

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 7, 2015

IN SENATE -- Introduced by Sens. LAVALLE, DeFRANCISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

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

AN ACT to amend the navigation law and the insurance law, in relation to insurance rate reductions upon completion of a boating safety course or an advanced boating safety course

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

1 Section 1. Section 78-a of the navigation law, as added by chapter 160  
2 of the laws of 1990 and as further amended by section 104 of part A of  
3 chapter 62 of the laws of 2011, is amended to read as follows:

4 S 78-a. Insurance rate reduction. Any insurance carrier licensed to  
5 issue yacht or boating liability insurance in this state is authorized  
6 to grant rate reductions with the approval of the department of finan-  
7 cial services to any owner of a yacht or boat who has successfully  
8 completed a boating safety course OR AN ADVANCED BOATING SAFETY COURSE  
9 or holds a valid United States Coast Guard operators license. IN NO  
10 EVENT SHALL THE RATE REDUCTION BE LESS THAN TEN PERCENT FOR ANY INSURED  
11 WHO HAS COMPLETED A BOATING SAFETY COURSE AND FIFTEEN PERCENT FOR ANY  
12 INSURED WHO HAS COMPLETED AN ADVANCED BOATING SAFETY COURSE.

13 S 2. The insurance law is amended by adding a new section 2336-b to  
14 read as follows:

15 S 2336-B. BOAT LIABILITY INSURANCE RATES; PREMIUM REDUCTIONS IN  
16 CERTAIN CASES. (A) ANY SCHEDULE OF RATES OR RATING PLAN FOR BOAT LIABIL-  
17 ITY INSURANCE SUBMITTED TO THE SUPERINTENDENT SHALL PROVIDE FOR AN  
18 APPROPRIATE REDUCTION IN PREMIUM CHARGES, AS DESCRIBED IN SECTION SEVEN-  
19 TY-EIGHT-A OF THE NAVIGATION LAW, FOR ANY INSURED WHO HAS SUCCESSFULLY

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

1 COMPLETED A BOATING SAFETY COURSE OR AN ADVANCED BOATING SAFETY COURSE  
2 WHICH MEETS THE REQUIREMENTS OF PART FIVE OF ARTICLE FOUR OF THE NAVIGA-  
3 TION LAW AND HAS BEEN APPROVED BY THE COMMISSIONER OF PARKS, RECREATION  
4 AND HISTORIC PRESERVATION. THE PROVISIONS OF THIS SECTION SHALL NOT  
5 APPLY TO ATTENDANCE AT A COURSE PURSUANT TO SECTIONS FORTY-FIVE OR  
6 FORTY-NINE OF THE NAVIGATION LAW AS A RESULT OF ANY BOATING INFRACTION.

7 (B) FOR THE PURPOSES OF THIS SECTION THE TERM "BOAT" SHALL MEAN ANY  
8 RESIDENTIAL OR PLEASURE VESSEL THAT IS NOT A CREW RACING SHELL AS  
9 DEFINED IN SECTION TWO OF THE NAVIGATION LAW.

10 S 3. This act shall take effect immediately and shall apply to all  
11 policies and contracts issued, renewed, modified or altered on and after  
12 such effective date.