SENATE BILL No. 441

June 14, 2011, Introduced by Senators CASWELL and KAHN and referred to the Committee on Appropriations.

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:

Sec. 3101a. (1) An insurer, in conjunction with the issuance of an automobile insurance policy, as defined in section 3303, shall provide 2 certificates of insurance for each insured vehicle. The insurer shall mark 1 of the certificates as the secretary of state's copy, which copy, except as otherwise provided in subsection (2) of this section, shall be filed with the secretary of state by the policyholder upon application for a vehicle registration. The secretary of state shall not maintain the certificate of insurance received under this subsection on file.

(2) Beginning October 1, 2011, an insurer, in conjunction with
THE ISSUANCE OF AN AUTOMOBILE INSURANCE POLICY, SHALL PROVIDE TO
THE INSURED 1 CERTIFICATE OF INSURANCE FOR EACH INSURED VEHICLE AND
SHALL SUPPLY TO THE SECRETARY OF STATE, IN THE FORMAT AND TIMELINE
AS REQUIRED BY THE SECRETARY OF STATE, THE AUTOMOBILE INSURER'S
NAME AND THE AUTOMOBILE INSURER'S INSURED'S NAMES, ADDRESSES,
VEHICLE IDENTIFICATION NUMBERS, AND POLICY NUMBERS. THE SECRETARY
OF STATE SHALL PROVIDE INFORMATION RECEIVED UNDER THIS SUBSECTION
TO THE DEPARTMENT OF COMMUNITY HEALTH AS REQUIRED FOR THE
DEPARTMENT OF COMMUNITY HEALTH TO COMPLY WITH 2006 PA 593, MCL
550.281 TO 550.289.

(3) The secretary of state shall accept as proof of
vehicle insurance a transmission, in the format required by the
secretary of state, of the insured vehicle's vehicle identification
number. Vehicle identification numbers INFORMATION received by the
secretary of state under this subsection are SECTION IS
confidential, IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT,
1976 PA 442, MCL 15.231 TO 15.246, and shall not be disclosed to
any person except THE DEPARTMENT OF COMMUNITY HEALTH FOR PURPOSES
OF 2006 PA 593, MCL 550.281 TO 550.289, OR pursuant to an order by
a court of competent jurisdiction in connection with a claim or
fraud investigation or prosecution. The transmission to the
secretary of state of a vehicle identification number is proof of
insurance to the secretary of state for motor vehicle registration
purposes only and is not evidence that a policy of insurance
actually exists between an insurer and an individual.

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

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

Enacting section 2. This amendatory act does not take effect
unless Senate Bill No. 442

of the 96th Legislature is enacted into law.