

SUBSTITUTE FOR
HOUSE BILL NO. 6360

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~~
9 ~~shall not maintain the certificate of insurance received under this~~

1 ~~subsection on file.~~

2 (1) ~~(2) Beginning December 30, 2011, an AN insurer, in~~
 3 conjunction with the issuance of an automobile insurance policy,
 4 shall provide to the insured 1 certificate of insurance for each
 5 insured vehicle ~~, and for private passenger nonfleet automobiles~~
 6 listed on the policy shall supply to the secretary of state ~~, in~~
 7 ~~the format and timeline as required by the secretary of state,~~
 8 ~~which shall not be required more frequently than every 14 days, the~~
 9 automobile insurer's name, the **NAME OF THE** named insured, the named
 10 insured's address, the vehicle identification number for each ~~such~~
 11 vehicle listed on the policy, and the policy number. ~~Until December~~
 12 ~~31, 2018, the~~ **THE INSURER SHALL TRANSMIT THE INFORMATION REQUIRED**
 13 **UNDER THIS SUBSECTION IN A FORMAT AS REQUIRED BY THE SECRETARY OF**
 14 **STATE. THE SECRETARY OF STATE SHALL NOT REQUIRE THE INFORMATION TO**
 15 **BE TRANSMITTED MORE FREQUENTLY THAN EVERY 14 DAYS.**

16 (2) ~~THE~~ secretary of state shall provide policy information
 17 received under ~~this subsection (1)~~ to the department of ~~community~~
 18 health **AND HUMAN SERVICES** as required for the department of
 19 ~~community health~~ **AND HUMAN SERVICES** to comply with 2006 PA 593, MCL
 20 550.281 to 550.289. ~~In determining the format under this~~
 21 ~~subsection, the secretary of state shall consult with insurers. As~~
 22 ~~used in this subsection, "private passenger nonfleet automobile"~~
 23 ~~means that term as defined in section 3303.~~

24 (3) The secretary of state shall accept as proof of vehicle
 25 insurance a transmission of the insured vehicle's vehicle
 26 identification number. Policy information submitted by an insurer
 27 and received by the secretary of state under this section is

1 confidential, is not subject to the freedom of information act,
2 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed to
3 any person except the department of ~~community health~~ **AND HUMAN**
4 **SERVICES** for purposes of 2006 PA 593, MCL 550.281 to 550.289, or
5 pursuant to an order by a court of competent jurisdiction in
6 connection with a claim or fraud investigation or prosecution. The
7 transmission to the secretary of state of a vehicle identification
8 number is proof of insurance to the secretary of state for motor
9 vehicle registration purposes only and is not evidence that a
10 policy of insurance actually exists between an insurer and an
11 individual.

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

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

27 (6) **AS USED IN THIS SECTION:**

1 (A) "AUTOMOBILE INSURANCE" MEANS THAT TERM AS DEFINED IN
2 SECTION 3303.

3 (B) "PRIVATE PASSENGER NONFLEET AUTOMOBILE" MEANS THAT TERM AS
4 DEFINED IN SECTION 3303.