

NEW YORK STATE INSURANCE DEPARTMENT
EIGHTH AMENDMENT TO REGULATION NO. 35-A
(11 NYCRR 60-1)

MINIMUM PROVISIONS FOR AUTOMOBILE LIABILITY INSURANCE

I, Gregory V. Serio, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201 and 301 of the Insurance Law, Section 311 of the Vehicle and Traffic Law, Section 396-z of the General Business Law, and Chapter 656 of the Laws of 2002, do hereby promulgate the following Eighth Amendment to Subpart 60-1 (Regulation No. 35-A) of the Official Compilation of Codes, Rules and Regulations of the State of New York, to take effect upon publication in the State Register, to read as follows:

NEW MATTER IS UNDERLINED; MATTER IN BRACKETS IS DELETED

Subdivision (i) of Section 60-1.5 is amended to read as follows:

(i) The notice prescribed herein shall be sent to all policyholders, with motor vehicle liability insurance policies covering less than five private passenger motor vehicles, commencing [April 1, 1989] February 24, 2003, upon policy renewal or new policy issuance, and shall be sent again if the insurer at any time thereafter determines to charge or increase a premium for rental vehicle coverage, giving affected policyholders an option to reject this coverage, except to those who previously exercised such option.

RENTAL VEHICLE COVERAGE

NOTICE TO POLICYHOLDERS

****Rental Vehicle Coverage Premium Charge**

YES: _____ NO: _____

****If YES, Amount of Rental Vehicle Coverage Premium:**

\$ _____

The Rental Vehicle Coverage endorsement to this policy provides protection in the event of damage to, or loss of, a rental vehicle, including loss of use, as described in the endorsement.

Rental Vehicle Coverage [has been] is mandated by New York State law [, as part of overall legislation] to reduce problems that [confronted] confront consumers and [left] leave them vulnerable to major unanticipated costs when dealing with rental vehicle companies.

[Effective April 1, 1989, another part of this legislation prohibits rental vehicle companies in New York State from holding their customers liable for damage to, or loss of, rental vehicles, including loss of use, and limits the maximum charge by the rental vehicle company to \$100 for such damage or loss, subject to stated exceptions for certain behavior on the part of the renter.]

This Rental Vehicle Coverage protects you whenever rental vehicles are rented and operated anywhere within the United States, its territories or possessions, and Canada.

In the event that a premium is at any time charged or increased for Rental Vehicle Coverage, you have the right to reject this coverage and not pay such charge, if you so inform your insurer within ten calendar days after you receive notice that such a premium charge or increase will be made for Rental Vehicle Coverage.

Please review the Rental Vehicle Coverage endorsement itself. If, as indicated at the top of this notice, there is a premium charge or increase and you wish to reject Rental Vehicle Coverage--or you simply wish to obtain additional information regarding this coverage--please contact your insurance agent or broker, or call our toll-free telephone number: 800-[insert number].

I, Gregory V. Serio, Superintendent of Insurance of the State of New York, do hereby certify that the foregoing is the Eighth Amendment to Subpart 60-1 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 35-A), entitled "Minimum Provisions for Automobile Liability Insurance", promulgated by me on April 8, 2003, pursuant to the authority granted by Sections 201 and 301 of the Insurance Law, Section 311 of the Vehicle and Traffic Law, Section 396-z of the General Business Law, and Chapter 656 of the Laws of 2002, 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 February 12, 2003. No other publication or prior notice is required by statute.

Gregory V. Serio
Superintendent of Insurance

April 8, 2003