

Annual Regulatory Plan 2022-2023

**Department of State Police  
Criminal Justice Information Center**

The Criminal Justice Information Center (CJIC) is responsible for the following rule set(s):

- Criminal Justice Information Systems, R 28.5101 – R 28.5414

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

CJIC has not identified any rules to be processed during the plan period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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.

CJIC has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

CJIC has identified its rule set as being important to the mission and functions of the agency and has not identified any rule as a strong candidate for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

CJIC has exercised all mandatory/statutory rulemaking authority with respect to the Criminal Justice Information Systems rule set.

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

CJIC has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

- A. Describe whether there is a continued need for the rules.

CJIC has determined there is a continued need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

CJIC has recently received comments from legal counsel for a police agency indicating a desire for the rules to allow legal counsel unfettered access to CJIS records for the purpose of preparing for or defending the governmental unit from potential civil claims that have not yet been filed, or for use during internal administrative investigations. CJIC has also received comments from non-criminal justice agencies (e.g., fire departments and fire personnel) indicating a desire to utilize the same radio channels as criminal justice agencies despite the high likelihood that LEIN and other protected CJIS information will be disseminated.

- C. Describe the complexity of complying with the rules.

CJIC has determined the rules are not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

CJIC is not aware of a conflict with, or duplication of similar rules or regulations adopted by the federal government or local units of government.

Annual Regulatory Plan 2022-2023

- E.** 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 regulatory activity covered by the rules.

CJIC rules were last evaluated in June 2021. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation

- 5.** Please provide the URL link the department or bureau is currently using to display their administrative rules.

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

- 6.** Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

CJIC did not identify any items for action in the 2021-2022 Annual Regulatory Plan.

Annual Regulatory Plan 2022-2023

**Department of State Police  
Forensic Science Division**

The Forensic Science Division (FSD) is responsible for the following rule set(s):

- Alcohol and Drug Testing of Biological and Nonbiological Specimens, R 325.2671 – 325.2677
- Tests for Breath Alcohol, R 325.2651 – 325.2659

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

FSD filed a Request for Rulemaking [2022-34-SP] to revise the Tests for Breath Alcohol rule set, R 325.2651–325.2659. The existing rules have accompanied the current evidential breath alcohol test instruments since the purchase and adoption of those instruments into the program. The State of Michigan is purchasing new instruments with additional technological features and expanded capabilities and will need to change the existing rules to accommodate both the technological features and the new capabilities. The rules will also need to be updated to apply to the new instrument for training instrument users and technicians.

FSD has not identified any other rules to be processed during the plan period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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.

FSD has identified all its rule sets as being important to the mission and functions of the department and has not identified any of these rules as strong candidates for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

FSD has exercised all 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.

FSD has identified Rule 325.2653 Rule 3(1)(b) should be amended to remove the topographic elevation correction factor for evidential instruments and replace it with the barometric pressure for evidential breath testing.

A. Describe whether there is a continued need for the rules.

FSD has determined there is a continued need for the rules.

B. Provide a summary of any complaints or comments received from the public concerning the rules.

FSD has not received complaints or comments from the public during this plan period regarding the rule set.

C. Describe the complexity of complying with the rules.

FSD has determined the rules are not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

FSD is not aware of any conflicting or duplicate rules or regulations adopted by the federal government or local units of government.

Annual Regulatory Plan 2022-2023

- E. 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 regulatory activity covered by the rules.

The rules were last evaluated in June 2021. Since then, the Michigan State Police has decided to replace the outdated fleet of Evidential Breath Alcohol instruments currently in use. The department has selected replacement instrument profile/attributes and prepared a bid platform for a new purchase. The new instrument profile, along with public and department recommendations for the instrument's performance, will require a change to the Administrative Rules.

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

The Michigan Department of State Police [website](#) has a link titled "Michigan Department of State Police Administrative Code (Rules)" which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police's administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

FSD did not identify any items for action in the 2021-2022 Annual Regulatory Plan. However, FSD assumed responsibility for revising the Tests for Breath Alcohol rule set, R 325.2651 – 325.2659 previously identified for action by the Training Division in the 2021-2022 Annual Regulatory Plan, but not completed.

Annual Regulatory Plan 2022-2023

**Department of State Police  
Biometrics and Identification Division**

The Biometrics and Identification Division (BID) is responsible for the following rule set(s):

- DNA Profiling System rule set, R 28.5051 – 28.5059, which is listed on the MOAHR's web site under the Forensic Science Division.

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

BID has not identified any rules to be processed during the plan period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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.

BID has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

BID has identified that its rule set is important to the mission and functions of the department and has not identified it as a strong candidate for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

BID has exercised all 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.

BID has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

- A. Describe whether there is a continued need for the rules.

BID has determined there is a continued need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

BID has not received any complaints or comments from the public concerning the rules.

- C. Describe the complexity of complying with the rules.

BID has determined the rules are not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

BID is not aware of a conflict with, or duplication of similar rules or regulations adopted by the federal government or local units of government.

- E. 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 regulatory activity covered by the rules.

BID rules were last evaluated in June 2021. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

Annual Regulatory Plan 2022-2023

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

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

BID did not identify any items for action in the 2021-2022 Annual Regulatory Plan.

**Department of State Police  
Michigan Commission on Law Enforcement Standards**

The Michigan Commission on Law Enforcement Standards (MCOLES) is responsible for the following rule set(s):

- Justice Training Fund Programs, R 18.14901 - 18.14910
- Law Enforcement Standards and Training, R 28.14101 - 28.14702
- Public Safety Officers Benefit Program, R 28.14951 - 28.14966

**1. Rule(s) to be processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

MCOLES has identified the Law Enforcement Standards and Training rules, R 28.14101 - 28.14702, as a ruleset to be processed during the plan period to add minimum standards for active violence in-service response training mandated by MCL 28.609e.

**2. Rules that are obsolete or superseded and can be rescinded** between July 1, 2022 and June 30, 2023. 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.

MCOLES has identified all its rule sets as being important to the mission, function, and statutory mandates of MCOLES.

**3. Has the agency failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules? Please explain.**

A review of the existing basic training rules R 28.14301 through 28.14321 established that this rule set already governs the basic training requirement mandated by MCL 28.609e(1).

MCOLES has not promulgated new rules mandated by MCL 28.609e(2) establishing the minimum standards for the active violence in-service response training mandated by MCL 28.609e(3). Executive Directive 2020-03 was rescinded by Executive 2021-03 on June 14, 2021, allowing MCOLES to access funds and restart the hiring process to add required staffing. Despite staff positions added in December of 2021, MCOLES lost two key positions necessary for the promulgation process in the Spring of 2022. The first position vacated was MCOLES legal counsel staffed by an Assistant Attorney General. The second was the retirement of the MCOLES Deputy Executive Director. Therefore, the prerequisite steps necessary for rule promulgation could not be completed during the prior plan year.

MCOLES has not failed to utilize any statutorily required rules.

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

MCOLES has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

**A. Describe whether there is a continued need for the rules.**

MCOLES has determined there is a continued need for the rules.

**B. Provide a summary of any complaints or comments received from the public concerning the rules.**

MCOLES has not received any complaints or comments from the public concerning the rules.

Annual Regulatory Plan 2022-2023

C. Describe the complexity of complying with the rules.

MCOLES has determined the rules are not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

MCOLES is not aware of a conflict with, or duplication of similar rules or regulations adopted by the federal government or local units of government.

E. 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 regulatory activity covered by the rules.

MCOLES rules were last evaluated in June 2021. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

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

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

The Law Enforcement Standards and Training rule set, R 28.14101 through 28.14702, was identified for action by MCOLES in the 2020-2021 Annual Regulatory Plan, and necessary revisions were identified. Although review of the existing basic training rules established that this rule set already governs the mandated basic training requirement mandated by MCL 28.609e(1), action is required to address the in-service requirements of MCL 28.609e(3). However, as discussed in item 3 above, the prerequisite process to establish the parameters for rule promulgation could not be completed during the prior plan year.

MCOLES did not identify any other items for action in the 2021-2022 Annual Regulatory Plan.



Annual Regulatory Plan 2022-2023

**Department of State Police  
Training Division**

The Training Division is responsible for the following rule sets listed under MOAHR's website as Traffic Safety Division:

- Drunk Driving Prevention Equipment and Training Fund, R 257.991 – 257.996

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

The Training Division filed a Request for Rulemaking [2022-33-SP] to process revisions to the Drunk Driving Prevention Equipment and Training Fund, R 257.991–257.996. The purpose of the RFR is to better implement the intended framework for administrating the drunk driving prevention equipment and training fund pursuant to MCL 257.625h which requires that monies in the fund be used to administer the fund, purchase and maintain breath alcohol testing equipment, and provide training to law enforcement personnel in the use of the testing equipment. The intended revisions will clarify the department's authority to place, move, or remove its breath alcohol testing equipment based on available resources, practical, operational, and historical needs.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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 Training Division has identified all its rulesets as being important to the mission and functions of the department and has not identified any of these rules as strong candidates for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

The Training Division has exercised all 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 Training Division has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

A. Describe whether there is a continued need for the rules.

The Training Division has determined there is a continuing need for these rules.

B. Provide a summary of any complaints or comments received from the public concerning the rules.

The Training Division has not received any complaints or comments from the public concerning the rules during this plan period.

C. Describe the complexity of complying with the rules.

The Training Division has determined there is no complexity of complying with the rules.

D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The Training Division is not aware of a conflict with, or duplication of similar rules or regulations adopted by the federal government or local units of government.

Annual Regulatory Plan 2022-2023

- E. 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 regulatory activity covered by the rules.

The rules were evaluated in June 2021. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

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

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

The Training Division identified the Tests for Breath Alcohol rule set, R 325.2651 – 325.2659 for action in the 2021-2022 Annual Regulatory Plan that have not been completed and remain outstanding. However, the Forensic Science Division has assumed responsibility for Tests for Breath Alcohol rule set, R 325.2651 – 325.2659, has identified it for action on their 2022-2023 Annual Regulatory Plan and has filed a Request for Rulemaking [2022-34-SP].

Annual Regulatory Plan 2022-2023

**Department of State Police  
Commercial Vehicle Enforcement Division**

The Commercial Vehicle Enforcement Division (CVED) is responsible for the following rule sets listed on the MOAHR's website under the Traffic Safety Division:

- Inspection of Nonpublic Motor Vehicles, R 257.951 – 257.955
- Motor Carriers, R 460.18101 – 460.19301

**1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]**

CVED has not identified any rules to process during the plan period.

**2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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 CVED has determined the Inspection of Non-public Motor Vehicles rule set, R 257.951 – 257.955, is the least important to the mission and functions of the MSP and should be rescinded; however, rescission is not possible at this time because the rules are mandated by MCL 257.715a.

**3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.**

The CVED has exercised all mandatory/statutory rulemaking authority with respect to the Motor Carriers rule set.

The CVED has not exercised any mandatory/statutory rulemaking authority with respect to the Inspection of Non-public Motor Vehicles rule set.

**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 Inspection of Non-public Motor Vehicles rule set is problematic to industry because it requires duplicative inspections; however, the rule has been reviewed and cannot be made more business-friendly based on current statute.

**A. Describe whether there is a continued need for the rules.**

The CVED has determined there is a continued need for the Motor Carriers rules set.

The CVED has determined that there is not a continued need for the Inspection of Non-public Motor Vehicles rule set; however, as noted above, the rules are required by statute.

**B. Provide a summary of any complaints or comments received from the public concerning the rules.**

The CVED has not received any complaints or comments from the public concerning the Motor Carriers rule set.

The Inspection of Non-public Motor Vehicles rule set is problematic to industry because it requires duplicative inspections.

**C. Describe the complexity of complying with the rules.**

CVED has determined the Motor Carriers rule set is not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

The Inspection of Non-public Motor Vehicles rule set establishes safety equipment and inspection requirements for school buses, buses, and other motor vehicles with a manufacturer's rated seating capacity of twelve (12) or more, which are owned, leased, or used by a non-public school, religious organization, nonprofit youth organization, nonprofit rehabilitation facility, or senior center for the transportation of passengers. The authority for the rule set is contained in the Michigan Vehicle Code, 1949 PA 300, MCL 257.715a. These rules duplicate federal regulation 49 CFR 396.17 that was adopted in the Motor Carrier Safety Act, 1963 PA 181, MCL 480.11a; however, the federal regulation exceeds Michigan requirements in MCL 257.715a and the Inspection of Non-public Motor Vehicles rule set. Therefore, this results in owners and lessees of these vehicles having to obtain two inspections of their vehicles; one that satisfies the Michigan requirements of MCL 257.715a and the Inspection of Non-public Motor Vehicles rule set and the other that satisfies 49 CFR 396.17 as adopted by Michigan in MCL 480.11a. Additionally, the Legislature has not provided funding for non-public motor vehicle inspections since 1985.

**D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.**

The Motor Carriers rule set does not conflict with, or duplicate rules or regulations adopted by the federal government or local units of government.

The Inspection of Non-public Motor Vehicles rule set duplicates and conflicts with federal regulations as detailed in 4.C. above.

**E. 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 regulatory activity covered by the rules.**

The Motor Carriers rule set was last evaluated in June 2021, and the CVED has determined technology, economic conditions, and other factors have not changed regulatory activity covered by the Motor Carriers rule set since the last evaluation.

The Inspection of Non-public Motor Vehicles rule set was last evaluated in June 2021. The CVED has determined technology, economic conditions, and other factors have not changed regulatory activity covered by the Inspection of Non-public Motor Vehicles rule set since the last evaluation.

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

The Michigan Department of State Police [website](#) has a link titled "Michigan Department of State Police Administrative Code (Rules)" which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police's administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

**6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.**

CVED did not identify any items for action in the 2021-2022 Annual Regulatory Plan.

**Department of State Police  
Emergency Management and Homeland Security Division**

The Emergency Management and Homeland Security Division (EMHSD) is responsible for the following rule set(s):

- Emergency Management Training, R 30.31 – 30.34
- State Assistance to Counties and Municipalities, R 30.51 – 30.61

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

EMHSD intends to process revisions to the State Assistance to Counties and Municipalities rule set, R 30.51 through 30.61, to provide clarity to counties and municipalities in the application of the rules.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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.

EMHSD has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

EMHSD has identified the rules set as being important to the mission and functions of the department and has not identified any rules that are strong candidates for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

EMHSD has exercised all 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.

R 30.51 through 30.61 are being reviewed to provide greater clarity to counties and municipalities.

A. Describe whether there is a continued need for the rules.

EMHSD has determined there is a continued need for the rules.

B. Provide a summary of any complaints or comments received from the public concerning the rules.

EMHSD has received complaints from counties and municipalities relating to the clarity and conciseness of the language for application during disasters or emergencies.

C. Describe the complexity of complying with the rules.

EMHSD has determined there is a need to review the current language and provide a more concise direction in the application of these rules for counties and municipalities during disasters or emergencies.

D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

The rules do not conflict with, or duplicate rules adopted by the federal government or local governments, but instead complement existing federal disaster relief programs for public damage costs by providing a back-up source of assistance when federal public assistance funding is denied or otherwise unavailable.

Annual Regulatory Plan 2022-2023

- E. 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 regulatory activity covered by the rules.

The rules were last evaluated in June 2021. Technology, economic conditions, and other factors have not changed the regulatory activity covered by the rules since the last evaluation.

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

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

EMHSD specifically identified R 30.58 of the State Assistance to Counties and Municipalities rule set as an item for action in the 2021-2022 Annual Regulatory Plan to change the maximum dollar amount for assistance grants to be consistent with MCL 30.419, as amended by 2018 PA 264. Additionally, EMHSD also identified R 30.51 through 30.61 as needing action to provide clarity to counties and municipalities in the application of the rules. The proposed revisions to this ruleset were based on input received from counties and municipalities regarding alleged confusion in the interpretation of the existing rules. While a workgroup was established and meetings were held, the Coronavirus (COVID-19) pandemic and other incidents redirected EMHSD staffing resources to necessary response activities. The delays caused by the pandemic and the more recent need for legal guidance has delayed EMHSD’s ability to file a RFR to initiate the rulemaking process. This item remains outstanding and will be addressed during the next reporting period.

EMHSD did not identify any other items for action in the 2021-2022 Annual Regulatory Plan.

Annual Regulatory Plan 2022-2023

**Department of State Police  
Special Operations Division**

The Special Operations Division (SOD) is responsible for the following rule sets listed under MOAHR's website as Traffic Safety Division:

- Safety Belts and Restraining Devices, R 28.901 – 28.911
- Standards, Rules and Regulations for Crash Helmets, R 28.951 – 28.961
- Uniform Traffic Code for Cities, Townships, and Villages, R 28.1001 – 28.2075

1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]

SOD has not identified any rules to process during the plan period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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.

SOD has not identified any rules that are obsolete or superseded and can be rescinded during the plan period.

SOD has identified that its rule sets are important to the mission and functions of the department and has not identified it as a strong candidate for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

SOD has exercised all 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.

SOD has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

- A. Describe whether there is a continued need for the rules.

SOD has determined there is a continued need for the rules.

- B. Provide a summary of any complaints or comments received from the public concerning the rules.

SOD has not received any complaints or comments from the public concerning the rules.

- C. Describe the complexity of complying with the rules.

SOD has determined the rules are not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

- D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

SOD is not aware of a conflict with, or duplication of similar rules or regulations adopted by the federal government or local units of government.

- E. 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 regulatory activity covered by the rules.

SOD rules were last evaluated in June 2021. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

Annual Regulatory Plan 2022-2023

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

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

6. Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

SOD did not identify any items for action in the 2021-2022 Annual Regulatory Plan.



Annual Regulatory Plan 2022-2023

**Department of State Police  
Grants and Community Services Division**

The Grants and Community Services Division (GCSD) is responsible for the following rule set(s):

- Comprehensive School Safety Plans, R 28.\_\_\_\_–R 28.\_\_\_\_\_.

**1. Rule(s) to be **processed** between July 1, 2022 and June 30, 2023. [Give brief description.]**

The GCSD intends process new rules to implement the Comprehensive School Safety Plan Act, 2018 PA 548, as required by MCL 28.807.

**2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2022 and June 30, 2023. 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 GCSD has no rules identified as obsolete or superseded; identified as being least important to the mission and function of the agency; or identified as strong candidates for rescission.

**3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.**

The GCSD has not promulgated new rules mandated by MCL 28.807 implementing the Comprehensive School Safety Plan Act. The first organizational meeting of the School Safety Commission created under MCL 28.805 occurred on July 25, 2019 and the early business of the Commission focused on making its initial recommendations to the Office of School Safety. The effort to promulgate the rules required under MCL 28.807 was then negatively impacted by the onset of the pandemic in March 2020, the statewide freeze on hiring additional staff necessary to effectively begin this effort, and the necessary focus of GCSD resources on COVID related matters. Therefore, the prerequisite process to establish the parameters for rule promulgation could not be conducted.

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

GCSD has not identified any rules that are problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

**A. Describe whether there is a continued need for the rules.**

GCSD has determined there is a continued need for the rules.

**B. Provide a summary of any complaints or comments received from the public concerning the rules.**

GCSD has not received any complaints or comments from the public concerning the rules.

**C. Describe the complexity of complying with the rules.**

GCSD has determined the rules are not complex to comply with given the subject matter of the rules and the individuals and agencies to which the rules apply.

**D. Describe whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.**

GCSD is not aware of a conflict with, or duplication of similar rules or regulations adopted by the federal government or local units of government.

Annual Regulatory Plan 2022-2023

**E.** 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 regulatory activity covered by the rules.

GCSD rules were not previously evaluated. Technology, economic conditions, and other factors have not changed regulatory activity covered by the rules since the last evaluation.

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

The Michigan Department of State Police [website](#) has a link titled “Michigan Department of State Police Administrative Code (Rules)” which takes you directly to the [website](#) of the MOAHR containing the Michigan Department of State Police’s administrative rules.

[http://www.michigan.gov/msp/0,4643,7-123-1579\\_1654\\_1665---,00.html](http://www.michigan.gov/msp/0,4643,7-123-1579_1654_1665---,00.html)

**6.** Please provide a list of the items identified for action in the 2022 ARP that have been completed and those that remain outstanding.

The GCSD did not identify any items for action in the 2021-2022 Annual Regulatory Plan.