STATE OF NEW YORK

5764

2023-2024 Regular Sessions

IN SENATE

March 15, 2023

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:

Section 1. The insurance law is amended by adding a new section 2618 to read as follows:

§ 2618. 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 the state shall bind a policy of insurance, or accept a down payment for a policy, without first verifying said applicant's driving history, as well as the driving history of all named-drivers listed by the applicant on the private passenger motor vehicle insurance application, through the use of a reliable third party database.

§ 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 to implement the provisions of this act on its effective date are authorized to be made on or before such date.

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

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