

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

MOAHR-Rules@michigan.gov

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Labor and Economic Opportunity

**2. Bureau:**

MIOSHA

**3. Promulgation type:**

MCL 24.244 (1)

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

Ionizing Radiation Rules Governing the Use of Radiation Machines

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

R 333.5001 to R 333.5721

**6. Estimated time frame:**

3 months

**Name of person filling out RFR:**

Daniela Garza

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

To make an administrative amendment to existing rule R 333.5065. The rule reference R 333.3057 is incorrect, it should read R 333.5057.

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

By authority conferred on the director of the Michigan department of labor and economic opportunity by sections 13515, 13521, 13522, and 13527 of the public health code, 1978 PA 368, MCL 333.13515, 333.13521, 333.13522, and 333.13527 and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2011-4, and 2019-3, MCL 330.3101, 445.2001, 445.2011, 445.2030, and 125.1998.

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

The Public Health Code, 1978 PA 368, Part 135, MCL 333.13515, MCL 333.13521, MCL 333.13522, and MCL 333.13527. Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2011-4, and 2019-3, MCL 330.3101, MCL 445.2001, MCL 445.2011, MCL 445.2030, and MCL 125.1998.

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

By authority conferred on the director of the Michigan department of labor and economic opportunity by sections 13515, 13521, 13522, and 13527 of the public health code, 1978 PA 368.

**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.**

MIOSHA is not aware of any rules that 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?**

MIOSHA is not aware if the subject matter of the rules is currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda.

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

No

**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.**

To make an administrative amendment to existing rule R 333.5065. The rule reference R 333.3057 is incorrect, it should read R 333.5057.

**Based on the information provided in this RFR, MOAHR concludes that there are sufficient policy and legal bases for approving the RFR. The RFR satisfies the requirements of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and Executive Order No. 2019-6.**