

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 441

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 3101a (MCL 500.3101a), as amended by 1996 PA
456; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3101a. (1) ~~An~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS**
2 **SECTION, AN** insurer, in conjunction with the issuance of an
3 automobile insurance policy, as defined in section 3303, shall
4 provide 2 certificates of insurance for each insured vehicle. The
5 insurer shall mark 1 of the certificates as the secretary of
6 state's copy, which copy, except as otherwise provided in
7 ~~subsection (2)~~ **THIS SECTION**, shall be filed with the secretary of
8 state by the policyholder upon application for a vehicle
9 registration. The secretary of state shall not maintain the

1 certificate of insurance received under this subsection on file.

2 (2) BEGINNING DECEMBER 30, 2011, AN INSURER, IN CONJUNCTION
3 WITH THE ISSUANCE OF AN AUTOMOBILE INSURANCE POLICY, SHALL PROVIDE
4 TO THE INSURED 1 CERTIFICATE OF INSURANCE FOR EACH INSURED VEHICLE,
5 AND FOR PRIVATE PASSENGER NONFLEET AUTOMOBILES LISTED ON THE POLICY
6 SHALL SUPPLY TO THE SECRETARY OF STATE, IN THE FORMAT AND TIMELINE
7 AS REQUIRED BY THE SECRETARY OF STATE, WHICH SHALL NOT BE REQUIRED
8 MORE FREQUENTLY THAN EVERY 14 DAYS, THE AUTOMOBILE INSURER'S NAME,
9 THE NAMED INSURED, THE NAMED INSURED'S ADDRESS, THE VEHICLE
10 IDENTIFICATION NUMBER FOR EACH SUCH VEHICLE LISTED ON THE POLICY,
11 AND THE POLICY NUMBER. UNTIL DECEMBER 31, 2014, THE SECRETARY OF
12 STATE SHALL PROVIDE POLICY INFORMATION RECEIVED UNDER THIS
13 SUBSECTION TO THE DEPARTMENT OF COMMUNITY HEALTH AS REQUIRED FOR
14 THE DEPARTMENT OF COMMUNITY HEALTH TO COMPLY WITH 2006 PA 593, MCL
15 550.281 TO 550.289. IN DETERMINING THE FORMAT UNDER THIS
16 SUBSECTION, THE SECRETARY OF STATE SHALL CONSULT WITH INSURERS. AS
17 USED IN THIS SUBSECTION, "PRIVATE PASSENGER NONFLEET AUTOMOBILE"
18 MEANS THAT TERM AS DEFINED IN SECTION 3303.

19 (3) ~~(2)~~ The secretary of state shall accept as proof of
20 vehicle insurance a transmission ~~, in the format required by the~~
21 ~~secretary of state,~~ of the insured vehicle's vehicle identification
22 number. ~~Vehicle identification numbers~~ **POLICY INFORMATION SUBMITTED**
23 **BY AN INSURER AND** received by the secretary of state under this
24 ~~subsection are~~ **SECTION IS** confidential, **IS NOT SUBJECT TO THE**
25 **FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, and**
26 shall not be disclosed to any person except **THE DEPARTMENT OF**
27 **COMMUNITY HEALTH FOR PURPOSES OF 2006 PA 593, MCL 550.281 TO**

1 550.289, OR pursuant to an order by a court of competent
2 jurisdiction in connection with a claim or fraud investigation or
3 prosecution. The transmission to the secretary of state of a
4 vehicle identification number is proof of insurance to the
5 secretary of state for motor vehicle registration purposes only and
6 is not evidence that a policy of insurance actually exists between
7 an insurer and an individual.

8 (4) ~~(3)~~—A person who supplies false information to the
9 secretary of state under this section or who issues or uses an
10 altered, fraudulent, or counterfeit certificate of insurance is
11 guilty of a misdemeanor punishable by imprisonment for not more
12 than 1 year ~~,~~ or a fine of not more than \$1,000.00, or both.

13 (5) THE DEPARTMENT OF COMMUNITY HEALTH SHALL REPORT TO THE
14 SENATE AND HOUSE OF REPRESENTATIVES APPROPRIATIONS COMMITTEES AND
15 STANDING COMMITTEES CONCERNING INSURANCE ISSUES ON THE NUMBER OF
16 CLAIMS AND TOTAL DOLLAR AMOUNT RECOVERED FROM AUTOMOBILE INSURERS
17 PURSUANT TO 2006 PA 593, MCL 550.281 TO 550.289. THE REPORTS
18 REQUIRED BY THIS SUBSECTION SHALL BE GIVEN TO THE APPROPRIATIONS
19 COMMITTEES AND STANDING COMMITTEES CONCERNING INSURANCE ISSUES BY
20 DECEMBER 30, 2012 AND DECEMBER 30, 2013 AND SHALL COVER THE
21 IMMEDIATELY PRECEDING 12-MONTH PERIOD.

22 Enacting section 1. Section 3101b of the insurance code of
23 1956, 1956 PA 218, MCL 500.3101b, is repealed.

24 Enacting section 2. This amendatory act does not take effect
25 unless Senate Bill No. 442 of the 96th Legislature is enacted into
26 law.