



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

Gretchen Whitmer
GOVERNOR

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Department of Transportation
Aeronautics Commission

- 1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

R259.243, Basic Utility Airports and R259.244, General Utility Airports. These rules need to be updated to remove references to cancelled documents. Clarify state approach surface criteria. Remove reference to requirements for a public telephone.

R259.247 (1) Hospital Helistops. Remove reference to requirements for a public telephone.

R259.247 (3) Hospital Helistops. This rule needs to be reviewed and possibly rescinded as it is vague and unenforceable.

R259.381 Location and Notice. Modifications to address for meetings.

- 2. Please include rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

R259.377, Transfer of possession or control of aircraft; application for registration. This rule is duplicated by MCL 259.78 and 259.82(7). This rule is a duplicate and can be rescinded.

- 3. Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.

The commission has exercised all of its mandatory/statutory rulemaking authority.

- 4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The Office of Aeronautics has received complaints that the Hospital Helistop licensing standards are difficult to understand and follow.

(a) Whether there is a continued need for the rules.

(b) A summary of any complaints or comments received from the public concerning the rules.

(c) The complexity of complying with the rules.

(d) Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

(e) The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules. [Example.]

https://www.michigan.gov/mdot/0,4616,7-151-9623_10724_28493---,00.html

6. Please provide a list of the items identified for action in the 2018 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation. [Example description.]

Outstanding:

R259.243, Basic Utility Airports and R259.244, General Utility Airports. These rules need to be updated to remove references to cancelled documents.

R259.247 (1) Hospital Helistops. Remove reference to requirements for a public telephone.

R259.247 (3) Hospital Helistops. This rule needs to be reviewed and possibly rescinded as it is vague and unenforceable.

R259.377, Transfer of possession or control of aircraft; application for registration. This rule is duplicated by MCL 259.78 and 259.82(7). This rule is a duplicate and can be rescinded.

R259.381 Location and Notice. Modifications to address for meetings.

**Department of Transportation
Bureau of Finance**

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

The bureau will not be processing rules.

2. Please include rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

The bureau has no rules that need to be rescinded.

3. Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.

The bureau has exercised its entire mandatory/statutory rule making authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

The most recent review, and subsequent rules changes, of The Administrative Rules Governing the Prequalification of Construction Contractors was initiated in 2008, and became effective on December 4, 2009.

- (a) Whether there is a continued need for the rules.

Yes, the rules govern our construction contractor prequalification business process.

- (b) A summary of any complaints or comments received from the public concerning the rules.

There have been no complaints

- (c) The complexity of complying with the rules.

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- (d) Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

There is no conflict.

- (e) The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

The last formal evaluation was performed in December 2009. The rules are constantly being examined.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules. [Example.]

<http://www.michigan.gov/mdot/0,4616,7-151-9625-58255--,00.html>

6. Please provide a list of the items identified for action in the 2018 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation. [Example description.]

N/A

**Department of Transportation
Bureau of Field Services**

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

R 247.171-.175, Traction Devices.

Recommendation is to request a legislative change to MCL 257.710.

2. Please include rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

R 247.171-.175, Traction Devices.

Our recommendation is to adopt the rules, as the law. The rules have been functioning to date. A change to MCL 257.710 would eliminate the need for these rules.

3. Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.

The bureau has exercised its entire mandatory/statutory rule making authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

(a) Whether there is a continued need for the rules.

(b) A summary of any complaints or comments received from the public concerning the rules.

(c) The complexity of complying with the rules.

(d) Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

(e) The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules. [Example.]

http://www.michigan.gov/mdot/0,4616,7-151-9620_67094---,00.html

6. Please provide a list of the items identified for action in the 2018 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation. [Example description.]

Outstanding:

R 247.171-.175, Traction Devices.
Recommendation is to request a legislative change to MCL 257.710.

**Department of Transportation
Bureau of Highway Development**

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

The bureau will not be processing rules.

2. Please include rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

The bureau has no rules that need to be rescinded.

3. Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.

The bureau has exercised its entire mandatory/statutory rule making authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

- (a) Whether there is a continued need for the rules.

- (b) A summary of any complaints or comments received from the public concerning the rules.

- (c) The complexity of complying with the rules.

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5. Please provide the URL link the department or bureau is currently using to display their administrative rules. [Example.]

https://www.michigan.gov/mdot/0,4616,7-151-9623_10724_28493---,00.html

6. Please provide a list of the items identified for action in the 2018 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation. [Example description.]

The most recent review of the administrative rules was completed in 2017 and it was determined that the rules were performing satisfactorily.

Department of Transportation
Office of Rail and the Office of Passenger Transportation (formerly Bureau of Urban and Public Transportation)

1. Rule(s) to be **processed** between July 1, 2019 and June 30, 2020. [Give brief description.]

The bureau will not be processing rules.

2. Please include rules that are obsolete or superseded and can be **rescinded** between July 1, 2019 and June 30, 2020. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

The bureau has no rules that need to be rescinded.

3. Has the agency failed to exercise any mandatory/statutory rulemaking authority? Please explain.

The bureau has exercised its entire mandatory/statutory rule making authority.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

(a) Whether there is a continued need for the rules.

(b) A summary of any complaints or comments received from the public concerning the rules.

(c) The complexity of complying with the rules.

(d) Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

(e) The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

The most recent review of the administrative rules was completed in 2018 and it was determined that the rules were performing satisfactorily.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules. [Example.]

https://www.michigan.gov/mdot/0,4616,7-151-9623_10724_28493---,00.html

6. Please provide a list of the items identified for action in the 2018 ARP that have been completed and those that remain outstanding. Please indicate if an item is the subject of an Advisory Rules Committee recommendation. [Example description.]

Completed:

R 474.1-474.7, Motor Bus Transportation Rules.

The Motor Bus Transportation Act 432 of 1982, regulates passenger-for-hire vehicles with a seating capacity of 9 passengers or more, including the driver. Seating verification is based on the federal standard of 14 inches being equal to 1 passenger seat. These rules establish administrative and operational procedures for implementation of the Act 432 and shall be known as the Motor Bus Transportation rules. The rules establish, for protection of the public, minimum safety requirements for inspection and administration of buses and their related requirements.