

STATE OF NEW YORK

8503

IN ASSEMBLY

January 4, 2024

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

AN ACT to amend the insurance law, in relation to supplementary uninsured and underinsured motorist coverage for police agencies; and to amend a chapter of the laws of 2023 amending the insurance law and the vehicle and traffic law relating to supplementary uninsured and underinsured motorist coverage for police agencies, as proposed in legislative bills numbers S. 439 and A. 1178, in relation to the effectiveness thereof

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

Section 1. Paragraph 5 of subsection (f) of section 3420 of the insurance law, as amended by a chapter of the laws of 2023 amending the insurance law relating to supplementary uninsured and underinsured motorist coverage for police agencies, as proposed in legislative bills numbers S. 439 and A. 1178, is amended to read as follows:

(5) This paragraph shall apply to [~~self-insurance or~~] a policy that provides supplementary uninsured/underinsured motorist insurance coverage for bodily injury and is a policy: (A) issued or delivered in this state that insures against liability arising out of the ownership, maintenance, and use of a fire vehicle, as defined in section one hundred fifteen-a of the vehicle and traffic law, where the fire vehicle is principally garaged or used in this state, or a police vehicle, as defined in section one hundred thirty-two-a of the vehicle and traffic law, where the police vehicle is principally garaged or used in this state; or (B) as specified in paragraph one of this subsection. Every such policy that insures a fire department, fire company, as defined in section one hundred of the general municipal law, an ambulance service, a voluntary ambulance service, as defined in section three thousand one of the public health law, or a police agency, as defined in section eight hundred thirty-five of the executive law, shall provide such supplementary uninsured/underinsured motorist insurance coverage [~~no less than the bodily injury liability insurance limits of coverage provided under such policy~~] to an individual employed by or who is a

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

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1 member of the fire department, fire company, ambulance service, volun-
2 tary ambulance service, or police agency and who is injured by an unin-
3 sured or underinsured motor vehicle while acting in the scope of the
4 individual's duties for the fire department, fire company, ambulance
5 service, voluntary ambulance service, or police agency covered under the
6 policy, except with respect to the use or operation by such an individ-
7 ual of a motor vehicle not covered under the policy.

8 § 2. Section 4 of a chapter of the laws of 2023 amending the insurance
9 law and the vehicle and traffic law relating to supplementary uninsured
10 and underinsured motorist coverage for police agencies, as proposed in
11 legislative bills numbers S. 439 and A. 1178, is amended to read as
12 follows:

13 § 4. This act shall take effect immediately and shall apply to poli-
14 cies [~~and contracts~~] issued, renewed, modified, altered or amended on or
15 after such effective date.

16 § 3. This act shall take effect immediately; provided, however, that
17 the provisions of section one of this act shall take effect on the same
18 date and in the same manner as a chapter of the laws of 2023 amending
19 the insurance law and the vehicle and traffic law relating to supplemen-
20 tary uninsured and underinsured motorist coverage for police agencies,
21 as proposed in legislative bills numbers S. 439 and A. 1178, takes
22 effect.