

# 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:

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

3 § 2618. Verification of driving history. No insurer who utilizes an  
4 applicant's driving history as a rating or underwriting factor for  
5 private passenger motor vehicle insurance in the state shall bind a  
6 policy of insurance, or accept a down payment for a policy, without  
7 first verifying said applicant's driving history, as well as the driving  
8 history of all named-drivers listed by the applicant on the private  
9 passenger motor vehicle insurance application, through the use of a  
10 reliable third party database.

11 § 2. This act shall take effect on the ninetieth day after it shall  
12 have become a law and shall apply to policies issued, renewed or modi-  
13 fied on or after such date. Effective immediately, the addition, amend-  
14 ment and/or repeal of any rule or regulation necessary for the implemen-  
15 tation of this act on its effective date are authorized to be made and  
16 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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