

**Michigan Office of Administrative Hearings and Rules  
Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Natural Resources

**2. Bureau:**

Law Enforcement Division

**3. Promulgation type:**

MCL 24.244 (1)

**4. Title of proposed rule set:**

Placement of ORV License

**5. Rule numbers or rule set range of numbers:**

R 257.1691 to R 257.1691

**6. Estimated time frame:**

3 months

**Name of person filling out RFR:**

Thomas Wanless

**E-mail of person filling out RFR:**

WANLESST@michigan.gov

**Phone number of person filling out RFR:**

517-284-6026

**Address of person filling out RFR:**

525 W. Allegan St  
Lansing, MI 48933

**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The rule provides guidance as to the placement of an off-road (ORV) license on different types of ORVs. The proposed amendment brings the rule into alignment with the amendment to MCL 324.81116.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

MCL 324.81132 gives the Department the authority to “promulgate rules governing the operation and conduct of ORVs, vehicle speed limits, use of vehicles by day and hour, and the establishment and designation of areas within which vehicles may be used in a manner compatible with, and that will best protect, the public safety and general welfare on the frozen surface of public waters, and that will preserve the submerged marshlands adjacent to the borders of the Great Lakes, lake St. Clair, and the navigable inland waters of the state.”

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

MCL 324.81116, MCL 324.81132

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

Yes. MCL 324.81116(4) states that the owner of an ORV “shall ensure that a license is permanently attached to the vehicle in the manner prescribed by and in the location designated by the department.” R 257.1691 specifies where the license must be placed on ORVs.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rule does not conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

Yes. The subject matter of the rule is contained in the printed and online versions of the ORV Handbook and the ORV student manual. The subject matter of the rule is also contained in other ORV Education training materials.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

Yes.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

MCL 24.244 (1)

**A. Explain why the rules are being promulgated under 24.244.**

Section 44 allows the amendment of a rule to make obviously needed corrections to conform to, in this case, amendment of authoritative statute, MCL 324.81116.