

STATE OF NEW YORK

5113--B

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

Introduced by M. of A. ANDERSON, BURDICK, BORES, BICHOTTE HERMELYN, COLTON, CHANDLER-WATERMAN, DAVILA, DAIS, FITZPATRICK, LEE, OTIS, SEAWRIGHT, STECK, SHRESTHA, TAYLOR, WEPRIN, ZINERMAN, HYNDMAN, REYES, MITAYNES -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to captive insurance for commuter vans, black cars, ambulettes and paratransit vehicles, and small school buses

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 7013
2 to read as follows:

3 § 7013. Captive insurance program for commuter vans, pre-arranged
4 for-hire vehicles, and accessible vehicles. (a) Notwithstanding any
5 provision of paragraph four of subsection (b) of section seven thousand
6 three of this article to the contrary, commuter vans, pre-arranged for-
7 hire vehicles, and accessible vehicles that are engaged in the business
8 of carrying or transporting passengers for hire may create a group
9 captive insurance company or companies. The superintendent shall imple-
10 ment:

11 (1) standards for enrollment of eligible commuter vans, pre-arranged
12 for-hire vehicles, and accessible vehicles including mechanisms for
13 determining eligibility; and

14 (2) standards for monitoring the performance of such captive insurance
15 company or companies in providing affordable insurance coverage to
16 commuter vans, pre-arranged for-hire vehicles, and accessible vehicles
17 participating in the program pursuant to subsection (c) of this section.

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

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1 (b) For the purposes of this section, the following terms shall have
2 the following meanings:

3 (1) "commuter van" shall mean a commuter van service having a seating
4 capacity of nine passengers but not more than twenty-four passengers or
5 such greater capacity as the superintendent may establish by rule and
6 carrying passengers for hire. The term "commuter van" shall include, but
7 not be limited to, shuttles and transportation vans.

8 (2) "pre-arranged for-hire vehicle" shall mean a motor vehicle that is
9 used in the business of transporting passengers for compensation on a
10 pre-arranged basis, and operated in such business under a license or
11 permit issued by a licensing jurisdiction. Such term shall include, but
12 not be limited to, small school buses pursuant to section one hundred
13 forty-two or sixteen hundred forty-two-a of the vehicle and traffic law.
14 The term "pre-arranged for-hire vehicle" shall apply to vehicles as
15 defined in this paragraph regardless of any other provision of local law
16 or rule defining or describing such vehicles by any other terms such as
17 school bus, charter bus, taxi, black car, or luxury limousine.

18 (3) "accessible vehicle" shall mean a vehicle that:

19 (A) complies with the accessibility requirements of the Americans with
20 Disabilities Act of 1990, as amended, and the regulations promulgated
21 thereunder;

22 (B) is equipped with a lift, ramp or any other device, arrangement or
23 alteration, so it is capable of transporting individuals who use wheel-
24 chairs, scooters, or other mobility aids while they remain seated in
25 their wheelchairs, scooters, or other mobility aids;

26 (C) is equipped with an assistive listening system for persons with
27 hearing impairments that is connected with any intercom, video or audio
28 system, when such a system is installed or designed and approved to
29 provide service to persons with disabilities;

30 (D) is equipped with standardized signs printed in: (i) braille; and
31 (ii) large-print text so that such signs are visible to persons with low
32 vision;

33 (E) provides sufficient floor space to accommodate a service animal;

34 (F) if powered by a hybrid-electric motor, is equipped with an appro-
35 priate device to enable persons who are blind to hear the approach of
36 the vehicle as readily as they can hear a conventional gasoline-powered
37 vehicle;

38 (G) shall include, but not be limited to, "ambulette" which shall have
39 the same meaning set forth in 17 NYCRR Part 720.8 or "paratransit" vehi-
40 cle which means a special-purpose vehicle, designed and equipped to
41 provide nonemergency transport, that has wheelchair-carrying capacity,
42 stretcher-carrying capacity, or the ability to carry disabled persons as
43 defined in section fifteen-b of the transportation law.

44 (c) Such captive insurance companies shall provide minimum limits and
45 coverages as required by law. In addition, all no fault insurance
46 related to commuter vans, pre-arranged for-hire vehicles, and accessible
47 vehicles insured in this section will rely on the medical treatment
48 guidelines promulgated in existing workers' compensation law.

49 § 2. This act shall take effect immediately.