

# HOUSE BILL No. 5787

July 18, 2012, Introduced by Rep. Lipton and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
by amending section 3101a (MCL 500.3101a), as amended by 2011 PA  
91.

**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  
10 subsection on file.

1           (2) Beginning December 30, 2011, an insurer, in conjunction  
2 with the issuance of an automobile insurance policy, shall provide  
3 to the insured 1 certificate of insurance for each insured vehicle,  
4 and for private passenger nonfleet automobiles listed on the policy  
5 shall supply to the secretary of state, in the format and timeline  
6 as required by the secretary of state, which shall not be required  
7 more frequently than every 14 days, the automobile insurer's name,  
8 the named insured, the named insured's address, the vehicle  
9 identification number for each such vehicle listed on the policy,  
10 and the policy number. Until December 31, 2014, the secretary of  
11 state shall provide policy information received under this  
12 subsection to the department of community health as required for  
13 the department of community health to comply with 2006 PA 593, MCL  
14 550.281 to 550.289. In determining the format under this  
15 subsection, the secretary of state shall consult with insurers. As  
16 used in this subsection, "private passenger nonfleet automobile"  
17 means that term as defined in section 3303.

18           (3) The secretary of state shall accept as proof of vehicle  
19 insurance a transmission of the insured vehicle's vehicle  
20 identification number. Policy information submitted by an insurer  
21 and received by the secretary of state under this section is  
22 confidential, is not subject to the freedom of information act,  
23 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed to  
24 any person except the department of community health for purposes  
25 of 2006 PA 593, MCL 550.281 to 550.289, **OR AN INDIVIDUAL, ENTITY,**  
26 **OR DESIGNATED REPRESENTATIVE OF AN INDIVIDUAL OR ENTITY ENTITLED TO**  
27 **RECEIVE BENEFITS OR PAYMENT UNDER SECTION 3107 WHO CERTIFIES THAT**

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

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

14 (5) The department of community health shall report to the  
15 senate and house of representatives appropriations committees and  
16 standing committees concerning insurance issues on the number of  
17 claims and total dollar amount recovered from automobile insurers  
18 pursuant to 2006 PA 593, MCL 550.281 to 550.289. The reports  
19 required by this subsection shall be given to the appropriations  
20 committees and standing committees concerning insurance issues by  
21 December 30, 2012 and December 30, 2013 and shall cover the  
22 immediately preceding 12-month period.

23 Enacting section 1. This amendatory act does not take effect  
24 unless Senate Bill No. \_\_\_\_ or House Bill No. 5788 (request no.  
25 03363'11 \*) of the 96th Legislature is enacted into law.