

STATE OF NEW YORK

7881

IN SENATE

February 28, 2020

Introduced by Sen. COMRIE -- 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 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;

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

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

LBD15096-06-0

1 (6) traffic laws in New York state;
2 (7) physical and mental condition of drivers;
3 (8) conditions and strategies of driving;
4 (9) safe driving techniques in hazardous weather conditions including
5 rain, wind, snow, ice, sleet and fog;
6 (10) equipment that can enhance the safe operation of vehicles; and
7 (11) passenger safety including but not limited to recommending the
8 use of seat belts to passengers, warning passengers to exercise care
9 when boarding and exiting a vehicle and notifying passengers of emergen-
10 cy exits if applicable.

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

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

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

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

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