

**NEW YORK STATE
INSURANCE DEPARTMENT**

FOURTH AMENDMENT TO REGULATION 57

11 NYCRR 160

RESPONSIBILITIES IN CONSTRUCTION AND APPLICATION OF RATES

I, Neil D. Levin, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201, 301, and 2336(h) of the Insurance Law, do hereby promulgate the fourth amendment to Part 160 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation 57), to take effect upon publication in the State Register, to read as follows:

(ALL MATERIAL IS NEW)

A new subdivision (d) is added to Section 160.6 to read as follows:

(d)(1) Insurers shall provide for a reduction in the rates of insurance premiums for commercial motor vehicles having a gross vehicle weight rating in excess of ten thousand pounds provided the vehicle is equipped with factory installed auxiliary running lamps. Such lamps shall be designed, manufactured, and installed to enhance the conspicuousness and safety of a vehicle so equipped and to effectively communicate to operators of other vehicles the intentions or operational maneuvers of the driver of the vehicle.

(2) The premium reduction shall apply to bodily injury liability, property damage liability, personal injury protection, medical payments and collision coverage. The amount of reduction shall be determined in accordance with the standards set forth in section 160.2 of this Part.

(3) Auxiliary running lamps are added in an attempt to improve vehicle visibility and contribute to highway safety. For the purposes of this subdivision, auxiliary running lamps shall be interpreted as supplemental "combination side marker signal lamps" and must conform to the following criteria:

(i) they must supplement the standard vehicle lighting system which is required for new vehicles by Federal standard, New York State Vehicle and Traffic Law and regulation;

(ii) they shall be located along the left and right sides of a single or combination vehicle, consistent with the same required height as side marker lamps, as close as practical to no closer than four feet nor more than ten feet apart on center;

(iii) all of these lamps shall have both the side marker and signal lamp function. Lamps must be amber in color. The rear most side marker must be red in color;

(iv) they may automatically illuminate when the motor vehicle ignition is turned on or in the run position and shall only flash in conjunction with the selection of the left or right signals; and

(v) the lights must be of an approved type, complying with side marker and signal lighting criteria consistent with prevailing federal standards.

(4) For the purposes of this subdivision, the term "factory installed" shall mean vehicles equipped and delivered new with auxiliary running lamps.

I, Neil D. Levin, Superintendent of Insurance of the State of New York, do hereby certify that the foregoing is the Fourth Amendment to 11 NYCRR 160 (Regulation 57), promulgated by me on December 22, 2000, pursuant to the authority granted by Sections 201, 301, and 2336 (h) of the Insurance Law, to take effect upon publication in the State Register.

Pursuant to the provisions of the State Administrative Procedure Act, prior notice of the proposed amendment was published in the State Register on October 25, 2000. No other publication or prior notice is required by statute.

Neil D. Levin
Superintendent of Insurance

December 22, 2000