall be monitored by the department of motor vehi-
29 cles and shall include components of instruction in "Road Rage" aware-
30 ness and in "Work Zone Safety" awareness as defined by the commissioner
31 of motor vehicles. The provisions of this section shall not apply to
32 attendance at a program pursuant to article twenty-one of the vehicle
33 and traffic law as a result of any traffic infraction.

34 (2) ANY SCHEDULE OF RATES OR RATING PLAN FOR MOTOR VEHICLE LIABILITY
35 AND COLLISION INSURANCE SUBMITTED TO THE SUPERINTENDENT SHALL PROVIDE
36 FOR A REDUCTION IN PREMIUM CHARGES FOR INSURED VOLUNTEER FIREFIGHTERS OR
37 EMERGENCY PERSONNEL FOR A THREE YEAR PERIOD AFTER SUCCESSFULLY COMPLET-
38 ING THE EMERGENCY VEHICLE OPERATOR'S COURSE (EVOC) AS PART OF HIS OR HER
39 TRAINING, PROVIDED THAT THERE SHALL BE NO REDUCTION IN PREMIUMS FOR A
40 SELF-INSTRUCTION DEFENSIVE DRIVING COURSE OR A COURSE WHICH DOES NOT
41 PROVIDE FOR ACTUAL CLASSROOM INSTRUCTION FOR A MINIMUM NUMBER OF HOURS
42 AS DETERMINED BY THE DEPARTMENT OF MOTOR VEHICLES. SUCH REDUCTION SHALL
43 BE CALCULATED (I) AT THE RATE OF FIFTEEN PERCENT IF THE INSURED VOLUN-
44 TEER FIREFIGHTER OR EMERGENCY PERSONNEL HAS NOT QUALIFIED FOR A
45 REDUCTION IN PREMIUMS AS PROVIDED IN THIS PARAGRAPH OR (II) AT THE RATE
46 OF FIVE PERCENT IF THE INSURED VOLUNTEER FIREFIGHTER OR EMERGENCY
47 PERSONNEL HAS QUALIFIED FOR A REDUCTION IN PREMIUMS AS PROVIDED IN THIS
48 PARAGRAPH.

49 S 3. This act shall take effect immediately; provided however that the
50 amendments to subsection (a) of section 2336 of the insurance law made
51 by section one of this act shall be subject to the expiration and rever-
52 sion of such section pursuant to section 5 of chapter 751 of the laws of
53 2005, as amended, when upon such date the provisions of section two of
54 this act shall take effect.