

State Budget Office
Office of Regulatory Reinvention
111 S. Capitol Avenue; 8th Floor, Romney Building,
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REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at orr@michigan.gov.

1. Agency Information

Agency name:	Department of Licensing and Regulatory Affairs
Division/Bureau/Office:	Bureau of Professional Licensing
Agency contact person name, e-mail, and phone:	Rick Roselle, roseller1@michigan.gov , 517-335-1769

2. Rule Set Information

Title of proposed rule set:	Professional Engineers – General Rules
Rule number(s) or range of numbers:	R 339.16001 – R 339.16044
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes.

3. Estimated timetable for completion, or statutory deadline, if applicable:

1 year.

4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

The general purpose of the proposed rules is to amend the previously adopted rules to eliminate outdated language, create consistency with 1980 PA 299, known as the occupational code, and provide clarity regarding the requirements for licensure, renewal, relicensure, and the standards of practice and professional conduct.

The proposed rules are intended to revise the definitions used in the rules, update references to standards previously adopted by reference and revise the education, experience and examination requirements that must be satisfied to receive a license. New rules will be added that pertain to license by reciprocity, renewal, and relicensure. Further, a new table will be added to outline the continuing education requirements that must be satisfied for renewal of a license. Lastly, the rules pertaining to standards of practice and professional conduct will be revised.

5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

MCL 339.205, MCL 339.308, and MCL 339.2009, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 338.3501, MCL 445.2001, MCL 445.2011, MCL 445.2025, and MCL 445.2030.

6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

The proposed rules do not conflict with, duplicate, or exceed similar rules or regulations adopted by the state or federal government.

7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

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

8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:

The proposed rules will be promulgated under the full rulemaking process.

9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.

No. The proposed rules do not incorporate the recommendations of an Advisory Rules Committee formed pursuant to Executive Order 2011-5.

10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.

Yes. Please see the attached Board of Professional Engineers meeting minutes from January 12, 2017.

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received:3-12-2019

Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2019-031 LR
Date of approval:	3/12/19

Based on the information in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	
Explanation:	