

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Construction Codes

Name of person completing this form:

Tony Williamson

Phone number of person completing this form:

517-241-9303

E-mail of person completing this form:

WilliamsonT5@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2022-59 LR

Title of proposed rule set:

Construction Codes - Part 8. Electrical Code

3. Purpose for the proposed rules and background:

Part 8 of the Construction Code currently adopts by reference the 2017 edition of the National Electrical Code (NEC), which establishes standards for the safe installation of electrical wiring and equipment. Part 8 also includes rules that amend the NEC to address electrical practices that are specific to Michigan. The 2023 version of the NEC, which is the most current edition, contains provisions relating to revised standards and new materials. The proposed rules will adopt by reference the 2023 edition of the NEC with amendments, deletions, and additions deemed necessary for use in Michigan.

The NEC is one of the component codes of the State Construction Code. Rules will be updated to allow the industry to take full advantage of new and improved materials and technologies that have come into use since the 2017 version. Rules may also be rescinded as a result of updates to the national standards.

4. Summary of proposed rules:

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5. List names of newspapers in which the notice of public hearing was published and publication dates:

The Morning Sun - Published on August 24, 2023.
The Oakland Press - Published on August 24, 2023.
The Mining Journal - Published on August 24, 2023.

6. Date of publication of rules and notice of public hearing in Michigan Register:

9/15/2023

7. Date, time, and location of public hearing:

9/21/2023 09:00 AM at Michigan Library & Historical Center. First Floor Forum , Michigan Historical Center, 702 W Kalamazoo St, Lansing, MI 48915

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1418>

9. List of the name and title of agency representative(s) who attended the public hearing:

Mr. Tony Williamson, Departmental Analyst, Bureau of Construction Codes.
Mr. Lance Ash, Chief Electrical Inspector, Bureau of Construction Codes.
Ms. Tracie Pack, Manager, Building Trades Section, Bureau of Construction Codes.

10. Persons submitting comments of support:

Don Iverson (Schneider Electric).
Beau Burton (Metro Detroit EITC).
John Danic (SEMCA).
John Stoudt (Representing Self).
Paul Kaiser (Schneider Electric).
Scott Weaver (Representing Self).
Dan Decker (Burglar and Fire Alarm Association of Michigan).

11. Persons submitting comments of opposition:

No persons submitted comments in opposition of the proposed rules.

12. Persons submitting other comments:

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Anthony Yaroeh (Representing Self).
Brandon Newport (Representing Self).
Jason Craig (City of Royal Oak, Building Official).
Craig Ortega (Consolidated Electrical Contractors).
Dan Pohl (Consolidated Electrical Contractors).
David Williams (International Association of Electrical Inspectors, Michigan Chapter).
Dan Decker (Safety Systems INC).
Gary Lazette (Representing Self).
Jeff Lotycz (Consolidated Electrical Contractors).
Jeff Welsh (Welsh & Sons Electric INC).
Jeremiah Keller (Consolidated Electrical Contractors).
John Keil (Representing Self).
Keith Woodcock (Representing Self).
Ken Simpson (Representing Self).
Mike Schmerl (Representing Self).
Phil Clark (Clark & Associates).
Rick Kinsman (Representing Self).
Rod Miller (Consolidated Electrical Contractors).
Ron Bellaire (Representing Self).
Tabytha Del Cid (Consolidated Electrical Contractors).
Thomas Bowes (Representing Self).

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

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	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1	David Williams, (International Association of Electrical Inspectors, Michigan Chapter)		Mr. Williams recommend revising R 408.30801(1) to reflect the printed edition of the National Electrical Code that's being adopted by the State is beneficial because it brings code references current that are incorrect when compared to the most current version of National Electrical code.	The agency supports the recommended change to R 408.30801(1). While reviewing Mr. Williams' written comments, the agency found the code reference errors were references to an outdated published edition and needed to reflect the adopted edition.	R 408.30801 (1)
2	David Williams, (International Association of Electrical Inspectors, Michigan Chapter)		Mr. Williams proposed that R 408.30801(5) does not identify the three standards referenced pricing and does not clarify which prices are related to the designated code book.	The agency supports the recommended change to R 408.30801(5) and believes that providing clarification will provide clarity and be in the public best interest.	R 408.30801 (5)

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3	David Williams, (International Association of Electrical Inspectors, Michigan Chapter)		Mr. Williams proposed that R 408.30818(4)(d) does not provide clarity on which date to use when required to secure another permit even though the contractor had an inspection seven days prior.	The agency supports the recommended change to R 408.30818 (4)(d) and believes that providing clarity of the date to use after last inspection will be in the public best interest.	R 408.30818 (4)(d)
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14.Date report completed:

10/19/2023