

# STATE OF NEW YORK

---

3578

2021-2022 Regular Sessions

## IN SENATE

January 30, 2021

---

Introduced by Sen. BRESLIN -- 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 using driving history as a rating or underwriting factor for private passenger motor vehicle insurance

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 2618  
2 to read as follows:

3 § 2618. Verification of driving history. No insurer who utilizes an  
4 applicant's driving history as a rating or underwriting factor for  
5 private passenger motor vehicle insurance in the state shall bind a  
6 policy of insurance, or accept a down payment for a policy, without  
7 first verifying said applicant's driving history, as well as the driving  
8 history of all named-drivers listed by the applicant on the private  
9 passenger motor vehicle insurance application, through the use of a  
10 reliable third party database.

11 § 2. This act shall take effect on the ninetieth day after it shall  
12 have become a law and shall apply to policies issued, renewed or modi-  
13 fied on or after such date. Effective immediately, the addition, amend-  
14 ment and/or repeal of any rule or regulation necessary to implement the  
15 provisions of this act on its effective date are authorized to be made  
16 on or before such date.

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

LBD01683-02-1