

# STATE OF NEW YORK

9525

## IN ASSEMBLY

March 16, 2022

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

AN ACT to amend the insurance law, in relation to prohibiting insurers from refusing to renew a policy on certain automobiles used for volunteer social service transportation; and to amend the vehicle and traffic law, in relation to distinguishing automobiles used for volunteer social service transportation from transportation company network vehicles and livery vehicles

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

1 Section 1. Subsection (s) of section 3425 of the insurance law, as  
2 added by chapter 408 of the laws of 2011, is amended to read as follows:

3 (s) With respect to automobile insurance~~[7]~~:

4 (1) no insurer shall refuse to issue or renew a covered individually-  
5 owned private passenger policy solely on the ~~[ground]~~ grounds that the  
6 motor vehicle to be insured under such policy shall be used for volun-  
7 teer firefighting or for performing volunteer services for a nonprofit  
8 charitable organization or governmental agency consisting of providing  
9 social service transportation; and

10 (2) no insurer may impose a surcharge or increase premiums with  
11 respect to a covered individually-owned private passenger policy solely  
12 on the grounds that the motor vehicle to be insured under such policy  
13 shall be used for performing volunteer services for a nonprofit charita-  
14 ble organization or governmental agency consisting of providing social  
15 service transportation.

16 § 2. Paragraphs (vii) and (viii) of subdivision 1 of section 1691 of  
17 the vehicle and traffic law, as added by section 2 of part AAA of chap-  
18 ter 59 of the laws of 2017, are amended to read as follows:

19 (vii) any motor vehicle having a seating capacity of more than seven  
20 passengers; ~~[and]~~

21 (viii) any motor vehicle subject to section three hundred seventy of  
22 this chapter; and

23 (ix) any individually-owned private passenger motor vehicle used for  
24 performing volunteer services for a nonprofit charitable organization or

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

LBD14873-01-2

1 governmental agency consisting of providing social service transporta-  
2 tion.

3 § 3. Section 121-e of the vehicle and traffic law, as added by chapter  
4 15 of the laws of 1983, is amended to read as follows:

5 § 121-e. Livery. Every motor vehicle, other than a taxicab or a bus,  
6 used in the business of transporting passengers for compensation. Howev-  
7 er, it shall not include:

8 1. vehicles which are rented or leased without a driver; or

9 2. any individually-owned private passenger motor vehicle used for  
10 performing volunteer services for a nonprofit charitable organization or  
11 governmental agency consisting of providing social service transporta-  
12 tion.

13 § 4. This act shall take effect on the thirtieth day after it shall  
14 have become a law; provided that the provisions of section one of this  
15 act shall apply to insurance policies issued or delivered on and after  
16 such effective date.