

NEW YORK CODES, RULES AND REGULATIONS

*** THIS DOCUMENT REFLECTS CHANGES RECEIVED THROUGH OCTOBER 24, 2003 ***

TITLE 11. INSURANCE DEPARTMENT

CHAPTER III. POLICY AND CERTIFICATE PROVISIONS

SUBCHAPTER B. PROPERTY AND CASUALTY INSURANCE

PART 65. * (REGULATION 68) REGULATIONS IMPLEMENTING THE COMPREHENSIVE
MOTOR VEHICLE INSURANCE REPARATIONS ACT

11 NYCRR § 65.14 (2003)

**§ * 65.14 Exclusion of medical expense from mandatory personal injury
protection**

(a) The Exclusion of Medical Expense From Mandatory Personal Injury Protection Endorsement (New York), in this section, is approved and promulgated for use for new and renewal business effective on and after December 1, 1977, in accordance with the provisions of section 5103(g) of the Insurance Law. This endorsement may be used as a separate endorsement or appropriately added to the mandatory endorsement.

**EXCLUSION OF MEDICAL EXPENSE FROM MANDATORY
PERSONAL INJURY PROTECTION ENDORSEMENT(New York)**

In consideration of a reduction in premium, it is agreed that:

If the Medical Expense element of Basic Economic Loss is identified as not applicable (in the declarations),(1) the Company shall not be liable for any items of such loss which would otherwise be covered under the Mandatory Personal Injury Protection Endorsement (New York) with respect to the named insured or named insured and any relative as specified (in the declarations).

(1) Coverage for any such medical expense element of basic economic loss provided to such named insured, or such relative, by a company or corporation in accordance with the provisions of section 5103(g) of the New York Insurance Law shall reduce the \$ 50,000 aggregate limit of liability for basic economic loss to such person under this policy. This endorsement shall be effective during the term of this policy so long as the medical expense coverage provided by such company or corporation remains in effect, notwithstanding any provisions (in the declarations)(1) of this policy to the contrary, and in the event this endorsement shall no longer be in effect the premium may be adjusted accordingly.

(1) FOOTNOTE: Companies may substitute the appropriate term, reference or language for the matter set out in brackets.

* NB Reinstated effective February 1, 2000 per Medical Society of New York v. Neil D. Levin as Superintendent of Insurance, 712 NY2d 745 (Supreme Court, New York County).Section statutory authority: Insurance Law, § 5103

Added 65.14 on 11/28/77; amended 65.14 on 9/01/85; repealed 65.14 on 11/03/99.