

**SUBSTITUTE FOR  
HOUSE BILL NO. 4627**

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
by amending section 3101a (MCL 500.3101a), as amended by 2014 PA  
419.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3101a. ~~(1) Except as otherwise provided in this section,~~  
2 ~~an insurer, in conjunction with the issuance of an automobile~~  
3 ~~insurance policy, as defined in section 3303, shall provide 2~~  
4 ~~certificates of insurance for each insured vehicle. The insurer~~  
5 ~~shall mark 1 of the certificates as the secretary of state's copy,~~  
6 ~~which copy, except as otherwise provided in this section, shall be~~  
7 ~~filed with the secretary of state by the policyholder upon~~  
8 ~~application for a vehicle registration. The secretary of state~~

1 ~~shall not maintain the certificate of insurance received under this~~  
2 ~~subsection on file.~~

3       (1) ~~(2) Beginning December 30, 2011, an~~ **AN** insurer, in  
4 conjunction with the issuance of an automobile insurance policy,  
5 shall provide to the insured 1 certificate of insurance for each  
6 insured vehicle, and for private passenger nonfleet automobiles  
7 listed on the policy shall supply to the secretary of state ~~in~~  
8 ~~the format and timeline as required by the secretary of state,~~  
9 ~~which shall not be required more frequently than every 14 days,~~ the  
10 automobile insurer's name, the **NAME OF THE** named insured, the named  
11 insured's address, the vehicle identification number for each ~~such~~  
12 **PRIVATE PASSENGER NONFLEET** vehicle listed on the policy, and the  
13 policy number. **THE INSURER SHALL SUPPLY THE INFORMATION REQUIRED**  
14 **UNDER THIS SUBSECTION IN THE FORMAT AND ON A TIMELINE AS REQUIRED**  
15 **BY THE SECRETARY OF STATE. THE SECRETARY OF STATE SHALL NOT REQUIRE**  
16 **THE SUBMISSION OF INFORMATION UNDER THIS SUBSECTION MORE FREQUENTLY**  
17 **THAN EVERY 14 DAYS. IN DETERMINING THE FORMAT UNDER THIS**  
18 **SUBSECTION, THE SECRETARY OF STATE SHALL CONSULT WITH INSURERS. AS**  
19 **USED IN THIS SUBSECTION, "PRIVATE PASSENGER NONFLEET AUTOMOBILE"**  
20 **MEANS THAT TERM AS DEFINED IN SECTION 3303.**

21       (2) **THE SECRETARY OF STATE SHALL PROVIDE POLICY INFORMATION**  
22 **RECEIVED UNDER SUBSECTION (1) TO THE MICHIGAN AUTOMOBILE INSURANCE**  
23 **PLACEMENT FACILITY AS REQUIRED FOR THE MICHIGAN AUTOMOBILE**  
24 **INSURANCE PLACEMENT FACILITY TO COMPLY WITH THIS ACT. INFORMATION**  
25 **RECEIVED BY THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY**  
26 **UNDER THIS SUBSECTION IS CONFIDENTIAL AND IS NOT SUBJECT TO THE**  
27 **FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246. THE**

1 MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY SHALL ONLY USE THE  
 2 INFORMATION FOR PURPOSES OF ADMINISTERING THE ASSIGNED CLAIMS PLAN  
 3 UNDER THIS CHAPTER AND SHALL NOT DISCLOSE THE INFORMATION TO ANY  
 4 PERSON UNLESS IT IS FOR THE PURPOSE OF ADMINISTERING THE ASSIGNED  
 5 CLAIMS PLAN OR IN COMPLIANCE WITH AN ORDER BY A COURT OF COMPETENT  
 6 JURISDICTION IN CONNECTION WITH A FRAUD INVESTIGATION OR  
 7 PROSECUTION.

8 (3) Until December 31, 2018, the secretary of state shall  
 9 provide policy information received under ~~this subsection (1)~~ to  
 10 the department of ~~community health~~ **AND HUMAN SERVICES** as required  
 11 for the department of ~~community health~~ **AND HUMAN SERVICES** to comply  
 12 with 2006 PA 593, MCL 550.281 to 550.289. ~~In determining the format~~  
 13 ~~under this subsection, the secretary of state shall consult with~~  
 14 ~~insurers. As used in this subsection, "private passenger nonfleet~~  
 15 ~~automobile" means that term as defined in section 3303.~~

16 (4) ~~(3)~~ The secretary of state shall accept as proof of  
 17 vehicle insurance a transmission of the insured vehicle's vehicle  
 18 identification number. Policy information submitted by an insurer  
 19 and received by the secretary of state under this section is  
 20 confidential, is not subject to the freedom of information act,  
 21 1976 PA 442, MCL 15.231 to 15.246, and ~~shall~~ **MUST** not be disclosed  
 22 to any person except the department of ~~community health~~ **AND HUMAN**  
 23 **SERVICES** for purposes of 2006 PA 593, MCL 550.281 to 550.289, or  
 24 pursuant to an order by a court of competent jurisdiction in  
 25 connection with a claim or fraud investigation or prosecution. The  
 26 transmission to the secretary of state of a vehicle identification  
 27 number is proof of insurance to the secretary of state for motor

1 vehicle registration purposes only and is not evidence that a  
2 policy of insurance actually exists between an insurer and an  
3 individual.

4 (5) ~~(4)~~—A person who supplies false information to the  
5 secretary of state under this section or who issues or uses an  
6 altered, fraudulent, or counterfeit certificate of insurance is  
7 guilty of a misdemeanor punishable by imprisonment for not more  
8 than 1 year or a fine of not more than \$1,000.00, or both.

9 (6) ~~(5)~~—The department of ~~community health~~ **AND HUMAN SERVICES**  
10 shall report to the senate and house of representatives  
11 appropriations committees and standing committees concerning  
12 insurance issues on the number of claims and total dollar amount  
13 recovered from automobile insurers ~~pursuant to~~ **UNDER** 2006 PA 593,  
14 MCL 550.281 to 550.289. The reports required by this subsection  
15 ~~shall~~ **MUST** be given to the appropriations committees and standing  
16 committees concerning insurance issues by December 30 of each year  
17 through December 30, 2018 and ~~shall~~ **MUST** cover the preceding 12-  
18 month period.

19 Enacting section 1. This amendatory act takes effect 90 days  
20 after the date it is enacted into law.