§ 3435-a. Motor vehicle insurance policies; New York state licensed drivers; prohibitions against refusing to issue policies or renew policies. (a) Insurers shall be prohibited from refusing to issue a motor vehicle liability insurance policy to any person with a valid New York state driver's license which has been maintained by such person for at least thirty-nine months prior to the time of application for such policy of insurance solely on the basis that such person has not owned or leased a vehicle during such period, unless such decision is based on sound underwriting and actuarial principles reasonably related to actual or anticipated loss experience. Provided, however, that an applicant demonstrating a continuous, valid out-of-state or out-of-country driver's license during such thirty-nine month period due to active service in the United States army, navy, air force, space force or marines shall be treated as if continuous licensing had been maintained in New York and such person shall not be rejected based solely on the fact that such person served in the military.

(b) Insurers shall be prohibited from refusing to renew an existing motor vehicle liability insurance policy solely upon the basis of the named insured having reached sixty years of age and shall be prohibited for the purpose of policy renewal from requesting a physical examination or medical questionnaire solely on the basis of the named insured having reached sixty years of age unless such decision is based on sound underwriting and actuarial principles reasonably related to actual or anticipated loss experience.

(c) Insurers shall be prohibited from refusing to renew an existing motor vehicle liability insurance policy solely upon the basis of the age of the motor vehicle to be insured unless such decision is based on sound underwriting and actuarial principles reasonably related to actual or anticipated loss experience.