STATE OF NEW YORK

9763--A

IN ASSEMBLY

February 10, 2020

Introduced by M. of A. HYNDMAN, COOK, PERRY, VANEL -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to establishing the for-hire motor vehicle safety program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The insurance law is amended by adding a new section 2353 to read as follows:

§ 2353. For-hire motor vehicle safety program; reduction in rates of certain commercial risk insurance premiums for motor vehicles. (a) For the purposes of this section, an association shall mean an association where all the eligible members of the association have the same profession, trade, or occupation, and the association has been organized and maintained in good faith for purposes principally other than that of obtaining insurance, and has been in active existence for at least two years.

(b) An association representing motor vehicles engaged in the business of carrying or transporting passengers for-hire, having a seating capacity of not less than eight passengers, shall be authorized to create and implement a comprehensive educational program designed to advance for-hire motor vehicle safety, which provides for the training of all operators in the safe operation of for-hire motor vehicles, education about safety equipment that can enhance the safe operation of vehicles, and training related to passenger safety. Such program shall include, but not be limited to, instruction which addresses the following subject areas:

(1) the concept of collision prevention, including a discussion of the factors involved in traffic situations;

(2) alcohol and drug use as a contributing factor in motor vehicle collisions;

(3) accident prevention techniques;

(4) the use of occupant restraints;

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

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(5) the risk factors involved in driver attitude and behavior such as speeding, reckless and aggressive driving, and improper lane use;

(6) traffic laws in New York state;

(7) physical and mental condition of drivers;

(8) conditions and strategies of driving;

(9) safe driving techniques in hazardous weather conditions including rain, wind, snow, ice, sleet and fog;

(10) equipment that can enhance the safe operation of vehicles; and

(11) passenger safety including but not limited to recommending the use of seat belts to passengers, warning passengers to exercise care when boarding and exiting a vehicle and notifying passengers of emergency exits if applicable.

(c) The association described in subsection (b) of this section shall provide a certificate to members of such association who successfully complete a course of instruction on for-hire vehicle safety as authorized pursuant to this section.

(d) The superintendent shall provide for an actuarially appropriate reduction for a period of three years in the rates of premiums for commercial risk insurance applicable to motor vehicles engaged in the business of carrying or transporting passengers for-hire, having a seating capacity of not less than eight passengers, for each triennial completion of a course of instruction on for-hire motor vehicle safety as authorized pursuant to this section. The superintendent shall evaluate and approve any for-hire vehicle safety program created pursuant to this section within sixty days of the effective date of this section.

(e) An authorized insurer shall, upon submission of a certificate by an insured evidencing that such insured has completed a course of instruction on for-hire motor vehicle safety as authorized pursuant to this section, provide an actuarially appropriate reduction, for a period of three years, of the premium for such insured's commercial risk insurance applicable to motor vehicles engaged in the business of carrying or transporting passengers for-hire, having a seating capacity of not less than eight passengers.

(f) The superintendent may promulgate any rules and regulations necessary to implement the provisions of this section.

§ 2. This act shall take effect immediately and shall apply to all policies issued, renewed, modified, altered or amended on or after the sixtieth day following the effective date of this act.