*** § 2341. Prohibition against the use of employment, education, homeownership, and zip code for private passenger motor vehicle insurance rates.** (a) An insurer shall not use the following factors as the sole basis for initial tier placement, tier movement, or the establishment of rates for motor vehicle insurance subject to section three thousand four hundred twenty-five of this chapter:

(1) occupational status or type of occupation;

(2) education level attained;

(3) homeownership; and

(4) the zip code in which the motor vehicle is principally garaged, provided, however, that an insurer may use a group of contiguous zip codes in accordance with section two thousand three hundred seven of this article.

(b) Nothing in this section shall be construed to prohibit:

(1) consideration of occupational status or type of occupation to determine whether a motor vehicle is used for a business or commuting purpose; or

(2) consideration of occupation to the extent strictly necessary to offer policies pursuant to a mass merchandising plan; or

(3) any actuarially justified discounts approved by the superintendent.

* NB Effective November 23, 2026