STATE OF NEW YORK

4668--A

Cal. No. 88

2023-2024 Regular Sessions

IN ASSEMBLY

February 22, 2023

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Insurance -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

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:

Section 1. The insurance law is amended by adding a new section 2327 to read as follows:

§ 2327. Verification of driving history. No insurer who utilizes an applicant's driving history as a rating or underwriting factor for private passenger motor vehicle insurance in this state shall bind a policy of insurance, or accept a percentage of the annual premium due for a policy, without first verifying such applicant's driving history, as well as the driving history of all named-drivers that are used to rate the policy and are listed by the applicant on the private passenger motor vehicle insurance application, through the use of a third party database. An insurer also shall verify, through a third party database, the driving history of a named-driver used to rate the policy when added during the policy period and shall verify the driving history of all drivers used to rate the policy at policy renewal.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to policies issued, renewed or modified on or after such date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

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

LBD09439-05-3