

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1140

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 3113 (MCL 500.3113), as amended by 1986 PA 93.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3113. A person is not entitled to be paid personal
2 protection insurance benefits for accidental bodily injury if at
3 the time of the accident any of the following circumstances
4 existed:

5 (a) The person was **WILLINGLY OPERATING OR WILLINGLY** using a
6 motor vehicle or motorcycle ~~which he or she had~~ **THAT WAS** taken
7 unlawfully, ~~unless~~ **AND** the person ~~reasonably believed that he or~~
8 ~~she was entitled to take and use the vehicle.~~ **KNEW OR SHOULD HAVE**
9 **KNOWN THAT THE MOTOR VEHICLE OR MOTORCYCLE WAS TAKEN UNLAWFULLY.**

10 (b) The person was the owner or registrant of a motor vehicle

1 or motorcycle involved in the accident with respect to which the
2 security required by section 3101 or 3103 was not in effect.

3 (c) The person was not a resident of this state, was an
4 occupant of a motor vehicle or motorcycle not registered in this
5 state, and **THE MOTOR VEHICLE OR MOTORCYCLE** was not insured by an
6 insurer ~~which~~**THAT** has filed a certification in compliance with
7 section 3163.

8 (D) **THE PERSON WAS OPERATING A MOTOR VEHICLE OR MOTORCYCLE AS**
9 **TO WHICH HE OR SHE WAS NAMED AS AN EXCLUDED OPERATOR AS ALLOWED**
10 **UNDER SECTION 3009(2).**