

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:

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

3 § 2353. For-hire motor vehicle safety program; reduction in rates of
4 certain commercial risk insurance premiums for motor vehicles. (a) For
5 the purposes of this section, an association shall mean an association
6 where all the eligible members of the association have the same profes-
7 sion, trade, or occupation, and the association has been organized and
8 maintained in good faith for purposes principally other than that of
9 obtaining insurance, and has been in active existence for at least two
10 years.

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

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

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

25 (3) accident prevention techniques;

26 (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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1 (5) the risk factors involved in driver attitude and behavior such as
2 speeding, reckless and aggressive driving, and improper lane use;

3 (6) traffic laws in New York state;

4 (7) physical and mental condition of drivers;

5 (8) conditions and strategies of driving;

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

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

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

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

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

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

34 (f) The superintendent may promulgate any rules and regulations neces-
35 sary to implement the provisions of this section.

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