



# HOUSE BILL No. 4802

May 19, 1993, Introduced by Reps. Profit, Martin, Palamara, Vorva, Galloway, McNutt and Owen and referred to the Committee on Insurance.

A bill to amend sections 2103 and 2111 of Act No. 218 of the Public Acts of 1956, entitled as amended "The insurance code of 1956," section 2103 as amended by Act No. 305 of the Public Acts of 1990 and section 2111 as amended by Act No. 191 of the Public Acts of 1991, being sections 500.2103 and 500.2111 of the Michigan Compiled Laws; and to add section 2111h.

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

1 Section 1. Sections 2103 and 2111 of Act No. 218 of the  
2 Public Acts of 1956, section 2103 as amended by Act No. 305 of  
3 the Public Acts of 1990 and section 2111 as amended by Act  
4 No. 191 of the Public Acts of 1991, being sections 500.2103 and  
5 500.2111 of the Michigan Compiled Laws, are amended and  
6 section 2111h is added to read as follows:

1        Sec. 2103. (1) "Eligible person", for automobile insurance,  
2 means a person who is an owner or registrant of an automobile  
3 registered or to be registered in this state or who holds a valid  
4 Michigan license to operate a motor vehicle, but does not include  
5 any of the following:

6        (a) A person who is not required to maintain security pursu-  
7 ant to section 3101, unless the person intends to reside in this  
8 state for 30 days or more and makes a written statement of that  
9 intention on a form approved by the commissioner.

10       (b) A person whose license to operate a vehicle is under  
11 suspension or revocation.

12       (c) A person who has been convicted within the immediately  
13 preceding 5-year period of fraud or intent to defraud involving  
14 an insurance claim or an application for insurance; or an indi-  
15 vidual who has been successfully denied, within the immediately  
16 preceding 5-year period, payment by an insurer of a claim in  
17 excess of \$1,000.00 under an automobile insurance policy, if  
18 there is evidence of fraud or intent to defraud involving an  
19 insurance claim or application.

20       (d) A person who, during the immediately preceding 3-year  
21 period, has been convicted under, or who has been subject to an  
22 order of disposition of the probate court for a violation of, any  
23 of the following:

24       (i) Section 324 ~~or 325~~ of the Michigan penal code, Act  
25 No. 328 of the Public Acts of 1931, as amended, being ~~sections~~  
26 SECTION 750.324 ~~and 750.325~~ of the Michigan Compiled Laws;  
27 section 1 of Act No. 214 of the Public Acts of 1931, being

1 section 752.191 of the Michigan Compiled Laws; or under any other  
2 law of this state the violation of which constitutes a felony  
3 resulting from the operation of a motor vehicle.

4 (ii) Section 625 of the Michigan vehicle code, Act No. 300  
5 of the Public Acts of 1949, as amended, being section 257.625 of  
6 the Michigan Compiled Laws.

7 (iii) Section 617, 617a, 618, or 619 of Act No. 300 of the  
8 Public Acts of 1949, as amended, being sections 257.617,  
9 257.617a, 257.618, and 257.619 of the Michigan Compiled Laws.

10 (iv) Section 626 of Act No. 300 of the Public Acts of 1949,  
11 as amended, being section 257.626 of the Michigan Compiled Laws;  
12 or for a similar violation under the laws of any other state or a  
13 municipality within or without this state.

14 ~~(v) Section 625b of Act No. 300 of the Public Acts of 1949,~~  
15 ~~as amended, being section 257.625b of the Michigan Compiled~~  
16 ~~Laws.~~

17 (e) A person whose vehicle insured or to be insured under  
18 the policy fails to meet the motor vehicle safety requirements of  
19 sections 683 to 711 of Act No. 300 of the Public Acts of 1949, as  
20 amended, being sections 257.683 to 257.711 of the Michigan  
21 Compiled Laws.

22 (f) A person whose policy of automobile insurance has been  
23 canceled because of nonpayment of premium or financed premium  
24 within the immediately preceding 2-year period, unless the pre-  
25 mium due on a policy for which application has been made is paid  
26 in full before issuance or renewal of the policy.

1 (g) A person who fails to obtain or maintain membership in a  
2 club, group, or organization, if membership is a uniform  
3 requirement of the insurer as a condition of providing insurance,  
4 and if the dues, charges, or other conditions for membership are  
5 applied uniformly throughout this state, are not expressed as a  
6 percentage of premium, and do not vary with respect to the rating  
7 classification of the member except for the purpose of offering a  
8 membership fee to family units. Membership fees may vary in  
9 accordance with the amount or type of coverage if the purchase of  
10 additional coverage, either as to type or amount, is not a condi-  
11 tion for reduction of dues or fees.

12 (h) ~~A~~ SUBJECT TO SECTION 2111H, A person whose driving  
13 record for the 3-year period immediately preceding application  
14 for or renewal of a policy, has, pursuant to section 2119a, an  
15 accumulation of more than ~~the following:~~ ~~(i)~~ Five SIX insur-  
16 ance eligibility points. ~~, if the application or renewal occurs~~  
17 ~~on or before December 31, 1982.~~

18 ~~(ii) Six insurance eligibility points, if the application or~~  
19 ~~renewal occurs on or after January 1, 1983.~~

20 (2) "Eligible person", for home insurance, means a person  
21 who is the owner-occupant or tenant of a dwelling of any of the  
22 following types: a house, a condominium unit, a cooperative  
23 unit, a room, or an apartment; or a person who is the  
24 owner-occupant of a multiple unit dwelling of not more than 4  
25 residential units. Eligible person does not include any of the  
26 following:

1 (a) A person who has been convicted, in the immediately  
2 preceding 5-year period, of 1 or more of the following:

3 (i) Arson, or conspiracy to commit arson.

4 (ii) A crime under sections 72 to 77, 112, 211a, 377a, 377b,  
5 or 380 of Act No. 328 of the Public Acts of 1931, as amended,  
6 being sections 750.72 to 750.77, 750.112, 750.211a, 750.377a,  
7 750.377b, and 750.380 of the Michigan Compiled Laws.

8 (iii) A crime under section 92, 151, 157b, or 218 of Act  
9 No. 328 of the Public Acts of 1931, as amended, being sections  
10 750.92, 750.151, 750.157b, and 750.218 of the Michigan Compiled  
11 Laws, based upon a crime described in subparagraph (ii) committed  
12 by or on behalf of the person.

13 (b) A person who has been successfully denied, within the  
14 immediately preceding 5-year period, payment by an insurer of a  
15 claim under a home insurance policy in excess of \$2,000.00, based  
16 on evidence of arson, conspiracy to commit arson, misrepresenta-  
17 tion, fraud, or conspiracy to commit fraud, committed by or on  
18 behalf of the person, if the amount of the denied claim was  
19 greater than any of the following:

20 (i) For a claim under a repair cost policy, 15% of the  
21 amount of insurance in force.

22 (ii) For a claim under a replacement cost policy, 10% of the  
23 amount of insurance in force.

24 (c) A person who insures or seeks to insure a dwelling  
25 ~~which~~ THAT is being used for an illegal or demonstrably hazard-  
26 ous purpose.

1 (d) A person who refuses to purchase an amount of insurance  
2 equal to at least 80% of the replacement cost of the property  
3 insured or to be insured under a replacement cost policy.

4 (e) A person who refuses to purchase an amount of insurance  
5 equal to at least 100% of the market value of the property  
6 insured or to be insured under a repair cost policy.

7 (f) A person who refuses to purchase an amount of insurance  
8 equal to at least 100% of the actual cash value of the property  
9 insured or to be insured under a tenant or renter's home insur-  
10 ance policy.

11 (g) A person whose policy of home insurance has been  
12 canceled because of nonpayment of premium within the immediately  
13 preceding 2-year period, unless the premium due on the policy is  
14 paid in full before issuance or renewal of the policy.

15 (h) A person who insures or seeks to insure a dwelling, if  
16 the insured value is not any of the following:

17 (i) For a repair cost policy, at least \$7,500.00.

18 (ii) For a replacement policy, at least \$15,000.00 or  
19 another amount ~~which~~ THAT the commissioner may establish bi-  
20 nially on and after January 1, 1983, pursuant to rules promul-  
21 gated by the commissioner under the administrative procedures act  
22 of 1969, Act No. 306 of the Public Acts of 1969, as amended,  
23 being sections 24.201 to 24.328 of the Michigan Compiled Laws,  
24 based upon changes in applicable construction cost indices.

25 (I) ~~(j)~~ A person who insures or seeks to insure a dwelling  
26 ~~which~~ THAT does not meet minimum standards of insurability as

1 established by rules promulgated by the commissioner pursuant to  
2 Act No. 306 of the Public Acts of 1969, as amended.

3 (J) ~~(\*)~~ A person whose real property taxes with respect to  
4 the dwelling insured or to be insured have been and are delin-  
5 quent for 2 or more years at the time of renewal of, or applica-  
6 tion for, home insurance.

7 (K) ~~(L)~~ A person who has failed to procure or maintain  
8 membership in a club, group, or organization, if membership is a  
9 uniform requirement of the insurer ~~—~~ and if the dues, charges,  
10 or other conditions for membership are applied uniformly through-  
11 out this state, are not expressed as a percentage of premium, and  
12 do not vary with respect to the rating classification of the  
13 member except for the purpose of offering a membership fee to  
14 family units. Membership fees may vary in accordance with the  
15 amount or type of coverage if the purchase of additional cover-  
16 age, either as to type or amount, is not a condition for reduc-  
17 tion of dues or fees.

18 (3) "Home insurance" means any of the following, but does  
19 not include insurance intended to insure commercial, industrial,  
20 professional, or business property, obligations, or liabilities:

21 (a) Fire insurance for an insured's dwelling of a type  
22 described in subsection (2).

23 (b) If contained in or indorsed to a fire insurance policy  
24 providing insurance for the insured's residence, other insurance  
25 intended primarily to insure nonbusiness property, obligations,  
26 and liabilities.

1 (c) Other insurance coverages for an insured's residence as  
2 prescribed by rule promulgated by the commissioner pursuant to  
3 Act No. 306 of the Public Acts of 1969, as amended. A rule pro-  
4 posed for promulgation by the commissioner pursuant to this sec-  
5 tion shall be transmitted in advance to each member of the stand-  
6 ing committee in the house and in the senate ~~which~~ THAT has  
7 jurisdiction over insurance.

8 (4) "Insurance eligibility points" means all of the  
9 following:

10 (a) Points calculated, according to the following schedule,  
11 for convictions, determinations of responsibility for civil  
12 infractions, or findings of responsibility in probate court:

13 (i) For a violation of ~~any~~ A lawful speed limit by more  
14 than 15 miles per hour, or careless driving, 4 points.

15 (ii) For a violation of ~~any~~ A lawful speed limit by more  
16 than 10 miles per hour, but less than 16 miles per hour, 3  
17 points.

18 (iii) For a violation of ~~any~~ A lawful speed limit by 10  
19 miles per hour or less, 2 points.

20 (iv) For a violation of ~~any~~ A speed limit by 15 miles per  
21 hour or less on a roadway which had a lawfully posted maximum  
22 speed of 70 miles per hour as of January 1, 1974, 2 points.

23 (v) For all other moving violations pertaining to the opera-  
24 tion of motor vehicles, 2 points.

25 (b) Points calculated, according to the following schedule,  
26 for determinations that the person was substantially at-fault, as  
27 defined in section 2104(4):

1 (i) For the first substantially at-fault accident, 3  
2 points.

3 (ii) For the second and each subsequent substantially  
4 at-fault accident, 4 points.

5 (5) "Insurer" means an insurer authorized to transact in  
6 this state the kind or combination of kinds of insurance consti-  
7 tuting automobile insurance or home insurance, as defined in this  
8 chapter.

9 Sec. 2111. (1) Notwithstanding any provision of this act  
10 and this chapter to the contrary, classifications and territorial  
11 base rates used by any insurer in this state with respect to  
12 automobile insurance or home insurance shall conform to the  
13 applicable requirements of this section.

14 (2) Classifications established pursuant to this section for  
15 automobile insurance shall be based only upon 1 or more of the  
16 following factors, which shall be applied by an insurer on a uni-  
17 form basis throughout the state:

18 (a) With respect to all automobile insurance coverages:

19 (i) Either the age of the driver; the length of driving  
20 experience; or the number of years licensed to operate a motor  
21 vehicle.

22 (ii) Driver primacy, based upon the proportionate use of  
23 each vehicle insured under the policy by individual drivers  
24 insured or to be insured under the policy.

25 (iii) Average miles driven weekly, annually, or both.

26 (iv) Type of use, such as business, farm, or pleasure use.

1 (v) Vehicle characteristics, features, and options, such as  
2 engine displacement, ability of vehicle and its equipment to  
3 protect passengers from injury and other similar items, including  
4 vehicle make and model.

5 (vi) Daily or weekly commuting mileage.

6 (vii) Number of cars insured by the insurer or number of  
7 licensed operators in the household. However, number of licensed  
8 operators shall not be used as an indirect measure of marital  
9 status.

10 (viii) Amount of insurance.

11 (b) In addition to the factors prescribed in subdivision  
12 (a), with respect to personal protection insurance coverage:

13 (i) Earned income.

14 (ii) Number of dependents of income earners insured under  
15 the policy.

16 (iii) Coordination of benefits.

17 (iv) Use of a safety belt.

18 (c) In addition to the factors prescribed in subdivision  
19 (a), with respect to collision and comprehensive coverages:

20 (i) The anticipated cost of vehicle repairs or replacement,  
21 which may be measured by age, price, cost new, or value of the  
22 insured automobile, and other factors directly relating to that  
23 anticipated cost.

24 (ii) Vehicle make and model.

25 (iii) Vehicle design characteristics related to vehicle  
26 damageability.

1 (iv) Vehicle characteristics relating to automobile theft  
2 prevention devices.

3 (d) With respect to all automobile insurance coverage other  
4 than comprehensive, successful completion by the individual  
5 driver or drivers insured under the policy of an accident preven-  
6 tion education course that meets the following criteria:

7 (i) The course shall include a minimum of 8 hours of class-  
8 room instruction.

9 (ii) The course shall include, but not be limited to, a  
10 review of all of the following:

11 (A) The effects of aging on driving behavior.

12 (B) The shapes, colors, and types of road signs.

13 (C) The effects of alcohol and medication on driving.

14 (D) The laws relating to the proper use of a motor vehicle.

15 (E) Accident prevention measures.

16 (F) The benefits of safety belts and child restraints.

17 (G) Major driving hazards.

18 (H) Interaction with other highway users such as motorcy-  
19 clists, bicyclists, and pedestrians.

20 (3) Each insurer shall establish and maintain premium dis-  
21 count plans pursuant to the following:

22 (a) Until April 1, 1992, an automobile theft prevention pre-  
23 mium discount plan. A premium discount plan required under this  
24 subdivision shall provide for a premium discount for automobile  
25 comprehensive coverage based upon the installation of an approved  
26 automobile theft prevention device. As used in this subdivision,  
27 "approved automobile theft prevention device" means a device that

1 is designed to prevent the theft of an insured's automobile and  
2 that is approved by the board of directors of the automobile  
3 theft prevention authority.

4 (b) Until April 1, 1992, an automobile safety belt premium  
5 discount plan. A premium discount plan required under this sub-  
6 division shall provide for a premium discount for automobile per-  
7 sonal protection insurance of not less than 20%. A premium dis-  
8 count plan established under this subdivision may require the  
9 insured individual to certify in writing that he or she will wear  
10 a safety belt while operating the insured motor vehicle in com-  
11 pliance with section 710e of the Michigan vehicle code, Act  
12 No. 300 of the Public Acts of 1949, being section 257.710e of the  
13 Michigan Compiled Laws, as a condition to receiving the premium  
14 discount. If an insured receives a premium discount after pro-  
15 viding such certification and is injured while operating a motor  
16 vehicle without wearing a safety belt at the time of the injury,  
17 an insurer may subsequently deny to the insured the right to par-  
18 ticipate in any premium discount plan established by the insurer  
19 pursuant to this subdivision for a period of 12 months. An  
20 insurer that reduces its personal protection insurance rates  
21 after December 1, 1985 by not less than 20% and does not increase  
22 those rates for a period of 12 months shall be considered to be  
23 in compliance with this subdivision.

24 (4) Each insurer shall establish a secondary or merit rating  
25 plan for automobile insurance, other than comprehensive coverage  
26 SUBJECT TO SECTION 2111H. A secondary or merit rating plan  
27 required under this subsection shall provide for premium

1 surcharges for any or all coverages for automobile insurance,  
2 other than comprehensive coverage, based upon any or all of the  
3 following, when that information becomes available to the  
4 insurer:

5 (a) Substantially at-fault accidents.

6 (b) Convictions for, determinations of responsibility for  
7 civil infractions for, or findings of responsibility in probate  
8 court for civil infractions for, violations under chapter VI of  
9 the Michigan vehicle code, Act No. 300 of the Public Acts of  
10 1949, as amended, being sections 257.601 to 257.750 of the  
11 Michigan Compiled Laws.

12 (5) An insurer shall not establish or maintain rates or  
13 rating classifications for automobile insurance based upon sex or  
14 marital status.

15 (6) Notwithstanding other provisions of this chapter, auto-  
16 mobile insurance risks shall be grouped by territory, and terri-  
17 torial base rates for coverages shall be established as provided  
18 in section 2111a and as follows:

19 (a) An insurer shall not be limited as to the number of ter-  
20 ritories employed in its rating plan.

21 (b) Except during the period of time from February 28, 1986  
22 to April 1, 1992, an insurer shall not employ more than 20 dif-  
23 ferent territorial base rates for an automobile insurance  
24 coverage.

25 (c) A territorial base rate may be made applicable in 1 or  
26 more territories contained in the rating plan of the insurer.

1 (d) Except during the period of time from February 28, 1986  
2 to April 1, 1992, an insurer shall not employ a territorial base  
3 rate for an automobile insurance package policy that is less than  
4 45% of the highest territorial base rate for the same policy, all  
5 other rating classifications being the same.

6 (e) Except during the period of time from February 28, 1986  
7 to April 1, 1992, an insurer shall not employ a territorial base  
8 rate in a territory for an automobile insurance package policy  
9 that is less than 90% of the territorial base rate employed in  
10 any adjacent territory for the same policy, all other rating  
11 classifications being the same.

12 (7) Except during the period of time from February 28, 1986  
13 to April 1, 1992, an insurer may elect at any time to exempt  
14 itself from the requirements of subsection (6) by filing for an  
15 exemption with the commissioner. An insurer electing this exemp-  
16 tion shall initially file a rating plan in which no territorial  
17 base rate for an automobile insurance package policy is less than  
18 45% of the highest territorial base rate for the same policy, all  
19 other rating classifications being the same. Five years from the  
20 date of the initial filing the insurer shall be prohibited from  
21 using a rating plan in which any territorial base rate for an  
22 automobile insurance package policy will be less than 67% of the  
23 highest territorial base rate for that same policy, all other  
24 rating classifications being the same. An insurer's election of  
25 an exemption under this subsection is permanent, final, and not  
26 subject to change.

1 (8) Except during the period of time from February 28, 1986  
2 to April 1, 1992, if an insurer can demonstrate to the  
3 commissioner, after an opportunity for an evidentiary hearing  
4 held pursuant to the administrative procedures act of 1969, Act  
5 No. 306 of the Public Acts of 1969, as amended, being sections  
6 24.201 to 24.328 of the Michigan Compiled Laws, that clear and  
7 significant financial impairment exists in the geographic terri-  
8 tory or territories in question because of the need for an addi-  
9 tional territorial base rate, or for a greater variance in the  
10 adjacent geographic territory differential contained in subsec-  
11 tion (6)(e), the additional territorial base rate, a greater  
12 variance, or both, shall be permitted for use by the insurer or a  
13 licensed rating organization on behalf of that insurer, at such  
14 time as the need exists. Evidence shall not include financial  
15 impairment resulting from exemptions granted to other insurers.

16 (9) Except during the period of time from February 28, 1986  
17 to April 1, 1992, if the commissioner finds, solely on the evi-  
18 dence presented, that a greater variance in the adjacent geo-  
19 graphic territory differential than that authorized under subsec-  
20 tion (6)(e) is justified, the increase in variance shall not  
21 exceed 100% of that authorized under that subsection. Except  
22 during the period of time from February 28, 1986 to April 1,  
23 1992, if an increase in variance in the adjacent geographic ter-  
24 ritory differential greater than 100% of that authorized under  
25 subsection (6)(e) is justified, the commissioner shall require  
26 the creation of an additional territorial base rate.

1 (10) Except during the period of time from February 28, 1986  
2 to April 1, 1992, an exemption granted under subsections (8) and  
3 (9) shall be applicable only to the geographic territory or ter-  
4 ritories in question, and only to the insurer requesting the  
5 exemption.

6 (11) Except during the period of time from February 28, 1986  
7 to April 1, 1992, an insurer shall not have more than 5 exemp-  
8 tions in force at any 1 time. For purposes of determining the  
9 number of existing exemptions, each additional territorial base  
10 rate or each increase in variance in the adjacent geographic ter-  
11 ritory differential granted, shall be considered to be a separate  
12 exemption.

13 (12) This section shall not be construed as limiting insur-  
14 ers or rating organizations from establishing and maintaining  
15 statistical reporting territories. This section shall not be  
16 construed to prohibit an insurer from establishing or maintain-  
17 ing, for automobile insurance, a premium discount plan for senior  
18 citizens in this state who are 65 years of age or older, if the  
19 plan is uniformly applied by the insurer throughout this state.  
20 If an insurer has not established and maintained such a premium  
21 discount plan for senior citizens, the insurer shall offer  
22 reduced premium rates to senior citizens in this state who are 65  
23 years of age or older and who drive less than 3,000 miles per  
24 year, regardless of statistical data.

25 (13) Classifications established pursuant to this section  
26 for home insurance other than inland marine insurance provided by

1 policy floaters or endorsements shall be based only upon 1 or  
2 more of the following factors:

3 (a) Amount and types of coverage.

4 (b) Security and safety devices, including locks, smoke  
5 detectors, and similar, related devices.

6 (c) Repairable structural defects reasonably related to  
7 risk.

8 (d) Fire protection class.

9 (e) Construction of structure, based on structure size,  
10 building material components, and number of units.

11 (f) Loss experience of the insured, based upon prior claims  
12 attributable to factors under the control of the insured that  
13 have been paid by an insurer.

14 (g) Use of smoking materials within the structure.

15 (h) Distance of the structure from a fire hydrant.

16 (i) Availability of law enforcement or crime prevention  
17 services.

18 (14) Notwithstanding other provisions of this chapter, home  
19 insurance risks shall be grouped by territory, and territorial  
20 base rates for coverages shall be established as follows:

21 (a) An insurer shall not be limited as to the number of ter-  
22 ritories employed in its rating plan. However, an insurer shall  
23 not employ more than 3 different territorial base rates for a  
24 home insurance coverage. A territorial base rate may be made  
25 applicable in 1 or more territories contained in the rating plan  
26 of the insurer.

1 (b) An insurer shall not employ a territorial base rate for  
2 home insurance for owner-occupied dwelling policies that is less  
3 than 70% of the highest territorial base rate for the same  
4 policy, all other rating classifications being the same.

5 (c) An insurer shall not employ a territorial base rate for  
6 home insurance for renter or tenant policies that is less than  
7 65% of the highest territorial base rate for the same policy, all  
8 other rating classifications being the same.

9 (15) An insurer may utilize factors in addition to those  
10 specified in this section, if the commissioner finds, after a  
11 hearing held pursuant to the administrative procedures act of  
12 1969, Act No. 306 of the Public Acts of 1969, as amended, being  
13 sections 24.201 to 24.328 of the Michigan Compiled Laws, that the  
14 factors would encourage innovation, would encourage insureds to  
15 minimize the risks of loss from hazards insured against, and  
16 would be consistent with the purposes of this chapter.

17 SEC. 2111H. (1) AN INSURER SHALL NOT REFUSE TO ISSUE AN  
18 AUTOMOBILE INSURANCE POLICY TO A PEACE OFFICER ON HIS OR HER PRI-  
19 VATE AUTOMOBILE OR IMPOSE A PREMIUM SURCHARGE ON AN AUTOMOBILE  
20 INSURANCE POLICY ON HIS OR HER PRIVATE AUTOMOBILE DUE TO ACCIDENT  
21 RATE STATISTICS COMPILED BY HIM OR HER WHILE DRIVING ANY MOTOR  
22 VEHICLE IN THE PURSUIT OF HIS OR HER DUTIES AS A PEACE OFFICER.

23 (2) AN INSURER SHALL NOT REFUSE TO ISSUE AN AUTOMOBILE  
24 INSURANCE POLICY TO A FIRE FIGHTER OR AMBULANCE DRIVER ON HIS OR  
25 HER PRIVATE AUTOMOBILE OR IMPOSE A PREMIUM SURCHARGE ON AN AUTO-  
26 MOBILE INSURANCE POLICY ON HIS OR HER PRIVATE AUTOMOBILE DUE TO  
27 ACCIDENT RATE STATISTICS COMPILED BY HIM OR HER WHILE DRIVING A

1 FIRE DEPARTMENT VEHICLE OR LICENSED AMBULANCE IN THE PURSUIT OF  
2 HIS OR HER DUTIES AS A FIRE FIGHTER OR AMBULANCE DRIVER.

3 (3) AS USED IN THIS SECTION:

4 (A) "LICENSED AMBULANCE" MEANS AN AMBULANCE LICENSED UNDER  
5 SECTION 20923 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF THE  
6 PUBLIC ACTS OF 1978, BEING SECTION 333.20923 OF THE MICHIGAN  
7 COMPILED LAWS.

8 (B) "MOTOR VEHICLE" MEANS THAT TERM AS DEFINED IN SECTION 33  
9 OF THE MICHIGAN VEHICLE CODE, ACT NO. 300 OF THE PUBLIC ACTS OF  
10 1949, BEING SECTION 257.33 OF THE MICHIGAN COMPILED LAWS.