

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~~ **UNTIL DECEMBER 30, 2011, AN** insurer, in
2 conjunction with the issuance of an automobile insurance policy, as
3 defined in section 3303, shall provide 2 certificates of insurance
4 for each insured vehicle. The insurer shall mark 1 of the
5 certificates as the secretary of state's copy, which copy, except
6 as otherwise provided in ~~subsection (2)~~ **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

Senate Bill No. 441 as amended June 16, 2011

1 shall not maintain the certificate of insurance received under this
2 subsection on file.

3 (2) BEGINNING DECEMBER 30, 2011, AN INSURER, IN CONJUNCTION
4 WITH THE ISSUANCE OF AN AUTOMOBILE INSURANCE POLICY, SHALL PROVIDE
5 TO THE INSURED 1 CERTIFICATE OF INSURANCE FOR EACH INSURED <<PRIVATE
PASSENGER NONFLEET>> VEHICLE
6 AND SHALL SUPPLY TO THE SECRETARY OF STATE, IN THE FORMAT AND
7 TIMELINE 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 AND THE AUTOMOBILE INSURER'S INSUREDS' NAMES, ADDRESSES, VEHICLE
10 IDENTIFICATION NUMBERS, AND POLICY NUMBERS. THE SECRETARY OF STATE
11 SHALL PROVIDE INFORMATION RECEIVED UNDER THIS SUBSECTION TO THE
12 DEPARTMENT OF COMMUNITY HEALTH AS REQUIRED FOR THE DEPARTMENT OF
13 COMMUNITY HEALTH TO COMPLY WITH 2006 PA 593, MCL 550.281 TO
14 550.289. <<IN DETERMINING THE FORMAT UNDER THIS SUBSECTION, THE
SECRETARY OF STATE SHALL CONSULT WITH INSURERS.>>

15 (3) ~~(2)~~—The secretary of state shall accept as proof of
16 vehicle insurance a transmission ~~, in the format required by the~~
17 ~~secretary of state, of the insured vehicle's vehicle identification~~
18 ~~number. Vehicle identification numbers~~ INFORMATION received by the
19 secretary of state under this subsection are SECTION IS
20 confidential, IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT,
21 1976 PA 442, MCL 15.231 TO 15.246, and shall not be disclosed to
22 any person except THE DEPARTMENT OF COMMUNITY HEALTH FOR PURPOSES
23 OF 2006 PA 593, MCL 550.281 TO 550.289, OR pursuant to an order by
24 a court of competent jurisdiction in connection with a claim or
25 fraud investigation or prosecution. The transmission to the
26 secretary of state of a vehicle identification number is proof of
27 insurance to the secretary of state for motor vehicle registration

1 purposes only and is not evidence that a policy of insurance
2 actually exists between an insurer and an individual.

3 **(4) FOR FLEETS THAT WERE NOT TRANSMITTING VEHICLE**
4 **IDENTIFICATION NUMBERS FOR FLEET VEHICLES TO THE SECRETARY OF STATE**
5 **ON JANUARY 1, 2011, SUBSECTION (2) DOES NOT APPLY.**

6 **(5) ~~(3)~~**—A person who supplies false information to the
7 secretary of state under this section or who issues or uses an
8 altered, fraudulent, or counterfeit certificate of insurance is
9 guilty of a misdemeanor punishable by imprisonment for not more
10 than 1 year, or a fine of not more than \$1,000.00, or both.

11 Enacting section 1. Section 3101b of the insurance code of
12 1956, 1956 PA 218, MCL 500.3101b, is repealed.

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