§ 2353. For-hire motor vehicle safety program; reduction in rates of certain commercial risk insurance premiums for motor vehicles. (a) For the purposes of this section, an association shall mean an association where all the eligible members of the association have the same profession, trade, or occupation, and the association has been organized and maintained in good faith for purposes principally other than that of obtaining insurance, and has been in active existence for at least two years.

(b) An association representing motor vehicles engaged in the business of carrying or transporting passengers for-hire, having a seating capacity of not less than eight passengers, shall be authorized to create and implement a comprehensive educational program designed to advance for-hire motor vehicle safety, which provides for the training of all operators in the safe operation of for-hire motor vehicles, education about safety equipment that can enhance the safe operation of vehicles, and training related to passenger safety. Such program shall include, but not be limited to, instruction which addresses the following subject areas:

(1) the concept of collision prevention, including a discussion of the factors involved in traffic situations;

(2) alcohol and drug use as a contributing factor in motor vehicle collisions;

(3) accident prevention techniques;

(4) the use of occupant restraints;

(5) the risk factors involved in driver attitude and behavior such as speeding, reckless and aggressive driving, and improper lane use;

(6) traffic laws in New York state;

(7) physical and mental condition of drivers;

(8) conditions and strategies of driving;

(9) safe driving techniques in hazardous weather conditions including rain, wind, snow, ice, sleet and fog;

(10) equipment that can enhance the safe operation of vehicles; and

(11) passenger safety including but not limited to recommending the use of seat belts to passengers, warning passengers to exercise care when boarding and exiting a vehicle and notifying passengers of emergency exits if applicable.

(c) The association described in subsection (b) of this section shall

provide a certificate to members of such association who successfully complete a course of instruction on for-hire vehicle safety as authorized pursuant to this section.

(d) The superintendent shall provide for an actuarially appropriate reduction for a period of three years in the rates of premiums for commercial risk insurance applicable to motor vehicles engaged in the business of carrying or transporting passengers for-hire, having a seating capacity of not less than eight passengers, for each triennial completion of a course of instruction on for-hire motor vehicle safety as authorized pursuant to this section. The commissioner of motor vehicles shall evaluate and approve any for-hire vehicle safety program created pursuant to this section within sixty days of the effective date of this section.

(e) An authorized insurer shall, upon submission of a certificate by an insured evidencing that such insured has completed a course of instruction on for-hire motor vehicle safety as authorized pursuant to this section, provide an actuarially appropriate reduction, for a period of three years, of the premium for such insured's commercial risk insurance applicable to motor vehicles engaged in the business of carrying or transporting passengers for-hire, having a seating capacity of not less than eight passengers.

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

(g) The superintendent may promulgate any rules and regulations necessary to implement the provisions of this section.