§ 2336. Motor vehicle liability, comprehensive and collision insurance rates; premium reductions in certain cases. * (a) (1) Any schedule of rates or rating plan for motor vehicle liability and collision insurance submitted to the superintendent shall provide for an actuarially appropriate reduction in premium charges for any insured for a three year period after successfully completing a motor vehicle accident prevention course, known as the national safety council's defensive driving course, or any driver improvement course approved by the department of motor vehicles as being equivalent to the national safety council's defensive driving course, provided that, except as provided in article twelve-C of the vehicle and traffic law, there shall be no reduction in premiums for a self-instruction defensive driving course or a course that does not provide for actual classroom instruction for a minimum number of hours as determined by the department of motor vehicles. Such reduction in premium charges shall be subsequently modified to the extent appropriate, based upon analysis of loss experience statistics and other relevant factors. All such accident prevention courses shall be monitored by the department of motor vehicles and shall include components of instruction in "Road Rage" awareness and in "Work Zone Safety" awareness as defined by the commissioner of motor vehicles. The provisions of this section shall not apply to attendance at a program pursuant to article twenty-one of the vehicle and traffic law as a result of any traffic infraction.

(2) Any insured who successfully completes a course pursuant to this subsection and receives a premium reduction on the insured's insurance policy covering the for-hire vehicle, shall not, during the period set forth in subsection (e) of section two thousand three hundred fifty-three of this article, also be eligible for an additional premium reduction on the insured's commercial risk insurance policy covering the for-hire motor vehicle for successful completion of the for-hire safety motor vehicle course authorized under section two thousand three hundred fifty-three of this article.

* NB Effective until April 1, 2028

* (a) (1) Any schedule of rates or rating plan for motor vehicle liability and collision insurance submitted to the superintendent shall provide for an actuarially appropriate reduction in premium charges for any insured for a three year period after successfully completing a

motor vehicle accident prevention course, known as the national safety council's defensive driving course, or any driver improvement course approved by the department of motor vehicles as being equivalent to the national safety council's defensive driving course, provided that in either event there shall be no reduction in premiums for a self-instruction defensive driving course or a course that does not provide for actual classroom instruction for a minimum number of hours as determined by the department of motor vehicles. Such reduction in premium charges shall be subsequently modified to the extent appropriate, based upon analysis of loss experience statistics and other relevant factors. All such accident prevention courses shall be monitored by the department of motor vehicles and shall include components of instruction in "Road Rage" awareness and in "Work Zone Safety" awareness as defined by the commissioner of motor vehicles. The provisions of this section shall not apply to attendance at a program pursuant to article twenty-one of the vehicle and traffic law as a result of any traffic infraction.

(2) Any insured who successfully completes a course pursuant to this subsection and receives a premium reduction on the insured's insurance policy covering the for-hire vehicle, shall not, during the period set forth in subsection (e) of section two thousand three hundred fifty-three of this article, also be eligible for an additional premium reduction on the insured's commercial risk insurance policy covering the for-hire motor vehicle for successful completion of the for-hire safety motor vehicle course authorized under section two thousand three hundred fifty-three of this article.

* NB Effective April 1, 2028

* (b) Any schedule or rating plan for non-commercial private passenger automobile insurance shall provide for an appropriate reduction in premium charges for personal injury protection and medical payment coverages with respect to any insured vehicle equipped with a passive occupant restraint system for front-seat passengers. Such discount shall apply to passive occupant restraint systems that meet applicable federal or appropriate equivalent standards. With respect to vehicles other than non-commercial private passenger automobiles, any schedule rating plan shall include an appropriate premium credit which reflects the existence of such a passive occupant restraint system.

* NB Expires July 1, 2026

(c) Any schedule or rating plan for non-commercial private passenger automobile insurance shall also provide for an appropriate reduction in premium charges for bodily injury liability, property damage liability, personal injury protection, medical payment and collision coverages with respect to automobiles equipped with factory installed anti-lock brakes, or such other safety devices which the superintendent determines, after a public hearing, may be expected to reduce losses for such coverages. In determining the appropriate reductions, consideration shall be given to other safety discounts that already apply to the coverages affected.

(d) Premium charge reductions made pursuant to the provisions of subsection (a) of this section shall be effective upon issuance of a certificate of completion to the insured and such premium charge reduction shall be calculated from such completion date unless such completion certificate is presented within forty-five days prior to the renewal of the policy, in which case the insurer may elect to commence the discount upon the first day of the new policy period for the full term of statutory discount; provided, however, that if the certificate of completion is not presented to the insurer within ninety days after completion of the course the insurer may, at its discretion, apply the premium discount from the date such certificate was presented rather than the date of completion. A discount applied during a policy period shall be prorated over the term of the policy.

(e) Any schedule or rating plan for non-commercial private passenger automobile insurance shall provide for an appropriate reduction in premium charges for comprehensive coverage with respect to any insured vehicle equipped with an operational anti-theft and recovery device consisting of an electronic homing device used in conjunction with a participating police agency and using a radio frequency network allocated by the Federal Communications Commission; provided, however, that in no event shall the non-use of this device or any other anti-theft device constitute grounds for an increase in policy premiums or cancellations or non-renewal of a non-commercial private passenger automobile insurance policy.

(f) (1) Any schedule or rating plan for non-commercial private passenger automobile insurance shall provide for an appropriate reduction in premium charges for comprehensive coverage with respect to

any insured vehicle equipped with window glass etched with the vehicle identification number or any other unique identifying symbol. The term "window glass" shall include not less than the windshield, door glass, rear window, T-top and the moon/sun roof of the insured vehicle.

(2) In order to qualify for a comprehensive premium discount pursuant to paragraph one of this subsection, the window glass etching performed on vehicles on or after the effective date of this paragraph shall meet the following standards:

(i) Etching shall be a vehicle identification number comprising seventeen digits as mandated for all vehicles sold in the United States pursuant to the United States Motor Vehicle Theft Act of 1984 or, if approved by the superintendent, with a unique identifying symbol. The windshield and rear window shall be etched within one inch from the bottom and the windshield shall be etched in close proximity to the vehicle identification number.

(ii) Etched indicia (numbers and letters of the seventeen digit vehicle identification number), when utilizing the vehicle identification number of the subject vehicle, shall be verified by input through a computer program with a checking algorithm prior to being etched onto any vehicle. In the event that a unique identifying symbol is utilized, the vendor utilizing such symbol shall provide a toll-free number to all vehicle owners, to be applied on vehicle window surface by decal.

(iii) Etched indicia shall not be greater than one-third inch in height nor less than one-eighth inch in height.

(iv) Auto glass etching shall be done by a laser, chemical process or mechanical process. Products used to etch vehicles in compliance with this section, whether comprising chemical or other methods of etching window glass, shall be products within the marketplace which are lawfully sold and delivered to consumers within New York state.

(v) Window etchings shall result in etched indicia within the surface of vehicle window glass which are permanent and cannot be removed without destroying the vehicle window. However, etching sufficient to achieve permanent markings shall not exceed a depth in the surface of the window which would affect the window's structural integrity.

(vi) A message line may be included below the etched vehicle identification number which directs callers to a registry listing etched

vehicle identification numbers and unique identifying symbols for assistance in reporting and identifying stolen vehicles.

(vii) Nothing in this paragraph shall relieve an insurer from continuing to provide discounts pursuant to paragraph one of this subsection for etching installed on window glass prior to the effective date of this paragraph, notwithstanding any departure of such etchings from the standards provided for pursuant to this paragraph.

(g) Any schedule or rating plan for non-commercial private passenger automobile insurance shall also provide for an actuarially appropriate reduction in premium charges for bodily injury liability, property damage liability, personal injury protection, medical payments and collision coverage with respect to automobiles equipped with factory installed daytime running lamps (DRL).

(h) Any schedule or rating plan applicable to commercial risk insurance for motor vehicles weighing in excess of ten thousand pounds shall provide for an actuarially appropriate reduction in premium charges for bodily injury liability, property damage liability, personal injury protection, medical payments and collision coverage with respect to such motor vehicles equipped with factory installed auxiliary running lamps. Such lamps shall be designed to reduce accidents by increasing vehicle visibility during the day and night. The superintendent shall, after consulting with the departments of motor vehicles and transportation, promulgate rules and regulations establishing the qualifications and standards for the approval, utilization and installation of such lamps.