



# LEGISLATIVE POSITION

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**An act to amend the Insurance Law and the Navigation Law, in relation to requiring certain policies of insurance for public vessels which carry passengers.**

PIANY supports legislation that requires public vessels operating in New York state to carry marine protection and indemnity insurance.

**Memorandum in support of: S.5203-A by Sen. Breslin**

**Background:** This legislation amends Section 50 of the Navigation Law to state no certificate of inspection or temporary permit shall be issued unless the owner of a public vessel produces proof of insurance to the inspector. The bill also clarifies Subsection (a) of Section 2105 of the Insurance Law regarding the authority of excess-line brokers to provide marine liability insurance. Finally, the bill requires owners of public vessels certified to carry passengers which operate on the navigable waters of the state, except vessels which navigate on waters over which the United States exercises active control, to obtain marine protection and indemnity insurance as defined in Insurance Law Section 1113(a) (21).

**Justification:** PIANY supports this legislation on behalf of its members and the insurance-buying public and firmly believes that enactment of this new requirement will have a direct benefit to the people of the state of New York. An owner or operator of a public vessel should be financially able to ensure that his or her patrons are adequately protected at the time of a loss. The bill also allows for owners of public vessels to be self-insured and will enhance the safety and security of the public who utilize commercial watercraft for recreational and business purposes and should, therefore, be approved.

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