

# STATE OF NEW YORK

5879

2019-2020 Regular Sessions

## IN SENATE

May 16, 2019

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to insurance rates, rating plans, rating rules and rate manuals for livery drivers

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

1 Section 1. Section 2328 of the insurance law, as amended by chapter 69  
2 of the laws of 2017, is amended to read as follows:

3 § 2328. Certain motor vehicle insurance rates; prior approval. (a)  
4 For the periods February first, nineteen hundred seventy-four through  
5 August second, two thousand one, and the effective date of the  
6 property/casualty insurance availability act through June thirtieth, two  
7 thousand twenty, no changes in rates, rating plans, rating rules and  
8 rate manuals applicable to motor vehicle insurance, including no-fault  
9 coverages under article fifty-one of this chapter, shall be made effective until approved by the superintendent, notwithstanding any inconsistent provisions of this article; provided, however, that changes in  
10 such rates, rating plans, rating rules and rate manuals may be made  
11 effective without such approval if the rates that result from such  
12 changes are no higher than the insurer's rates last approved by the  
13 superintendent. This section shall apply only to policies covering losses or liabilities arising out of ownership of a motor vehicle used principally for the transportation of persons for hire, including a bus or a  
14 school bus as defined in sections one hundred four and one hundred  
15 forty-two of the vehicle and traffic law.

20 (b) No insurance rate, rating plan, rating rule or rate manual applicable to a livery driver, as defined under subdivision seven of section one hundred sixty-aaa of the executive law, which exceeds more than twenty percent of the amount of an insurance rate, rating plan, rating rule or rate manual applicable to an otherwise substantially equivalent black car operator, as defined under subdivision one of section one hundred sixty-cc of the executive law, shall be approved by the superintendent.

28 § 2. This act shall take effect immediately.

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

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