

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

MOAHR-Rules@michigan.gov

REQUEST FOR RULEMAKING (RFR)

1. Department:

Licensing and Regulatory Affairs

2. Bureau:

Unarmed Combat Commission

3. Promulgation type:

Full Process

4. Title of proposed rule set:

Unarmed Combat

5. Rule numbers or rule set range of numbers:

R 339.101 – R 339.403

6. Estimated time frame:

12 months

Name of person filling out RFR:

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

The purpose of these rules is to make the approval process for unarmed combat events and contestants more efficient. They will also improve the competency of event officials to make “unarmed combat” events in the state safer. They will address discrepancies about weight differentials and the use of gloves for Muay Thai contests.

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

Section 22(3) of the Unarmed Combat Regulatory Act (“Act”), MCL 338.3622(3), requires the department director to consult with the Michigan Unarmed Combat Commission (“Commission”) before promulgating rules for the administration of the Act.

MCL 338.3622(4) requires the department director to promulgate rules to establish the following: Number and qualifications of ring officials; powers, duties, and compensation of ring officials; qualifications, activities, and responsibilities of licensees; license fees not provided for under the Act; any necessary standards to accommodate federally imposed mandates not directly conflicting with the Act; a list of enhancers and prohibited substances; and standards to protect the health and safety of unarmed combat contestants.

MCL 338.3633(11)(h) states that the department may promulgate rules under the Administrative Procedures Act of 1969, 1969 PA 306, to establish additional duties for inspectors.

MCL 338.3633b(2)(c) authorizes the department to promulgate additional requirements by rule for a referee, judge, matchmaker, or timekeeper license.

MCL 338.3634(1) gives the director, in consultation with the Commission, the authority to promulgate rules for the license application and approval process for promoters of unarmed combat events.

MCL 338.3635 permits the director, after consultation with the Commission, to promulgate rules to set standards for unarmed combat events and participants, to establish training requirements for promoters, contestants, and participants regulated under the Act, or to establish license fees or training requirements for other individuals who are engaged in activities regulated by the Act not otherwise provided for in the Act.

MCL 338.3654a(2)(e) requires the department to establish weight classes for contestants by rule.

Section 3 of E.R.O. No. 2019-2, MCL 333.27001(3), transferred the authorities, powers, duties, functions, and responsibilities of the director of the department under MCL 338.3622(4), 338.3634(2)(d), and 338.3635, to the Unarmed Combat Commission, effective April 30, 2019.

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

MCL 338.3622(3), MCL 338.3622(4), MCL 338.3633(11)(h), MCL 338.3633b(2)(c), MCL 338.3634(1), MCL 338.3635, and MCL 338.3654a(2)(e).

Section 3 of E.R.O. No. 2019-2, MCL 333.27001(3).

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

MCL 338.3622(4) requires the department director to promulgate rules to establish the following: Number and qualifications of ring officials; powers, duties, and compensation of ring officials; qualifications, activities, and responsibilities of licensees; license fees not provided for under the Act; any necessary standards to accommodate federally imposed mandates not directly conflicting with the Act; a list of enhancers and prohibited substances; and standards to protect the health and safety of contestants.

MCL 338.3654a(2)(e) mandates that the department establish by rule, weight classes for contestants.

The Federal Muhammed Ali Boxing Reform Act, 15 U.S.C. §§ 6301-6313, requires state boxing commissions to establish safety standards, procedures regarding the suspension of boxers, procedures for drug testing, procedures for disclosing interests, and other requirements for professional boxing.

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 rules do not conflict with nor 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 Commission's website (www.michigan.gov/ucc) includes instructions for renewing a license and highlights the amendments to the Act. All the licensing forms and instructions can be found by clicking on the links under the "Applicant" header on the right-hand side. The current ruleset is the subject of a spotlight published on the Commission's website.

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?

Full Process

13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

The rules do not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. The rules have been drafted with consideration of bringing Michigan more into line with the unarmed combat regulations of other states in the Great Lakes region. They are also consistent with the Muhammed Ali Boxing Reform Act, 15 U.S.C. §§ 6301-6313.

14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.

Yes. The rules are being drafted with a subcommittee of the Michigan Unarmed Combat Commission, whose members are appointed by the Governor, and represent the industry as well as the public.

15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.

The rules were last evaluated in 2023 when the ruleset 2020-131 LR went into effect. Since that time, while technology and economic conditions have not changed the regulatory activity covered by the rules, the emergence of Michigan's first sanctioned muay thai and kickboxing events revealed the need to further clarify the rules of engagement for both these new event types, and for event application processes across all event types.

16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?

No.

17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.

No

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.