



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

November 30, 2023

NOTICE OF FILING

ADMINISTRATIVE RULES

To: Secretary of the Senate
Clerk of the House of Representatives
Joint Committee on Administrative Rules
Michigan Office of Administrative Hearings and Rules (Administrative Rule #23-019-LR)
Legislative Service Bureau (Secretary of State Filing #23-11-09)
Department of Licensing and Regulatory Affairs

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2023-019-LR (Secretary of State Filing #23-11-09) on this date at 10:08 A.M. for the Department of Licensing and Regulatory Affairs entitled, "Gas Safety".

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

Sincerely,

Jocelyn Benson
Secretary of State

Lashana Threlkeld, Departmental Supervisor
Office of the Great Seal

Enclosure



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
SUZANNE SONNEBORN
EXECUTIVE DIRECTOR

MARLON I. BROWN, DPA
ACTING DIRECTOR

November 30, 2023

The Honorable Jocelyn Benson
Secretary of State
Office of the Great Seal
Richard H. Austin Building – 1st Floor
430 W. Allegan
Lansing, MI 48909

Dear Secretary Benson:

Re: Administrative Rules – Michigan Office of Administrative Hearings and Rules
Administrative Rules #: 2023-19 LR

The Michigan Office of Administrative Hearings and Rules received administrative rules, dated May 2, 2023 for the Department of Licensing & Regulatory Affairs “**Gas Safety**”. We are transmitting these rules to you pursuant to the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6.

Sincerely,

Michigan Office of Administrative Hearings and Rules



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

ORLENE HAWKS
DIRECTOR

LEGAL CERTIFICATION OF RULE

I certify that I have examined the attached administrative rule, dated May 2, 2023, in which the Department of Licensing and Regulatory Affairs proposes to modify a portion of the Michigan Administrative Code entitled “Gas Safety” by:

- ◆ Amending R 460.20606.

The Legislative Service Bureau has approved the proposed rule as to form, classification, and arrangement.

I approve the rule as to legality pursuant to the Administrative Procedures Act, MCL 24.201 *et seq.* and Executive Order No. 2019-6. In certifying the rule as to legality, I have determined that it is within the scope of the authority of the agency, does not violate constitutional rights, and is in conformity with the requirements of the Administrative Procedures Act.

Dated: September 21, 2023

Michigan Office of Administrative Hearings and Rules

By: *Emily Leik*

Emily Leik,
Attorney

STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MICHIGAN PUBLIC SERVICE COMMISSION

CERTIFICATE OF ADOPTION

I hereby certify that, in accordance with section 2 of 1969 PA 165, MCL 483.152, and section 231 of the Executive organization act of 1965, 1965 PA 380, MCL 16.331, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, 2011-4, and 2015-3, MCL 445.2001, 445.2011, 445.2025, 445.2030, and 460.2, the Michigan Public Service Commission approved and signed an order in Case No. U-21369 dated November 9, 2023, formally amending R 460.20606 of the Michigan Administrative Code, entitled "Gas Safety."

MICHIGAN PUBLIC SERVICE COMMISSION

Lisa Felice,
Executive Secretary

Dated: November 9, 2023



Since 1941

Legal Division


Kevin H. Studebaker, Director

CERTIFICATE OF APPROVAL

On behalf of the Legislative Service Bureau, and as required by section 45 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245, I have examined the proposed rules of the Department of Licensing and Regulatory Affairs dated May 2, 2023, amending R 460.20606 of the Department's rules entitled "Gas Safety." I approve the rules as to form, classification, and arrangement.

Dated: September 21, 2023

LEGISLATIVE SERVICE BUREAU

By 
Rachel M. Hughart,
Legal Counsel

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

GAS SAFETY

Filed with the secretary of state on November 30, 2023

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the public service commission by section 2 of 1969 PA 165, MCL 483.152, and section 231 of the Executive organization act of 1965, 1965 PA 380, MCL 16.331, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, 2011-4, and 2015-3, MCL 445.2001, 445.2011, 445.2025, 445.2030, and 460.21)

R 460.20606 of the Michigan Administrative Code is amended, as follows:

PART 6. ADOPTION OF STANDARDS

R 460.20606 Pipeline and hazardous materials safety administration standards; adoption by reference.

Rule 606. (1) The following pipeline and hazardous materials safety administration standard is adopted by reference in these rules and is available from the U.S. Government Publishing Office via the internet at www.ecfr.gov at no charge at the time of adoption of these rules and is also available for public inspection from the Michigan Public Service Commission, 7109 West Saginaw Highway, Lansing, Michigan 48917: 49 CFR part 40 entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs," (revised October 1, 2023 edition).

(2) The following Office of Pipeline and Hazardous Materials Safety Administration standards are adopted by reference in these rules and may be ordered from the U.S. Government Publishing Office via the internet at www.ecfr.gov at no charge at the time of adoption of these rules and are also available for public inspection from the Michigan Public Service Commission, 7109 West Saginaw Highway, Lansing, Michigan 48917:

(a) 49 CFR part 191 entitled "Transportation of Natural and Other Gas by Pipeline: Annual Reports, Incident, and Other Reporting," (October 1, 2023 edition).

(b) 49 CFR part 192 entitled "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards," (October 1, 2023 edition).

(c) 49 CFR part 199 entitled "Drug and Alcohol Testing," (October 1, 2023 edition).

May 2, 2023