# STATE OF NEW YORK

5764--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 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.

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