

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:

Amanda Johnson

Phone number of person completing this form:

517-241-3408

E-mail of person completing this form:

JohnsonA39@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2019-126 LR

Title of proposed rule set:

Board of Mechanical Rules

3. Purpose for the proposed rules and background:

The Skilled Trades Regulation Act, 2016 PA 407, repealed the Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.971 to 338.988. The Mechanical Contractors Act is outdated and does not provide uniform licensing, complaint investigation, and enforcement provisions for skilled trades licenses. This places a burden on the bureau administering the Mechanical Contractors Act and creates an inefficient use of resources. Additionally, many licensees who are cross-licensed in multiple trades have expressed dissatisfaction with conflicting provisions in separate licensing statutes. The Skilled Trades Regulation Act, 2016 PA 3407, streamlines the processes for all license types included while providing for modernized provisions such as electronic communication and third-party continuing education tracking options, and specifies violations for unlicensed activity as provided to other regulated professions. Because the Mechanical Contractors Act was repealed, the bureau plans to rescind the license examination procedure rules promulgated under that Act and create a new rule set to house all licensing rules regulated under the Skilled Trades Regulation Act, including the license examination procedure rules.

4. Summary of proposed rules:

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The Skilled Trades Regulation Act, 2016 PA 407, repealed the Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.971 to 338.988. The Mechanical Contractors Act is outdated and does not provide uniform licensing, complaint investigation, and enforcement provisions for skilled trades licenses. This places a burden on the bureau administering the Mechanical Contractors Act and creates an inefficient use of resources. Additionally, many licensees who are cross-licensed in multiple trades have expressed dissatisfaction with conflicting provisions in separate licensing statutes. The Skilled Trades Regulation Act, 2016 PA 3407, streamlines the processes for all license types included while providing for modernized provisions such as electronic communication and third-party continuing education tracking options, and specifies violations for unlicensed activity as provided to other regulated professions. Because the Mechanical Contractors Act was repealed, the bureau plans to rescind the license examination procedure rules promulgated under that Act and create a new rule set to house all licensing rules regulated under the Skilled Trades Regulation Act, including the license examination procedure rules.

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

Newberry News- Published on May 11, 2022.
MLive Ann Arbor- Published on May 12, 2022.
The Morning Sun- Published on May 11, 2022.
Macomb Daily- Published on May 11, 2022.
Oakland Press- Published on May 11, 2022.

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

5/15/2022

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

5/23/2022 09:00 AM at Michigan Library & Historical Center, First Floor Forum , 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=112>

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

Amanda Johnson- Departmental Analyst, BCC.
Anthony Snyder- Legislative Analyst, BCC.
Dianne Barmes- Former Manager, BCC.
David Stenrose- Boiler Chief, BCC.
Jonathan Paradine- Building Chief, BCC.

10. Persons submitting comments of support:

None.

11. Persons submitting comments of opposition:

None.

12. Persons submitting other comments:

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None.

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

	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					

14. Date report completed:

11/17/2022