

HOUSE BILL No. 5045

August 13, 2003, Introduced by Reps. Woronchak, Spade, Voorhees and Kooiman and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 3102 (MCL 500.3102), as amended by 1990
PA 79.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3102. (1) A nonresident owner or registrant of a motor
2 vehicle or motorcycle not registered in this state shall not
3 operate or permit the motor vehicle or motorcycle to be operated
4 in this state for an aggregate of more than 30 days in any
5 calendar year unless he or she continuously maintains security
6 for the payment of benefits pursuant to this chapter.

7 (2) An owner or registrant of a motor vehicle or motorcycle
8 ~~with respect to~~ **on** which security is required, who operates the
9 motor vehicle or motorcycle or permits ~~it~~ **the motor vehicle or**
10 **motorcycle** to be operated upon a public highway in this state,

1 without having in ~~full force and~~ effect security complying with
2 this section or section 3101 or 3103 is guilty of a misdemeanor.
3 A person who operates a motor vehicle or motorcycle upon a public
4 highway in this state with the knowledge that the owner or
5 registrant does not have security in ~~full force and~~ effect is
6 guilty of a misdemeanor. A person convicted of a misdemeanor
7 under this section ~~shall be fined not less than \$200.00 nor more~~
8 ~~than \$500.00, imprisoned for not more than 1 year, or both~~ may
9 **be punished by imprisonment for not more than 1 year or by a fine**
10 **of not less than \$400.00 or more than \$1,000.00, or both.**

11 (3) The failure of a person to produce evidence that a motor
12 vehicle or motorcycle has in ~~full force and~~ effect security
13 complying with this section or section 3101 or 3103 on the date
14 of the issuance of ~~the~~ **a traffic** citation, creates a rebuttable
15 presumption in a prosecution under subsection (2) that the motor
16 vehicle or motorcycle did not have in ~~full force and~~ effect
17 security complying with this section or section 3101 or 3103 on
18 the date of the issuance of the citation.