

**Department of State Police
Criminal Justice Information Center**

The Criminal Justice Information Center (CJIC) is responsible for the following rule set(s):

- Criminal Justice Information Systems, R 28.5101 – R 28.5414

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

CJIC intends to process revisions to the Criminal Justice Information Systems rule set, R 28.5101 – R 28.5414, specifically R 28.5101 and 28.5414. The following definitions contained in R 28.5101 will be revised: “criminal justice information,” “criminal justice information systems,” and “other information systems.” The requirement that all agencies or entities having access to the Law Enforcement Information Network (LEIN) pay an annual fee is contained in R 28.5414; however, the Legislature is currently providing funding for LEIN services and has required that the Michigan Department of State Police (MSP) maintain LEIN. Additionally, pursuant to 2018 PA 66, CJIC intends to add a rule to address the expunction, destruction, or both, of the arrest record and biometric data associated with individuals who have been arrested for any crime and the charge or charges are dismissed before trial.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

CJIC has identified the Fees for Access to LEIN Services rule, R 28.5414, as possibly being superseded by the current MSP appropriations, 2018 PA 207, under which the Legislature provided funding for LEIN services and requires that MSP maintain LEIN. While 2018 PA 207 does not explicitly prohibit the assessment of annual LEIN access fees, the MSP does not collect these fees. Furthermore, the appropriation language may change from year to year based on what the Legislature determines is appropriate. Therefore, CJIC determined it would be more appropriate to revise R 28.5414 to require a nominal, waivable fee, rather than completely rescind it.

CJIC has identified its rule set as being important to the mission and functions of the agency and has only identified R 28.5404 as a strong candidate for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

CJIC has exercised all its mandatory/statutory rulemaking authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The current definitions for “criminal justice information” and “criminal justice information systems” contained in R 28.5101 are too broad and create confusion in determining what systems and what information is subject to these rules. As detailed above, CJIC intends to revise this rule.

A. Whether there is a continued need for the rules.

CJIC has determined there is a continued need for the rules.

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B. A summary of any complaints or comments received from the public concerning the rules.

CJIC has received complaints and comments from the public during this plan period concerning the definitions of “criminal justice information” and “criminal justice information systems” contained in R 28.5101. The complaints and comments indicate these definitions are too broad and create confusion in determining what systems and information are subject to the rules.

C. The complexity of complying with the rules.

As detailed above, the definitions of “criminal justice information” and “criminal justice information systems” are too broad and create confusion in determining what systems and what information is subject to these rules.

D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The definition of “criminal justice information” in rule R 28.5101 conflicts with the federal definition of “criminal justice information.” The state definition is overly broad to include all information collected by an agency. Additionally, the rules do not apply to “criminal justice information.” The federal definition only applies to and protects information received from federal systems.

The rules limit dissemination of all information obtained from “LEIN, AFIS, or other information systems” to approved agencies. Federal policy does not restrict dissemination of select information, leaving dissemination requirements to the discretion of the CJIS Systems Agency (the MSP).

The rules allow access by an “an agency authorized by statute,” and “and agency, entity, or person approved by the CSA/CSO for public safety purposes.” This allows access to the state systems and state information by agencies and entities that would not otherwise qualify for access to the federal system. This conflicts with federal policies and regulation (28 CFR Part 20) which limits system access to criminal justice agencies, and criminal history record access to criminal justice agencies for criminal justice purposes.

Due to the fact the state maintains its own criminal justice information systems, the state is required to promulgate rules regarding access and dissemination (MCL 28.214). Many of the rules also pertain to record responsibility and data quality. While several rules are duplicates of federal policy and/or rule, these rules are necessary to provide guidance to agencies that access LEIN but do not qualify for access to the federal systems, and because federal policy and regulation purposely leaves many decisions to the individual state.

E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

The rules were last evaluated in June 2018. Due to advancements in technology, the definition “other information systems” contained in R 28.5101 is too broad. Initially, the Michigan Criminal Justice Information Network (MiCJIN) Portal was intended to provide access only to criminal justice applications; however, it has since been used to deploy other applications which results in these applications being subject to the rules that should not apply to the applications.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the Michigan Office of Administrative Hearings and Rules (MOAHR) containing the Michigan Department of State Police’s administrative rules.

http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html

6. Please provide a list of the items identified for action in the 2019 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation.

CJIC identified the Criminal Justice Information Systems rule set, R 28.5101 – R 28.5414, specifically R 28.5101 and 28.5414, for action in the 2018-2019 Annual Regulatory Plan for the same reasons detailed in this year’s plan. While CJIC made significant progress toward the rule set revision, this item remains outstanding due to the continued drafting of the rule set revision.

There are no items that are the subject of an Advisory Rules Committee recommendation.

**Department of State Police
Forensic Science Division**

The Forensic Science Division (FSD) is responsible for the following rule set(s):

- Alcohol and Drug Testing of Biological and Nonbiological Specimens, R 325.2671 – 325.2677

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

FSD has not identified any rules to be processed during the plan period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

FSD has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

FSD has exercised all its mandatory/statutory rulemaking authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

FSD has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

A. Whether there is a continued need for the rules.

FSD has determined there is a continued need for the rules.

B. A summary of any complaints or comments received from the public concerning the rules.

FSD has not received complaints or comments from the public during this plan period regarding the rule set.

C. The complexity of complying with the rules.

The rule set is clear and concise as evidenced by the lack of complaints or comments from the public.

D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

FSD is not aware of any conflicting or duplicate rules or regulations adopted by the federal government or local units of government.

E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

FSD rules were last evaluated in June 2018. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html

6. Please provide a list of the items identified for action in the 2019 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation.

FSD did not identify any items for action in the 2018-2019 Annual Regulatory Plan.

There are no items that are the subject of an Advisory Rules Committee recommendation.

**Department of State Police
Biometrics and Identification Division**

The Biometrics and Identification Division (BID) is responsible for the following rule set(s):

- DNA Profiling System rule set, R 28.5051 – 28.5059, which is listed on the MOAHR's web site under the Forensic Science Division.

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

BID has not identified any rules to be processed during the plan period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

BID has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

BID has identified that its rule set is important to the mission and functions of the department and has not identified it as a strong candidate for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

BID has exercised all its mandatory/statutory rulemaking authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

BID has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

- A. Whether there is a continued need for the rules.

BID has determined there is a continued need for the rules.

- B. A summary of any complaints or comments received from the public concerning the rules.

BID has not received any complaints or comments from the public concerning the rules.

- C. The complexity of complying with the rules.

BID has determined the rules are not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

BID is not aware of a conflict with or duplication of similar rules or regulations adopted by the federal government or local units of government.

- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

BID rules were last evaluated in June 2018. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html

6. Please provide a list of the items identified for action in the 2019 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation.

BID did not identify any items for action in the 2018-2019 Annual Regulatory Plan.

There are no items that are the subject of an Advisory Rules Committee recommendation.

**Department of State Police
Michigan Commission on Law Enforcement Standards**

The Michigan Commission on Law Enforcement Standards (MCOLES) is responsible for the following rule set(s):

- Justice Training Fund Programs, R 18.14901 - 18.14910
- Law Enforcement Standards and Training, R 28.14101 - 28.14702
- Public Safety Officers Benefit Program, R 28.14951 - 28.14966

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

MCOLES intends to process revisions to the Law Enforcement Standards and Training rule set, R 28.14101 through 28.14702 to comply with MCL 28.609e.

MCOLES intends to process revisions to the Public Safety Officers Benefit Program rule set, R 28.14951 through 28.14966 due to changes in 34 USC §10281 and its supporting regulations in 28 CFR 32.1 through 32.55.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

MCOLES has identified all its rule sets as being important to the mission, function, and statutory mandates of MCOLES.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

MCOLES has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

MCOLES has not yet promulgated rules establishing the minimum standards for the active violence response training required by MCL 28.609e. This statute was recently passed, and the governing task force has not yet met to establish parameters for rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

No rules problematic to industry have been identified.

A. Whether there is a continued need for the rules.

All current rule sets are essential for performance of statutory functions.

B. A summary of any complaints or comments received from the public concerning the rules.

No complaints have been received.

C. The complexity of complying with the rules.

The rules delineate the exact process and requirements each entity or officer must meet.

D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

MCOLES is not aware of any conflicting or duplicate rules or regulations adopted by the federal government or local units of government.

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- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

MCOLES rules were last evaluated in June 2018. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html

6. Please provide a list of the items identified for action in the 2019 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation.

The Public Safety Officers Benefit Program rule set, R 28.14951 through 28.14966, was identified for action by MCOLES in the 2018-2019 Annual Regulatory Plan due to changes in 34 USC §10281 and its supporting regulations in 28 CFR 32.1 through 32.55. This item remains outstanding for several reasons: (1) MCOLES was without legal counsel for over six months and the newly hired attorney needed to familiarize herself with the duties of the position and address the backlog; (2) MCOLES has been significantly understaffed due to employees who have retired, left to accept promotions in other state departments, or left due to health reasons (5 of the 18 authorized positions are currently vacant); and (3) there was significant turnover in the composition of the Commission.

Other items identified for action by MCOLES were reviewed and a determination was made that the existing rules are sufficient for the Commission to carry out its statutory mandates.

There are no items that are the subject of an Advisory Rules Committee recommendation.

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**Department of State Police
Training Division**

The Training Division is responsible for the following rule sets listed under MOAHR's website as Traffic Safety Division:

- Safety Belts and Restraining Devices, R 28.901 – 28.911
- Standards, Rules and Regulations for Crash Helmets, R 28.951 – 28.961
- Uniform Traffic Code for Cities, Townships, and Villages, R 28.1001 – 28.2075
- Drunk Driving Prevention Equipment and Training Fund, R 257.991 – 257.996
- Tests for Breath Alcohol, R 325.2651 – 325.2659

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

The Training Division has not identified any rules to be processed during the June 2019-July 2020 plan period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

The Training Division has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

The Training Division has identified all its rule sets as being important to the mission and functions of the department and has not identified either of these rules as strong candidates for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

The Training Division has exercised all its mandatory/statutory rulemaking authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The Training Division has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

A. Whether there is a continued need for the rules.

The Training Division has determined there is a continuing need for these rules.

B. A summary of any complaints or comments received from the public concerning the rules.

The Training Division has not received any complaints or comments from the public concerning the rules during this plan period.

C. The complexity of complying with the rules.

The Training Division has determined there is no complexity of complying with the rules.

D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate rules adopted by the federal government or local governments.

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- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

The rules were evaluated in late 2018. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html

6. Please provide a list of the items identified for action in the 2019 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation.

The Training Division did not identify any items for action in the 2018-2019 Annual Regulatory Plan.

There are no items that are the subject of an Advisory Rules Committee recommendation.

**Department of State Police
Commercial Vehicle Enforcement Division**

The Commercial Vehicle Enforcement Division (CVED) is responsible for the following rule sets listed on the MOAHR's website under the Traffic Safety Division:

- Inspection of Nonpublic Motor Vehicles, R 257.951 – 257.955
- Motor Carriers, R 460.18101 – 460.19301

1. Rule(s) to be processed between July 1, 2019 and June 30, 2020. [Give brief description.]

CVED has determined the Inspection of Non-public Motor Vehicles rule set, R 257.951 – 257.955, is the least important to the mission and functions of the Michigan Department of State Police (MSP) and should be rescinded; however, rescission is not possible at this time because the rules are mandated by MCL 257.715a.

2. Rules that are obsolete or superseded and can be rescinded between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

The CVED has determined the Inspection of Non-public Motor Vehicles rule set, R 257.951 – 257.955, is the least important to the mission and functions of the MSP and should be rescinded; however, rescission is not possible at this time because the rules are mandated by MCL 257.715a.

3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.

The CVED has exercised all mandatory/statutory rulemaking authority with respect to the Motor Carriers rule set. The CVED identified rules for action in the Motor Carriers rule set 2018 Annual Regulatory Plan (ARP) and were completed. The rules were filed with the Secretary of State on December 20, 2018.

The CVED has not exercised any mandatory/statutory rulemaking authority with respect to the Inspection of Non-public Motor Vehicles rule set.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The Inspection of Non-public Motor Vehicles rule set is problematic to industry because it requires duplicative inspections; however, the rule has been reviewed and cannot be made more business-friendly based on current statute.

A. Whether there is a continued need for the rules.

The CVED has determined there is a continued need for the Motor Carriers rules set.

The CVED has determined that there is not a continued need for the Inspection of Non-public Motor Vehicles rule set; however, as noted above, the rules are required by statute.

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B. A summary of any complaints or comments received from the public concerning the rules.

The CVED has not received any complaints or comments from the public concerning the Motor Carriers rule set.

The Inspection of Non-public Motor Vehicles rule set is problematic to industry because it requires duplicative inspections.

C. The complexity of complying with the rules.

Since the 2018 revision of the Motor Carriers rule set, complying with the rules is not complex.

The Inspection of Non-public Motor Vehicles rule set establishes safety equipment and inspection requirements for school buses, buses, and other motor vehicles with a manufacturer's rated seating capacity of 12 or more, which are owned, leased or used by a non-public school, religious organization, nonprofit youth organization, nonprofit rehabilitation facility, or senior center for the transportation of passengers. The authority for the rule set is contained in the Michigan Vehicle Code, 1949 PA 300, MCL 257.715a. These rules duplicate federal regulation 49 CFR 396.17 that was adopted in the Motor Carrier Safety Act, 1963 PA 181, MCL 480.11a; however, the federal regulation exceeds Michigan requirements in MCL 257.715a and the Inspection of Non-public Motor Vehicles rule set. Therefore, this results in owners and lessees of these vehicles having to obtain two inspections of their vehicles; one that satisfies the Michigan requirements of MCL 257.715a and the Inspection of Non-public Motor Vehicles rule set and the other that satisfies 49 CFR 396.17 as adopted by Michigan in MCL 480.11a. Additionally, the Legislature has not provided funding for non-public motor vehicle inspections since 1985.

D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The Motor Carriers rule set does not conflict with or duplicate rules or regulations adopted by the federal government or local units of government.

The Inspection of Non-public Motor Vehicles rule set duplicates and conflicts with federal regulations as detailed in 4.C. above.

E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

The Motor Carriers rule set was last evaluated in June 2018, and the CVED has determined technology, economic conditions, and other factors have not changed regulatory activity covered by the Motor Carriers rule set since the last evaluation.

The Inspection of Non-public Motor Vehicles rule set was last evaluated in June 2018. The CVED has determined technology, economic conditions, and other factors have not changed regulatory activity covered by the Inspection of Non-public Motor Vehicles rule set since the last evaluation.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html

6. Please provide a list of the items identified for action in the 2019 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation.

The CVED identified rules for action in the 2018-2019 ARP that were completed. There are no outstanding rules for action. The following revisions were made, and the rules were filed with the Secretary of State on December 20, 2018:

R460.18101 – R460.19301. Specifically, Part 1 “*General Provision*” R460.18199, Part 2 “*Application for Motor Carrier Certificate*” R460.18202, R460.18204, R460.18205, R460.18206, R460.18207, R460.18208, R460.18209, R460.18212, Part 3 “*Modified Procedure*” R460.18301, R460.18302, R460.18303, R460.18304, R460.18307, R460.18308, Part 4 “*Certificates and Permits*” R460.18404, R460.18405, R460.18408, R460.18410, R460.18411, Part 5 “*Identification of Vehicle*” R460.18503, Part 6 “*Transfer of Authority*” R460.18606, R460.18607, R460.18609, R460.18610, R460.18611, Part 9 “*Emergency Temporary and Temporary Authority*” R460.18901, R460.18902, R460.18903, R460.18904, R460.18906, R460.18907, R460.18909, R460.18911, R460.18912, Part 10 “*Collective Rate Making Between or Among Carriers*” R460.19012, R460.19016, R460.19018, R460.19019, R460.19020, R460.19021, R460.19022, Part 11 “*Insurance*” R460.19105, R460.19106, Part 12 “*Rates and Tariffs*” R460.19202, R460.19203, R460.19204, R460.19206, R460.19207, R460.19209, R460.19233, R460.19241, R460.19242, R460.19244, R460.19249, Part 13 “*Forms*” R460.19301.

The ARP for the Inspection of Non-public Motor Vehicles has not been completed due to the complexity of the Motor Carriers rule set and the priority of its completion. It is the intention of division to seek support to repeal legislation and complete the Inspection of Non-public Motor Vehicles rule set during the 2019-2020 plan.

There are no items that are the subject of an Advisory Rules Committee recommendation.

**Department of State Police
Emergency Management and Homeland Security Division**

The Emergency Management and Homeland Security Division (EMHSD) is responsible for the following rule set(s):

- Emergency Management Training, R 30.31 – 30.34
- State Assistance to Counties and Municipalities, R 30.51 – 30.61

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

EMHSD has identified R 30.58 of the State Assistance to Counties and Municipalities rule set as an item for action as a result of 2018 PA 264, which changed the maximum dollar amount for assistance grants under MCL 30.419.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

EMHSD has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

EMHSD has identified both of its rule sets as being important to the mission and functions of the department and has not identified any rules that are strong candidates for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

EMHSD has exercised all its mandatory/statutory rulemaking authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

EMHSD has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

A. Whether there is a continued need for the rules.

EMHSD has determined there is a continued need for the rules.

B. A summary of any complaints or comments received from the public concerning the rules.

EMHSD has not received complaints or comments on the current administrative rules to cause concern or the need for change.

C. The complexity of complying with the rules.

EMHSD has determined there is no complexity of complying with the rules.

D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with or duplicate rules adopted by the federal government or local governments, but instead complement existing federal disaster relief programs for public damage costs by providing a back-up source of assistance when federal public assistance funding is denied or otherwise unavailable.

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- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

The rules were last evaluated in June 2018. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

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6. Please provide a list of the items identified for action in the 2019 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation.

EMHSD identified R 30.58 of the State Assistance to Counties and Municipalities ruleset as an item for action in the 2018-2019 Annual Regulatory Plan. This was based on proposed changes to the maximum dollar amounts for assistance grants under MCL 30.419. This item remains outstanding.

EMHSD did not identify any other items for action in the 2018-2019 Annual Regulatory Plan.

There are no items that are the subject of an Advisory Rules Committee recommendation.