

**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:**

2019-101 LR

**Title of proposed rule set:**

Skilled Trades Regulation Rules

**3. Purpose for the proposed rules and background:**

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The Skilled Trades Regulation Act, 2016 PA 407, MCL 339.5101 to MCL 339.6133, repealed the following acts:

- The Boiler Act, 1965 PA 290, MCL 408.751 to 408.776.
- The State Plumbing Act, 2002 PA 733, MCL 338.3511 to 338.3569.
- The Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.971 to 338.988.
- The Electrical Administrative Act, 1956 PA 217, MCL 338.881 to 338.892.
- The Building Officials and Inspectors Registration Act, 1986 PA 54, MCL 338.2301 to 338.2313.

The repealed acts are outdated and do not provide uniform licensing, complaint investigation, and enforcement provisions for skilled trades licenses. This places a burden on the bureau administering these acts 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 statutes. The Skilled Trades Regulation Act, 2016 PA 407, 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. While the Skilled Trades Regulation Act repealed the five Acts that regulated certain skilled trades, this new Act includes provisions to regulate those same skilled trades. Consequently, the bureau is promulgating a new rule set to regulate these skilled trades, as provided under the new Act. In addition, the bureau has submitted separate RFRs to rescind the current rules that were promulgated under the authority of the five Acts that have been repealed.

#### **4. Summary of proposed rules:**

The Skilled Trades Regulation Act, 2016 PA 407, MCL 339.5101 to MCL 339.6133, repealed the following acts: The Boiler Act, 1965 PA 290, MCL 408.751 to 408.776; The State Plumbing Act, 2002 PA 733, MCL 338.3511 to 338.3569; The Forbes Mechanical Contractors Act, 1984 PA 192, MCL 338.971 to 338.988; The Electrical Administrative Act, 1956 PA 217, MCL 338.881 to 338.392; The Building Officials and Inspectors Registration Act, 1986 PA 54, MCL 338.2301 to 338.2313. The repealed acts are outdated and do not provide uniform licensing, complaint investigation, and enforcement provisions for skilled trades licenses. This places a burden on the bureau administering these acts 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 statutes. The Skilled Trades Regulation Act, 2016 PA 407, 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. While the Skilled Trades Regulation Act repealed the five Acts that regulated certain skilled trades, this new Act includes provisions to regulate those same skilled trades. Consequently, the bureau is promulgating a new rule set to regulate these skilled trades, as provided under the new Act.

#### **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, Macomb Daily, & 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=87>

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

M.J. D'Smith -Michigan Air Conditioning Contractors Association.  
Phil Forner - Allendale Heating.  
William Hordyk - Self.

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

	<b>Name &amp; Organization</b>	<b>Comments made at public hearing</b>	<b>Written Comments</b>	<b>Agency Rationale for Rule Change and Description of Change(s) Made</b>	<b>Rule number &amp; citation changed</b>

**14. Date report completed:**

2/10/2023