

Will Filing a Windshield Claim Affect My Insurance Rates in New York?

Information for New York Drivers from Ocean Auto Glass

The Short Answer

In New York State, insurance companies are generally prohibited by state regulations from imposing a surcharge (a direct rate increase specifically tied to a claim) on your policy solely because you filed a comprehensive claim for windshield repair or replacement. Furthermore, New York law *requires* auto policies with comprehensive coverage to fully cover safety glass repair/replacement without a deductible.

Understanding Your Coverage in New York

- **Comprehensive Coverage is Key:** Windshield damage from things like rocks, road debris, hail, severe weather, vandalism, or falling objects typically falls under your auto insurance policy's **comprehensive coverage** (also known as "other than collision"). This coverage handles damage not caused by a collision.
- **Mandatory Full Glass Coverage:** A key feature in New York is that if your auto policy includes comprehensive coverage, it *must* also include **full coverage for safety glass** (which includes windshields) **without a deductible**. This means you shouldn't have any out-of-pocket cost for the repair or replacement itself if the damage is covered under comprehensive insurance.

What New York Law Says

- **No Deductible for Glass:** New York Insurance Law § 3411(k) allows window glass coverage to be sold without a deductible. The New York State Department of Financial Services (DFS) enforces that policies with comprehensive coverage *must* provide this full glass benefit.
- **Protection Against Surcharges:** New York Codes, Rules and Regulations (NYCRR) Title 11, Part 169 (specifically 11 NYCRR 169.1(b)) states that comprehensive claims may not be used to surcharge any coverage under a merit rating plan. This means a single, no-fault comprehensive claim like a typical windshield replacement shouldn't directly trigger a premium surcharge.

Important Factors to Consider

- **Zero-Deductible Glass Coverage is Mandatory (with Comprehensive):** Unlike some states, if your New York auto policy includes comprehensive coverage, the zero-deductible safety glass coverage is automatically included. You don't need to select or purchase it separately.

- **Claim Frequency Can Still Matter:** While a single glass claim shouldn't result in a surcharge, insurance companies *can* consider your overall claims history when determining your premium at renewal time. Multiple claims of *any* type within a short period (typically three years) could lead an insurer to view you as a higher risk, potentially resulting in a higher renewal premium, even if no specific surcharge is applied for the glass claim itself.
- **Cause of Damage is Important:** The protection against surcharges and the zero-deductible benefit apply specifically to *comprehensive* claims. If your windshield was damaged as part of an at-fault collision, different rules and your collision deductible would apply, and the accident could certainly impact your rates.
- **Surcharge vs. General Rate Increase:** It's important to note the difference. Regulations prevent a specific *surcharge* for a comprehensive claim. However, overall rates for all policyholders can increase due to broader factors (like increased repair costs in an area), and frequent claims might affect your risk tier and renewal premium, which isn't technically a surcharge for that one claim.

Before Making Your Decision

1. **Confirm Your Coverage:** Although full glass coverage is mandatory with comprehensive in NY, it's always wise to review your policy documents or contact your insurer/agent to understand all specifics.
2. **Contact Your Insurance Company:** Confirm how a windshield claim will be handled under your specific policy. Ask explicitly: "Will filing this comprehensive claim for my windshield affect my rates or lead to a surcharge, given New York regulations?"
3. **Consider Claim History:** Think about any other claims you've filed in the past few years. While the zero-deductible nature of NY glass coverage makes filing very common and usually financially sensible, be aware of how overall claim frequency might be viewed by your insurer at renewal.

Contact Ocean Auto Glass Monsey

Need a quote or help navigating the insurance process? We're here to assist!

- **Phone:** 845-570-2068
- **Location Info:** <https://oceanautoglass.com/locations/monsey-ny>

We work with most insurance companies and can help streamline your claim.

Disclaimer

This information is provided as general guidance based on our understanding of

current New York insurance laws and regulations as of April 25, 2025. It is not legal or insurance advice. Individual insurance policies can have specific terms, and interpretations can vary. While New York law offers significant consumer protection regarding rate increases for comprehensive glass claims and mandates no-deductible coverage, we always recommend confirming the specific details and potential impacts directly with your insurance provider or agent.

Citations and Resources:

Here are some resources where you can find more information:

1. **NY Insurance Law § 3411(k) (Window Glass Deductible Exception):** Referenced in DFS opinions discussing the mandatory nature of no-deductible glass coverage with comprehensive. See OGC Opinion No. 10-06-08:
<https://www.dfs.ny.gov/insurance/ogco2010/rg100608.htm>
2. **NYCRR Title 11, Part 169 (Merit Rating Plans/Surcharges):** § 169.1(b) prohibits surcharges for comprehensive claims.
 - o Unofficial Version:
[https://govt.westlaw.com/nycrr/Document/I4f4a96e016fd11e1b518belf4b1e7f41?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/I4f4a96e016fd11e1b518belf4b1e7f41?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)) (Note: Official NYCRR access may require subscription).
 - o See also DFS Circular Letter No. 11 (2018) referencing this: https://www.dfs.ny.gov/industry_guidance/circular_letters/cl2018_11
3. **New York State Department of Financial Services (DFS) - Auto Insurance Information:** General consumer information regarding auto insurance in NY.
 - o https://www.dfs.ny.gov/consumers/auto_insurance