STATE OF NEW YORK

9365

IN ASSEMBLY

March 6, 2024

Introduced by M. of A. SOLAGES, SEPTIMO -- 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:

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

(s) With respect to automobile insurance[~~,~~]**:**

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

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

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

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

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

(ix) any individually-owned private passenger motor vehicle used for 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.

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governmental agency consisting of providing social service transportation.

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

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

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

2. any individually-owned private passenger motor vehicle used for performing volunteer services for a nonprofit charitable organization or governmental agency consisting of providing social service transportation.

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