CURRENT NO-FAULT PRIORITY RULES: WHICH INSURANCE COMPANY IS RESPONSIBLE FOR PAYING BENEFITS?

ANY QUESTIONS: Call JON FRANK at THE FRANK LAW FIRM, PC , (586) 727-1900

CATEGORY	***OLD***	***NEW***	***EXAMPLES***
GENERAL RULE	LOOK TO YOUR OWN INSURER §3114(1)/ §3115(1)	LOOK TO YOUR OWN INSURER §3114(1)/ §3115(1)	YOU ARE INSURED BY STATE FARM; OTHER DRIVER IS INSURED BY ALLSTATE --- BOTH OLD & NEW: YOU GET YOUR MEDICAL/WAGE LOSS/MISC BENEFITS FROM STATE FARM – YOUR OWN INSURANCE COMPANY NO CHANGES
EXCEPTIONS TO GENERAL RULE: COMMON CARRIERS – §3114(2)	OPERATOR/PASSENGER GETS PIP FROM NO-FAULT INSURANCE CARRIER OF MOTOR VEHICLE INVOLVED IN ACCIDENT. (IN OTHER WORDS, NOT THE BUS, THE OTHER VEHICLE) EXCEPTIONS IN §3114(2) REQUIRE YOU TO NOTIFY THE PASSENGER'S OWN NO-FAULT CARRIER. *DISCUSS THIS WITH JON FRANK*	OPERATOR/PASSENGER GETS PIP FROM NO-FAULT INSURANCE CARRIER OF MOTOR VEHICLE INVOLVED IN ACCIDENT. (IN OTHER WORDS, NOT THE BUS, THE OTHER VEHICLE) EXCEPTIONS IN §3114(2) REQUIRE YOU TO NOTIFY THE PASSENGER'S OWN NO-FAULT CARRIER. *DISCUSS THIS WITH JON FRANK* SAME STATUTE – – §3114(2)	YOU ARE INSURED BY STATE FARM, AND ARE RIDING ON A BUS, WHICH IS STRUCK BY AN ALLSTATE INSURED --- OLD GENERAL RULE: YOU GET YOUR MEDICAL/WAGE LOSS/MISC BENEFITS FROM ALLSTATE –INSURANCE COMPANY FOR THE MOTOR VEHICLE INVOLVED IN THE ACCIDENT THIS DOES NOT APPLY TO PASSENGERS OF PUBLICLY OPERATED (E.G., CITY) BUSES, WHO GET THEIR NO-FAULT FROM THEIR OWN CARRIER; IF THEY DON'T HAVE COVERAGE, THEY GET IT FROM THE PUBLIC/NON-PROFIT COMPANY NEW GENERAL RULE - SAME SAME STATUTE – – §3114(2) *DISCUSS THESE EXCEPTIONS WITH JON FRANK*
EXCEPTIONS TO GENERAL RULE: EMPLOYER FURNISHED – §3114(3)	OPERATOR/PASSENGER GETS PIP FROM NO-FAULT INSURANCE CARRIER OF EMPLOYER FURNISHED MOTOR VEHICLE	UNCHANGED FROM OLD LAW, WHERE THERE WAS NO CHOICE FOR THOSE WHO CLAIM FROM THE POLICIES OF OTHERS SAME STATUTE – – §3114(3)	YOU ARE INSURED BY STATE FARM, EMPLOYER IS INSURED BY FARMERS; STRUCK BY VEHICLE INSURED BY ALLSTATE PIP SHOULD COME FROM FARMERS, AS INSURER FOR THE EMPLOYER-FURNISHED VEHICLE – *UP TO THEIR LIMITS UNDER* §3107c; BEST TO PUT ALL INSURERS ON NOTICE

EXCEPTIONS TO GENERAL RULE: MOTORCYCLES – §3114(5)	THERE IS A PRIORITY FOR MOTORCYCLES: 1. INSURER OF OWNER OR REGISTRANT OF MOTOR VEHICLE 2. INSURER OF OPERATOR OF MOTOR VEHICLE INVOLVED IN ACCIDENT 3. INSURER OF OPERATOR OF MOTORCYCLE INVOLVED IN ACCIDENT 4. INSURER OF OWNER OR REGISTRANT OF MOTORCYCLE INVOLVED IN ACCIDENT *DISCUSS THESE EXCEPTIONS WITH JON FRANK*	UNCHANGED FROM OLD LAW, WHERE THERE WAS NO CHOICE FOR THOSE WHO CLAIM FROM THE POLICIES OF OTHERS SAME STATUTE – – §3114(5)	UNDER MICHIGAN LAW, MOTORCYCLES ***ARE NOT*** "MOTOR VEHICLES" YOU ARE ON MOTORCYCLE, INSURED BY STATE FARM; YOU HAVE ACCIDENT WITH MOTOR VEHICLE INSURED BY GEICO… WHICH IS BEING DRIVEN BY SOMEONE WHO IS THEMSELVES INSURED BY AUTO OWNERS PRIORITY – YOU GET YOUR PIP FROM: 1ST: INSURER OF MOTOR VEHICLE – GEICO 2ND: INSURER OF OPERATOR – AUTO OWNERS 3RD: INSURER OF MOTORCYCLE – YOUR INSURER, STATE FARM SAME STATUTE – – §3114(5) *DISCUSS THESE EXCEPTIONS WITH JON FRANK*
UNINSURED PASSENGERS – §3114(4)	CLAIM FROM VEHICLE OCCUPIED – §3114(4)	NEW: UNINSURED OCCUPANTS MUST NOW GO TO MACP, AND FACE $250K CAP ON BENEFITS – §3114(4) MACP RULES: §3171 §3172 §3173 §3173a §3174 §3175	BIG CHANGE HERE UNINSURED PASSENGER, RIDING IN VEHICLE INSURED BY STATE FARM OLD: UNINSURED PASSENGER GOT NO-FAULT BENEFITS FROM STATE FARM, WITHOUT DOLLAR LIMIT NEW: UNINSURED PASSENGER MUST APPLY TO MACP (ASSIGNED CLAIMS FACILITY), AND GET A CARRIER ASSIGNED TO PAY BENEFITS; THAT CARRIER WILL HAVE A LIABILITY LIMIT OF $250,000.00 §3114(4), §3172, §3107c
UNINSURED PEDESTRIANS – §3115(1)	CLAIM FROM VEHICLE INVOLVED – §3115(1)	NEW: UNINSURED NON-OCCUPANTS (PEDESTRIANS) MUST NOW GO TO MACP, AND FACE $250K CAP ON BENEFITS – §3115(1) MACP RULES: §3171 §3172 §3173 §3173a	BIG CHANGE HERE UNINSURED PEDESTRIAN, STRUCK BY VEHICLE INSURED BY STATE FARM OLD: UNINSURED PEDESTRIAN GOT NO-FAULT BENEFITS FROM STATE FARM, WITHOUT DOLLAR LIMIT NEW:

		§3174 §3175	ALL UNINSURED PEDESTRIANS MUST APPLY TO MACP (ASSIGNED CLAIMS FACILITY), AND GET A CARRIER ASSIGNED TO PAY BENEFITS; THAT CARRIER WILL HAVE A LIABILITY LIMIT OF $250,000.00 §3115, §3172, §3107c
INSURER OF LAST RESORT – MACP §§3171-3175	GO TO MACP – CARRIER ASSIGNED TO PAY BENEFITS WITHOUT DOLLAR LIMIT	GO TO MACP ($250K CAP) MACP RULES: §3171 §3172 §3173 §3173a §3174 §3175	UNINSURED VEHICLE STRIKES UNINSURED PEDESTRIAN, OR STRIKES ANOTHER UNINSURED VEHICLE WITH "INNOCENT" UNINSURED PASSENGER ON BOARD GO TO MACP ($250K CAP) MACP RULES: §3171 §3172 §3173 §3173a §3174 §3175

Again, the best thing you can do, is to make sure you are discussing this with a knowledgeable no-fault attorney. . Call JON FRANK at THE FRANK LAW FIRM, PC