

State Budget Office
Office of Regulatory Reinvention
111 S. Capitol Avenue; 8th Floor, Romney Building,
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REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at orr@michigan.gov.

1. Agency Information

Agency name:	LARA
Division/Bureau/Office:	Bureau of Fire Services
Name, title, phone number, and e-mail of person completing this form:	Jim Elenbaas, elenbaasj@michigan.gov 906-228-2439

2. Rule Set Information

Title of proposed rule set:	Fireworks Safety General Rules
Rule number(s) or range of numbers:	R 29.2901- R 29.2929
Included in agency's annual regulatory plan as rule to be processed in current year?	No

3. Estimated timetable for completion, or statutory deadline, if applicable:

6 Months

4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

The rules are required by PA 256 of 2011 (the Michigan Fireworks Safety Act) which was recently amended by PA 634, 635, and 636 of 2018. The rules are being revised due to conflicts and changes introduced in the legislative changes that are not currently addressed and to provide clarification for issues found during prior year's inspections.

5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

By authority conferred on the LARA by Sections 20(1) and 20(2) of 2011 PA 256, MCL 28.470(1) and 28.470(2).

6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

No conflicting rules at any government level.

7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

No

8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:

Rules will be promulgated under Section 44 due to new changes required by amendments to PA 256 of 2011. The law expands some provisions and removes others that are in direct conflict with the current rule set.

9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.

No

10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.

No

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim

↓ To be completed by the ORR ↓

Date RFR received:2-19-2019

Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.

ORR assigned rule set number:	2019-023 LR
Date of approval:	2/22/19

Based on the information in this RFR, the ORR is not approving the RFR at this time.

Date of disapproval:	
Explanation:	