

THE INSURANCE CODE OF 1956 (EXCERPT)
Act 218 of 1956

500.3017 Loss or injury while transportation network company driver is logged on to transportation network company digital network or transportation network company driver is providing prearranged ride; excluded coverage; examples; coverage not required; coverage for personal vehicle by contract or endorsement; defending or indemnifying claim; compliance with limousine, taxicab, and transportation network company act; exchange of information during investigation of coverage; definitions.

Sec. 3017.

(1) An authorized insurer that issues an insurance policy insuring a personal vehicle may exclude all coverage afforded under the policy for any loss or injury that occurs while a transportation network company driver is logged on to a transportation network company digital network or while a transportation network company driver is providing a prearranged ride. By way of example and not as limitation, all of the following coverages may be excluded under this section:

- (a) Residual liability insurance required under sections 3009 and 3101.
- (b) Personal protection and property protection insurance required under section 3101.
- (c) Uninsured and underinsured motorist coverage.
- (d) Comprehensive coverage.
- (e) Collision coverage, including coverage required to be offered under section 3037.

(2) This section does not require an automobile insurance policy to provide coverage under any of the following circumstances:

- (a) While a transportation network company driver is logged on to a transportation network company digital network.
- (b) While a transportation network company driver is engaged in providing a prearranged ride.
- (c) While a transportation network company driver otherwise uses a vehicle to transport passengers for compensation.

(3) This section does not preclude an insurer from providing coverage for a transportation network company driver's personal vehicle by contract or endorsement.

(4) An insurer that excludes the coverage described in subsection (1) does not have a duty to defend or indemnify for any claim that is expressly excluded. This section does not invalidate or limit an exclusion contained in a policy, including a policy in use or approved for use in this state before the effective date of this section, that excludes coverage for vehicles that are used to carry individuals or property for a charge or that are available for hire by the public. An insurer that defends or indemnifies for a claim against a transportation network company driver who is excluded under the terms of the policy has a right of contribution against other insurers that provided automobile insurance to the transportation network company driver in satisfaction of the coverage requirements of section 23 of the limousine, taxicab, and transportation network company act at the time of the loss.

(5) An insurer that provides automobile insurance to a transportation network company shall comply with section 23(5), (6), and (9) of the limousine, taxicab, and transportation network company act.

(6) During an investigation of whether a claim is covered under an insurance policy, a transportation network company and any insurer that provides coverage under section 23 of the limousine, taxicab, and transportation network company act shall cooperate to facilitate the exchange of relevant information with persons who are directly involved and any insurer of the transportation network company driver. Relevant information required to be exchanged under this subsection includes, but is not limited to, all of the following:

(a) The times that the transportation network company driver logged on to and logged off of the transportation network company digital network during the 12 hours preceding the accident and the 12 hours following the accident.

(b) A clear description of the coverage, exclusions, and limits under any insurance policy maintained as required by section 23 of the limousine, taxicab, and transportation network company act.

(7) As used in this section, all of the following terms mean those terms as defined in section 2 of the limousine, taxicab, and transportation network company act:

- (a) "Personal vehicle".
- (b) "Prearranged ride".
- (c) "Transportation network company".
- (d) "Transportation network company digital network".
- (e) "Transportation network company driver".

History: Add. 2016, Act 346, Eff. Mar. 21, 2017

Popular Name: Act 218

