STATE OF NEW YORK

7597

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to prohibiting property and casualty insurance companies from increasing rates based on geolocation information; and to amend the general business law, in relation to disclosure of geolocation data by motor vehicle manufacturers and dealers

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 2335-b to read as follows:

§ 2335-b. Prohibition of rate increases for persons utilizing GPS devices. 1. a. For purposes of this section, the term "GPS" means a global positioning system, or a comparable location tracking technology, that uses navigational satellites to determine a user's location and velocity in real time. GPS includes both factory-installed and aftermarket global positioning systems.

2. Subject to the provisions of subdivision four of this section, no insurer authorized to transact or transacting business in this state, or controlling or controlled by or under common control by or with an insurer authorized to transact or transacting business in this state, which sells a policy providing motor vehicle liability insurance coverage in this state shall use information from any GPS technology to determine or impose any additional rate, costs, fees, charges, or penalties on an insured vehicle driver based on GPS data relating to such driver's use of a vehicle.

3. This section shall not limit the right of an insurer to use global positioning technology to:

(a) provide a discount or reduction for vehicles equipped with a GPS; or

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

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(b) impose costs, fees, charges, or penalties to recover a vehicle that does not contain a GPS if such vehicle is lost, misplaced, or stolen.

4. The provisions of this section shall not apply if the insured expressly and voluntarily installs or agrees to the installation of the GPS device obtained from the insurer for the specific purpose of evaluating the insured's driving habits for the purpose of determining insurance rates.

§ 2. The general business law is amended by adding a new section 198-d to read as follows:

§ 198-d. Use of geolocation data. 1. No motor vehicle manufacturer or dealer operating within the state shall, without the consumer's express prior consent:

(a) collect, record or maintain a consumer's GPS information regarding precise geolocation and driving behavior;

(b) disclose the consumer's sensitive geolocation and driver behavior data to consumer reporting agencies; or

(c) sell the consumer's sensitive geolocation and driver behavior data to any third party.

2. Any motor vehicle manufacturer or dealer that collects, records or maintains a consumer's GPS information regarding precise geolocation and driving behavior shall:

(a) in each case, obtain affirmative express consent from the consumer prior to collecting connected vehicle data;

(b) provide a way for the consumer to opt-out of the collection of geolocation and driver behavior data;

(c) allow consumers to limit data collection from their vehicles, including allowing the consumer the ability to disable the collection of precise geolocation data from their vehicles if their vehicle has the necessary technology;

(d) allow the consumer to obtain data;

(e) allow the consumer to delete their data.

3. Any person, firm, or corporation violating the provisions of this section shall be liable in an action brought on behalf of the people of the state of New York in the sum of one thousand dollars for each of such violations.

4. The provisions of this section shall not prohibit the disclosure of a consumer's GPS geolocation or driver's behavior data to emergency first responders or to law enforcement agencies.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. 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.