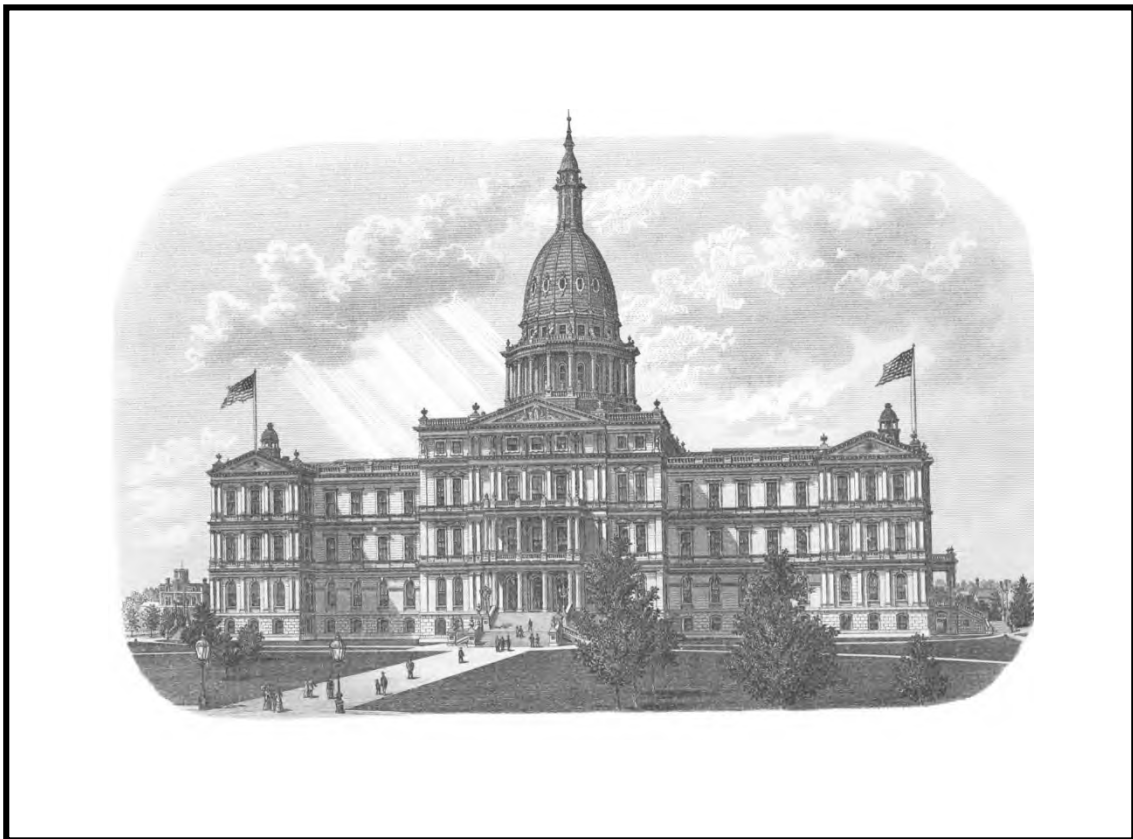


Michigan Register

Issue No. 2 – 2022 (Published February 15, 2022)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



Issue No. 2— 2022

(This issue, published February 15, 2022, contains
documents filed from January 15, 2022 to February 1, 2022)

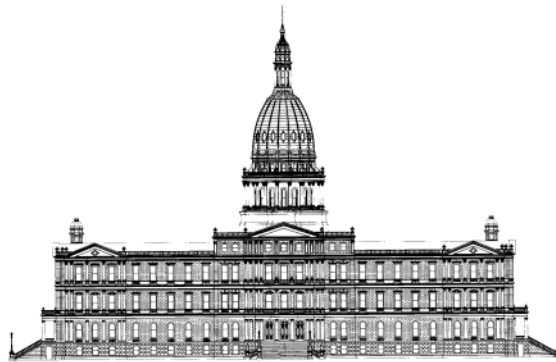
Compiled and Published by the
Michigan Office of Administrative Hearings and Rules

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Katie Wienczewski, Administrative Rules Division Director, Michigan Office of Administrative Hearings and Rules; Deidre O’Berry, Administrative Rules Specialist for Operations and Publications.

Gretchen Whitmer, Governor



Garlin Gilchrist, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Michigan Office of Administrative Hearings and Rules publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

24.208 Michigan register; publication; cumulative index; contents; public subscription; fee; synopsis of proposed rule or guideline; transmitting copies to office of regulatory reform.

Sec. 8.

(1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
- (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
- (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
- (d) Proposed administrative rules.
- (e) Notices of public hearings on proposed administrative rules.
- (f) Administrative rules filed with the secretary of state.
- (g) Emergency rules filed with the secretary of state.
- (h) Notice of proposed and adopted agency guidelines.
- (i) Other official information considered necessary or appropriate by the office of regulatory reform.
- (j) Attorney general opinions.
- (k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall electronically transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

4.1203 Michigan register fund; creation; administration; expenditures; disposition of money received from sale of Michigan register and amounts paid by state agencies; use of fund; price of Michigan register; availability of text on internet; copyright or other proprietary interest; fee prohibited; definition.

Sec. 203.

- (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.
- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs of preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of the Michigan register at a price determined by the office of regulatory reform not to exceed the cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2022 MR 1 refers to the year of issue (2022) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Michigan Office of Administrative Hearings and Rules for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Michigan Office of Administrative Hearings and Rules is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Michigan Office of Administrative Hearings and Rules, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48933.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: Michigan Office of Administrative Hearings and Rules, Ottawa Building –Second Floor, 611 W. Ottawa Street, Lansing, MI 48933. Checks Payable: State of Michigan. Any questions should be directed to the Michigan Office of Administrative Hearings and Rules (517) 335-2484.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the website of the Michigan Office of Administrative Hearings and Rules – Administrative Rules Division: www.michigan.gov/ard.

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Michigan Office of Administrative Hearings and Rules website. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Executive Director,
Michigan Office of Administrative Hearings and Rules

2022 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2022	February 1, 2022
2	February 1, 2022	February 15, 2022
3	February 15, 2022	March 1, 2022
4	March 1, 2022	March 15, 2022
5	March 15, 2022	April 1, 2022
6	April 1, 2022	April 15, 2022
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10	June 1, 2022	June 15, 2022
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23	December 15, 2022	January 1, 2023
24	January 1, 2023	January 15, 2023

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**ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE**

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

GAS SAFETY

Filed with the secretary of state on February 1, 2022

These rules become effective immediately upon filing with the secretary of state unless adopted under section 33, 44, 45a (9), or 48 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, 24.245a, or 24.248. 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 reorganization 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 460.201104, R 460.20308, R 460.20311, R 460.20322, R 460.20329, R 460.20402, R 460.20405, R 460.20408, R 460.20501, R 460.20503, R 460.20504, R 460.20602, R 460.20603, and R 460.20606 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 460.20104 Rescission.

Rule 104. R 460.14001 to R 460.14999 of the Michigan Administrative Code, noted on page 1027 of the 1997 Annual Supplement to the 1979 Michigan Administrative Code and appearing on pages 630 to 642 of the 1986 Annual Supplement to the Code, pages 900 to 917, 919 to 921, and 923 to 925 of the 1991 Annual Supplement to the Code, and pages 1175 to 1199 of the 1995 Annual Supplement to the Code, are rescinded.

PART 3. ADDITIONAL MINIMUM SAFETY STANDARDS

R 460.20308 Customer meters and regulators; location.

Rule 308. The requirements contained in 49 CFR 192.353, which is adopted by reference in R 460.20606, are superseded by all of the following provisions:

(a) An operator shall install a customer's meter and regulator outside the building, unless any of the following apply:

(i) The distribution system operates at 10 psig or less and an outside meter set assembly is not practical.

(ii) The building is a commercial building, industrial building, or apartment building and an outside meter set assembly is not practical.

(iii) The building is a row-type house or house where the proximity of adjoining buildings makes outside meter set assemblies impractical.

(b) A service line excluded under subdivision (a) of this rule must include an outside above grade riser, if practical.

(c) If an outside meter set assembly or an outside above grade riser is installed, then the above grade piping must be designed to prevent an external force applied to the service line from being transferred to and damaging the inside piping.

(d) An operator shall install a meter and service regulator, whether inside or outside of a building, in a readily accessible location and shall protect the meter and regulator from corrosion and other damage, including but not limited to, vehicular damage if installed outside a building. An operator shall not install a meter in a bedroom, closet, bathroom, under a combustible stairway, or in an unventilated or inaccessible place.

(e) An operator shall ensure that a service regulator installed inside a building is located as near as practical to the point of service line entrance.

(f) An operator shall ensure that a meter installed inside a building is located in a ventilated place not less than 3 feet from a source of ignition or heat that might damage the meter.

(g) An operator shall ensure that the upstream regulator in a series is located outside of a building unless it is located in a separate metering or regulating building.

R 460.20311 Test Requirements for pipelines operating below 100 psig.

Rule 311. The requirements contained in 49 CFR 192.509(b), which is adopted by reference in R 460.20606, are superseded by both of the following provisions:

(a) An operator shall ensure that all mains are to be pressured tested to at least 90 psig or 1 ½ times the proposed maximum allowable operating pressure, whichever is greater.

(b) An operator shall ensure that the test pressure is maintained at or above the test pressure requirement for the pipeline being tested for not less than 1 hour. However, the operator shall test a relatively short segment for not less than 30 minutes.

R 460.20322 Maximum allowable operating pressure of pipeline containing cast-iron pipe.

Rule 322. The requirement contained in 49 CFR 192.621(a)(3), which is adopted by reference in R 460.20606, is superseded by the requirement that a person shall not operate any segment of a pipeline containing cast-iron pipe that has unreinforced bell and spigot joints at a pressure of more than 10 psig.

R 460.20329 Valve maintenance; distribution systems.

Rule 329. In addition to the requirements contained in 49 CFR 192.747, which is adopted by reference in R 460.20606, an operator shall partially operate a valve that may be necessary for the safe operation of a distribution system, other than plastic valves, at intervals of not more than 15 months, but at least each calendar year.

PART 4. SOUR GAS PIPELINES

R 460.20402 Materials for pipe and components; requirements.

Rule 402. In addition to the requirements in 49 CFR 192.55, which is adopted by reference in R 460.20606, metallic materials for pipe and other components used to transport sour gas must meet the requirements in the National Association of Corrosion Engineers international standard NACE MR0175/ISO 15156, which are adopted by reference in R 460.20605.

R 460.20405 Valves; qualification for sour gas.

Rule 405. An operator shall ensure that valves that are used for sour gas service are qualified for sour gas service in accordance with the National Association of Corrosion Engineers international standard MR-175/ISO 15156, which is adopted by reference in R 460.20605.

R 460.20408 Qualification of welding procedures.

Rule 408. In addition to the requirements 49 CFR 192.225, which is adopted by reference in R 460.20606, an operator of pipeline facilities used in the transportation of sour gas shall use welding procedures that conform to the welding provisions of the National Association of Corrosion Engineers international standard NACE MR0175/ISO 15156, which is adopted by reference in R 460.20605.

PART 5. RECORDS AND REPORTS

R 460.20501 Records.

Rule 501. (1) An operator shall maintain the information generated by any recordkeeping requirement in these rules within the state at the operating headquarters office of each service area and shall make the information available to the commission and its staff for inspection and copying upon request.

(2) An operator shall maintain all of the following additional records:

(a) Maps and records showing the locations of pipelines and service lines, including lines that have been abandoned but not removed.

(b) An up-to-date schematic drawing of station piping, which must be available at each aboveground pressure-regulating station containing buried station components.

(3) In addition to the requirements contained in 49 CFR 192.603(b), which is adopted by reference in R 460.20606, an operator shall establish and maintain records, make reports, and record such information as may be reasonably required to demonstrate that the operator has acted or is acting in compliance with these rules and 49 CFR part 192. The operator shall maintain these records and reports for the time periods prescribed in 49 CFR Part 192; for a minimum of 2 inspection cycles, if applicable; or for a minimum of 5 years, whichever is longer.

(4) The specific record retention requirements for each rule or subrule, if required, are listed in Table 1, and are as follows:

TABLE 1 GAS SAFETY RECORD RETENTION SCHEDULES			
Rule	Record Required	Required Retention Time	Additional Instructions
PART 1: GENERAL PROVISIONS			
460.20101 (1)	No	N/A	None
460.20101 (2)	No	N/A	None
460.20101 (3)	No	N/A	None
460.20102 (a)	No	N/A	None
460.20102 (b)	No	N/A	None
460.20102 (c)	No	N/A	None
460.20102 (d)	No	N/A	None
460.20102 (e)	No	N/A	None
460.20102 (f)	No	N/A	None
460.20102 (g)	No	N/A	None
460.20102 (h)	No	N/A	None
460.20102 (i)	No	N/A	None

460.20102 (j)	No	N/A	None
460.20103 (1)	No	N/A	None
460.20103 (2)	No	N/A	None
460.20103 (3)	No	N/A	None
460.20103 (4)	No	N/A	None
460.20104	No	N/A	None
<u>PART 2: SAFETY STANDARDS AND TESTING REQUIREMENTS</u>			
460.20201 (1)	No	N/A	None
460.20201 (2)	No	N/A	None
460.20201 (3)	No	N/A	None
460.20202 (1)	No	N/A	None
460.20202 (2)	No	N/A	None
460.20202 (3)	No	N/A	None
<u>PART 3: ADDITIONAL MINIMUM SAFETY STANDARDS</u>			
460.20301 (1)	No	N/A	None
460.20301 (2)	No	N/A	None
460.20302 (1)	No	N/A	None
460.20302 (2)	No	N/A	None
460.20302 (3)	No	N/A	None
460.20302 (4)	No	N/A	None
460.20303	No	N/A	None
460.20304 (a)	Yes	5 year minimum (See additional instructions.)	Consideration shall be given by the operators to maintain these records for the life of the pipeline.
460.20304 (b)	Yes	5 year minimum (See additional instructions.)	Consideration shall be given by the operators to maintain these records for the life of the pipeline.
460.20304 (c)	No	N/A	None
460.20305	Yes	5 year minimum (See additional instructions.)	Operators shall maintain records demonstrating that welders welding pursuant to 49 CFR 192.229(a) have maintained their qualification back to their last destructive test, if longer than 5 years.
460.20306 (1)	Yes	Life of pipeline	None
460.20306 (2)	Yes	Life of pipeline	None
460.20307	No	N/A	None
460.20308 (a)	No	N/A	None
460.20308 (b)	No	N/A	None
460.20308 (c)	No	N/A	None
460.20308 (d)	No	N/A	None
460.20308 (e)	No	N/A	None

460.20308 (f)	No	N/A	None
460.20308 (g)	No	N/A	None
460.20309 (1)	No	N/A	None
460.20309 (2)	No	N/A	None
460.20309 (3)	No	N/A	None
460.20310 (1)	No	N/A	None
460.20310 (2)	No	N/A	None
460.20311 (a)	Yes	5 year minimum	None
460.20311 (b)	Yes	5 year minimum	None
460.20311 (c)	Yes	5 year minimum	None
460.20311 (d)	Yes	5 year minimum	None
460.20312	Yes	5 year minimum (See additional instructions.)	Except that each segment of a steel service line stressed to 20% or more of specified minimum yield strength must be tested pursuant to 49 CFR 192.507. This record must be retained for the life of the facility (49 CFR 192.517(a)).
460.20313 (a)	Yes	5 year minimum	None
460.20313 (b)	Yes	5 year minimum	None
460.20314 (a)	Yes	Life of pipeline	None
460.20314 (b)	Yes	Life of pipeline	None
460.20314 (c)	Yes	Life of pipeline	None
460.20315 (1)	Yes	Life of pipeline	None
460.20315 (2)	Yes	Life of pipeline	None
460.20316 (1)	Yes	Life of pipeline	None
460.20316 (2)	Yes	Life of pipeline	None
460.20317		RESCINDED	
460.20318 (1)	Yes	5 year minimum	None
460.20318 (2)	Yes	5 year minimum	None
460.20318 (3)	Yes	5 year minimum	None
460.20319	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20320		RESCINDED	
460.20321		RESCINDED	
460.20322	No	N/A	None
460.20323	Yes	5 year minimum	None
460.20324	No	N/A	None
460.20325	Yes	5 year minimum	None
460.20326 (1)	No	N/A	None

460.20326 (2)	No	N/A	None
460.20327 (a)	Yes	5 year minimum	None
460.20327 (b)	Yes	5 year minimum	None
460.20327 (c)	Yes	5 year minimum	None
460.20328	No	N/A	None
460.20329	Yes	5 year minimum	None
460.20330	No	N/A	None
460.20331 (a)	Yes	Life of pipeline	None
460.20332 (1)	Yes	5 year minimum	None
460.20332 (2)	Yes	5 year minimum	None
460.20335 (1)	No	N/A	None
460.20335 (2)	No	N/A	None
460.20335 (3)	No	N/A	None
460.20335 (4)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20335 (5)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20338 (1)	No	N/A	None
460.20338 (2)	No	N/A	None
460.20338 (3)	No	N/A	None
460.20338 (4)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
<u>PART 4: SOUR GAS PIPELINES</u>			
460.20401 (1)	No	N/A	None
460.20401 (2)	No	N/A	None
460.20401 (3)	Yes	Life of pipeline	None
460.20402	No	N/A	None
460.20403	Yes	Life of pipeline	None
460.20404 (a)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for the duration of the work requiring the procedure.
460.20404 (b)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for the duration of the work requiring the procedure.
460.20405	No	N/A	None

460.20406	No	N/A	None
460.20407 (a)	No	N/A	None
460.20407 (b)	No	N/A	None
460.20407 (c)	No	N/A	None
460.20407 (d)	No	N/A	None
460.20407 (e)	No	N/A	None
460.20408	Yes	5 year minimum (See additional instructions.)	Consideration shall be given by the operators to maintain these records for the life of the pipeline.
460.20409	Yes	Life of pipeline	None
460.20410	No	N/A	None
460.20411	No	N/A	None
460.20412	Yes	Life of pipeline	None
460.20413	No	N/A	None
460.20414 (a)	No	N/A	None
460.20414 (b)	No	N/A	None
460.20414 (c)	No	N/A	None
460.20415 (a)	No	N/A	None
460.20415 (b)	No	N/A	None
460.20416	Yes	Life of pipeline	None
460.20417	Yes	5 year minimum	None
460.20418	Yes	5 year minimum (See additional instructions.)	For transmission lines, repair records must be maintained pursuant to 49 CFR 192.709.
460.20419	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20420	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20421 (a)	Yes	5 year minimum	None
460.20421 (b)	Yes	5 year minimum	None
460.20422	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20423 (a)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20423 (b)	No	N/A (See additional	Consideration shall be given by the

		instructions.)	operators to maintain the most current submission of this record to the commission.
460.20424	Yes	5 year minimum	None
460.20425	Yes	5 year minimum	None
460.20426	Yes	5 year minimum	None
460.20427 (a)	No	N/A	None
460.20427 (b)	No	N/A	None
460.20428 (1)	Yes	5 year minimum (See additional instructions.)	For transmission lines, repair records must be maintained pursuant to 49 CFR 192.709.
460.20428 (2)	Yes	5 year minimum (See additional instructions.)	For transmission lines, repair records must be maintained pursuant to 49 CFR 192.709.
460.20429	Yes	5 year minimum (See additional instructions.)	For transmission lines, repair records must be maintained pursuant to 49 CFR 192.709.
460.20430	Yes	5 year minimum	None
460.20431	Yes	5 year minimum	None
<u>PART 5: RECORDS AND REPORTS</u>			
460.20501 (1)	No	N/A	None
460.20501 (2)(a)	Yes	Life of pipeline (See additional instructions.)	This record must be maintained for pipelines that are abandoned and not removed.
460.20501 (2)(b)	No	N/A	None
460.20501 (3)	No	N/A (See additional instructions)	Requires an operator to maintain records as may be reasonably required to demonstrate compliance with these rules and 49 CFR part 192. Records shall be maintained for a minimum of 2 inspection cycles or 5 years, whichever is longer; or as otherwise directed on this table.
460.20502 (1)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for the duration of the project.
460.20502 (2)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for the duration of the project.
460.20502 (3)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for the duration of the project.
460.20502 (4)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for

			the duration of the project.
460.20502 (5)	No	N/A	None
460.20502 (6)	No	N/A	None
460.20503 (1)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for the duration of the incident investigation.
460.20503 (2)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain this record for the duration of the incident investigation.
460.20503 (3)	Yes	5 year minimum	None
460.20504 (1)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
460.20504 (2)	No	N/A (See additional instructions.)	Consideration shall be given by the operators to maintain the most current submission of this record to the commission.
PART 6: ADOPTION OF STANDARDS			
460.20601 (1)	No	N/A	None
460.20601 (2)	No	N/A	None
460.20602 (a)	No	N/A	None
460.20602 (b)	No	N/A	None
460.20602 (c)	No	N/A	None
460.20602 (d)	No	N/A	None
460.20603	No	N/A	None
460.20604	No	N/A	None
460.20605	No	N/A	None
460.20606 (1)	No	N/A	None
460.20606 (2)	No	N/A	None

R 460.20503 Reports of incidents; telephonic notice to the commission staff.

Rule 503. (1) At the earliest practicable moment following discovery, an operator shall notify the commission staff of any of the following situations:

(a) An incident that is reportable pursuant to 49 CFR 191.5, which is adopted by reference in R 460.20606.

(b) An event resulting in estimated property damage of \$10,000.00 or more including loss to the operator and others, or both, but excluding the cost of gas lost. As used in this subdivision, an “event” means on or relating to an operator’s facilities that may or may not involve a release of gas.

(c) An event resulting in the loss of service to more than 100 customers.

(d) An event involving a customer's gas facility that results in a fatality or an explosion causing structural damage.

(e) An event resulting in an unintentional release of gas estimated by the operator to be 1 million cubic feet or more or an unintentional activation of an emergency shutdown system of any portion of a compressor station involving a release of gas.

(f) An event that causes the pressure of any portion of a pipeline system to rise above its maximum allowable operating pressure plus the build-up allowed for operation of pressure limiting or control devices.

(g) An event that receives or is likely to receive extensive news coverage or is significant in the judgment of the operator, even though it did not meet the criteria of subdivision (a), (b), (c), (d), (e) or (f) of this subrule. This subdivision is not subject to the penalty provisions of section 11 of 1969 PA 165, MCL 483.161.

(2) If additional information is received by the operator after the initial report that indicates a different cause, more serious injury, or more serious property damage than was initially reported, then the operator shall make a supplemental telephone report to the commission staff as soon as practicable.

(3) When requested by the commission staff, an operator shall supplement a report made in accordance with subrule (1) of this rule within a reasonable time, with a written report giving full details, such as the cause of the incident or occurrence, the extent of injuries or damage, and the steps taken, if any, to prevent a recurrence of the incident or occurrence.

R 460.20504 Reports.

Rule 504. (1) An operator shall concurrently submit a written report that is required to be filed with any federal agency by 49 CFR part 191, which is adopted by reference in R 460.20606, to the commission at P.O. Box 30221, Lansing, Michigan 48909-0221 or as directed by the commission staff.

(2) An operator required to submit an annual report in accordance with 49 CFR 191.11 and 49 CFR 191.17, which are adopted by reference in R 460.20606 of these rules, shall also submit a supplemental report to the commission staff. In the supplemental report, the operator shall subdivide the information in the reports required under 49 CFR 191.11 and 49 CFR 191.17 into specific regions identified by the commission staff. The staff shall identify and communicate these regions to the operator by the end of the calendar year for which the reports are being submitted. As used in this rule, “regions” means geographical, operational, or functional areas of the operator’s system. These supplemental reports are to be submitted no later than the dates required in 49 CFR 191.11 and 49 CFR 191.17 and in a similar format.

PART 6. ADOPTION OF STANDARDS

R 460.20602 Names, addresses, and phone numbers of organizations.

Rule 602. The names, addresses, and phone numbers of organizations that sponsor or publish documents that have been adopted by reference in these rules are as follows:

(a) American Petroleum Institute (API), 200 Massachusetts Avenue, Washington, D.C. 20001-5571, (Phone number: 202-682-8000).

(b) American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, New York 10016-5990, (Phone number: 800-843-2763), or contact its publishing division, 22 Law Drive, P.O. Box 2900, Fairfield, New Jersey 07007, (Phone number: 973-882-1167).

(c) National Association of Corrosion Engineers International (NACE), 15385 Park Ten Place, Houston, Texas 77084, (Phone number: 281-228-6200) or (Phone number: 800-797-6223).

(d) U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA), East Building, 2nd Floor, 1200 New Jersey Avenue, SE, Washington, D.C. 20590, (Phone number: 202-366-0656) or (Phone number: 800-467-4922). To order a standard published in the Code of Federal Regulations (CFR), contact the Government Publishing Office, Superintendent of Documents,

Attention: New Orders, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954, (202-512-1803), or visit the website at <http://bookstore.gpo.gov>.

R 460.20603 American petroleum institute standard; adoption by reference.

Rule 603. The following American Petroleum Institute standard is adopted by reference in these rules and is available at the price listed:

API standard 1104 titled “Welding of Pipelines and Related Facilities,” (20th edition, October 2005, including errata 1 (2007) and errata 2 (2008)), at a cost as of the time of adoption of these rules of \$304.00. Registered and authorized representatives of regulated pipeline operators may also view this edition of API standard 1104 without charge on the API website at www.api.org.

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 may be ordered from the U.S. Government Publishing Office via the internet at <http://bookstore.gpo.gov/products/cfr-title-49-pt-1-99-code-federal-regulationspaper2020> at a cost at the time of adoption of these rules of \$66.00. The standard is also available for public inspection and distribution at the price listed from the Michigan Public Service Commission, 7109 W. Saginaw Highway, Lansing, Michigan 48917: 49 CFR part 40 entitled “Procedures for Transportation Workplace Drug and Alcohol Testing Programs,” (October 1, 2020 edition), at a cost as of the time of adoption of these rules of \$66.00.

(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 <http://bookstore.gpo.gov/products/cfr-title-49-pt-178-199-code-federal-regulationspaper2020> at a cost at the time of adoption of these rules of \$60.00 for a single volume that contains all of the standards. The standards are also available for public inspection and distribution at the price listed from the Michigan Public Service Commission, 7109 W. Saginaw Highway, Lansing, MI 48917:

(a) 49 CFR part 191 entitled “Transportation of Natural and Other Gas by Pipeline: Annual Reports, Incident Reports, and Safety-related Condition Reports,” (October 1, 2020 edition).

(b) 49 CFR part 192 entitled “Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards,” (October 1, 2020 edition).

(c) 49 CFR part 199 entitled “Drug and Alcohol Testing,” (October 1, 2020 edition).

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Filed with the secretary of state on February 1, 2022

These rules take effect immediately upon 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 director of the department of licensing and regulatory affairs by section 4 of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4, and 2011-4, MCL 445.2011, 445.2025, and 445.2030)

R 408.30500 of the Michigan Administrative Code is amended, as follows:

PART 5. RESIDENTIAL CODE

R 408.30500 Applicable code.

Rule 500. The provisions of the international residential code, 2015 edition, including appendices A, B, C, D, E, F, G, J, K, N, O, P, R, and S except for Sections R 104.2, R 104.3, R 104.5, R 104.7, R 104.8, R 104.8.1, R 105.3, R 105.3.1, R 105.3.2, R 105.6, R 105.9, R 108.3, R 108.4, R 108.5, R 108.6, R 109.1, R 112.2, R 112.3, R 112.4, R 113.1 to R 113.3, R 113.4, R 114.1 and R 114.2, R 313.1.1 to R 313.2.1, R 602.11, R 602.12, N1102.3.2, tables R 507.2.3, N1101.12.3(3) and figure R 507.2.1(2), R 507.2.3(1), R 507.2.3(2), and R 507.2.4, sections M1411.8, G2411.1.1.1 to G2411.1.1.5, G2439.7.2, P2503.9, P2709.2.3, P2904.1.1 to P2904.8.2, P2905.1, P2905.2, figure P2904.2.4.2, table P2904.2.2, tables P2904.6.2(1) to P2904.6.2(9), P3009.1 to P3009.11.1, E3902.15, E3902.16, E3902.17, and AJ102.4, the IBC-2015, IECC-2015, IMC-2015, IPC-2015, NFPA 70-2014 listed in chapter 44 govern the construction, alteration, relocation, demolition, use, and occupancy of buildings and structures, and, with the exceptions noted, the international residential code is adopted by reference in these rules. All references to the International Building Code, International Residential Code, International Energy Conservation Code, National Electrical Code, International Existing Building Code, International Mechanical Code, and International Plumbing Code mean the Michigan Building Code, Michigan Residential Code, Michigan Energy Code, Michigan Electrical Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Mechanical Code, and Michigan Plumbing Code, respectively. The code is available for inspection and purchase at the Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, 611 W. Ottawa St., 1st Floor Ottawa Building, Lansing, Michigan 48933. The code may be purchased from the International Code Council, through the bureau's website at www.michigan.gov/bcc, at a cost as of the time of adoption of these rules of \$118.00.

**PROPOSED ADMINISTRATIVE RULES,
NOTICES OF PUBLIC HEARINGS**

MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the Office of Regulatory Reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the Office of Regulatory Reform.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

VETERINARY MEDICINE - GENERAL RULES

Filed with the secretary of state on

These rules take effect immediately upon 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 department of licensing and regulatory affairs by sections 16145, 16215, 16287, and 18813 of the public health code, 1978 PA 368, MCL 333.16145, 333.16215, 333.16287, and 333.18813, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.4901a, R 338.4903, R 338.4904, R 338.4905, R 338.4906, R 338.4907, R 338.4907a, R 338.4907b, R 338.4907c, R 338.4909, R 338.4910, and R 338.4921 of the Michigan Administrative Code are amended, as follows:

PART 1. GENERAL PROVISIONS

R 338.4901a Telehealth services.

Rule 1a. (1) A veterinarian providing a telehealth service shall do all of the following:

(a) Ensure that the client knows the identity and contact information of the veterinarian providing the telehealth service. Upon request, the veterinarian shall provide his or her licensure information including the name of the state where he or she is licensed and his or her license number.

(b) Ensure that the technology method and equipment used to provide telehealth services complies with all current privacy-protection laws.

(c) Employ sound professional judgment to determine whether using telehealth is an appropriate method for delivering medical advice or treatment to the animal patient.

(d) Have sufficient, **current** knowledge of the animal patient to render telehealth services demonstrated by satisfying 1 of the following:

(i) **Except in the case of an emergency, Have have** recently examined the animal patient in person ~~or have obtained current knowledge of the animal patient through the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically.~~

(ii) Have conducted medically appropriate and timely visits to the premises where the group of animal patients is kept.

(e) Act within the scope of his or her practice.

(f) Exercise the same standard of care applicable to a traditional, in-person veterinary care service.

(g) Make himself or herself readily available to the animal patient for follow up veterinary services or ensure there is another suitable provider available for follow up care.

(2) Consent for medical advice and treatment shall be obtained before providing a telehealth service pursuant to section 16284 of the code, MCL 333.16284.

(3) Evidence of consent for medical advice and treatment must be maintained in the animal patient's medical record.

(4) A veterinarian providing a telehealth service may prescribe a drug if the veterinarian is a prescriber acting within the scope of his or her practice and in compliance with section 16285 of the code, MCL 333.16285.

PART 2. EXAMINATION AND EDUCATION

R 338.4903 Examination; approval and adoption; passing score.

Rule 3. (1) The board approves and adopts the North American Veterinary Licensing Examination (NAVLE) developed by the International Council for Veterinary Assessment (ICVA) or its ~~predecessor~~ **successor** organization.

(2) The passing score for the NAVLE is the score determined by the ICVA or its ~~predecessor~~ **successor** organization.

R 338.4904 Approval of veterinary colleges; adoption of standards.

Rule 4. (1) The board approves and adopts by reference the standards for Accrediting Colleges of Veterinary Medicine adopted by the American Veterinary Medical Association (AVMA) Council on Education entitled "Accreditation Policies and Procedures of the AVMA Council on Education," September 2020, **revised December 2020**.

(2) A copy of the "Accreditation Policies and Procedures of the AVMA Council on Education" is available at https://www.avma.org/sites/default/files/2021-09/coe_pp-July-2021.pdf ~~https://www.avma.org/sites/default/files/2020-10/COE_pp-September-2020.pdf~~. A copy is available for inspection and distribution at a cost of 10 cents per page from the Board of Veterinary Medicine, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan 48909.

PART 3. LICENSURE

R 338.4905 Licensure by examination; requirements.

Rule 5. An applicant for a veterinary license by examination shall submit a completed application on a form provided by the department, together with the required fee. In addition to meeting the requirements of the code **and the administrative rules promulgated under the code**, an applicant shall satisfy both of the following:

(a) Have satisfied 1 of the following educational requirements:

(i) Graduated from a veterinary college that satisfies the requirements of R 338.4904.

(ii) Obtained a certificate from the Educational Commission for Foreign Veterinary Graduates (ECFVG) of the AVMA.

(iii) Obtained a certificate from the Program for the Assessment of Veterinary Education Equivalence (PAVE) from the American Association of Veterinary State Boards (AAVSB).

(b) Have achieved a passing score on the examination adopted in R 338.4903.

R 338.4906 Licensure by endorsement; requirements.

Rule 6. ~~(4)~~ An applicant for a veterinary license by endorsement shall **hold a license in good standing and be actively practicing in another state or province of Canada and** submit a completed application on a form provided by the department together with the required fee. In addition to meeting the requirements of the code **and the administrative rules promulgated under the code**, an applicant shall satisfy ~~1 of the following:~~

~~—(a) An applicant who has been licensed as a veterinarian and actively practicing in another state of the United States for 5 or more years is presumed to have satisfied section 16186 of the code, MCL 333.16186.~~

~~—(b) An applicant who has been licensed as a veterinarian for less than 5 years shall satisfy both of the following:~~

~~—(i) Have achieved a passing score on the examination adopted under R 338.4903.~~

~~—(ii) Have satisfied 1 of the following requirements:~~

~~—(A) Graduated from a veterinary college that satisfies R 338.4904.~~

~~—(B) Obtained a certificate from the ECFVG of the AVMA.~~

~~—(C) Obtained a certificate from the PAVE from the AAVSB.~~

~~—(2) The applicant's license in good standing must be verified by the licensing agency of any state of the United States in which the applicant holds or ever held a license as a veterinarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending against the applicant. **all of the requirements as noted by (v) below:**~~

(a) An applicant who is licensed in another state.		Licensed for less than 5 years.	Licensed 5 years or more.
(i)	Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.	√	√
(ii)	Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.	√	√
(iii)	Have satisfied 1 of the following requirements: (A) Graduated from a veterinary college that satisfies R 338.4904. (B) Obtained a certificate from the ECFVG of the AVMA. (C) Obtained a certificate from the PAVE from the AAVSB.	√	
(iv)	Have achieved a passing score on the examination adopted under R 338.4903.	√	
(v)	Comply with both of the following: (A) Disclose each license, registration, or certification in a health profession or specialty issued by any other	√	√

	<p>state, the United States military, the federal government, or another country on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>		
	(b) An applicant who is licensed in a province of Canada.	Licensed for less than 5 years.	Licensed 5 years or more.
(i)	<p>Establish that he or she is of good moral character as defined under 1974 PA 381, MCL 338.41 to 338.47.</p>	√	√
(ii)	<p>Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.</p>	√	√
(iii)	<p>Have satisfied 1 of the following requirements:</p> <p>(A) Graduated from a veterinary college that satisfies R 338.4904.</p> <p>(B) Obtained a certificate from the ECFVG of the AVMA.</p> <p>(C) Obtained a certificate from the PAVE from the AAUSB.</p>	√	√
(iv)	<p>Have achieved a passing score on the examination adopted under R 338.4903.</p>	√	
(v)	<p>Comply with both of the following:</p>	√	√

<p>(A) Disclose each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>		
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R 338.4907 Educational limited license; requirements; limitations.

Rule 7. (1) An applicant for an educational limited license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code **and the administrative rules promulgated under the code**, an applicant shall meet both of the following:

(a) Achieve a passing score on the examination adopted in R 338.4903.

(b) Be admitted as a student to a postgraduate training program at a college of veterinary medicine that satisfies the requirements of R 338.4904.

(2) The holder of an educational limited license shall not do either of the following:

(a) Engage in the practice of veterinary medicine outside of his or her postgraduate training program in the college of veterinary medicine approved by the board for the training.

(b) Hold himself or herself out to the public as being independently engaged in the private practice of veterinary medicine.

R 338.4907a Clinical academic limited license requirements; limitations.

Rule 7a. (1) An applicant for a clinical academic limited license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code **and the administrative rules promulgated under the code**, the applicant shall have been appointed to the academic faculty of a Michigan college of veterinary medicine that is approved by the board pursuant to R 338.4904.

(2) A clinical academic limited license authorizes the holder to engage in the practice of veterinary medicine only to the extent necessary to fulfill his or her employment obligations as a clinical instructor at a college of veterinary medicine approved by the board. The holder of a clinical academic limited license shall not do either of the following:

(a) Engage in the practice of veterinary medicine outside of the limitations specified by the college of veterinary medicine at the time of appointment to the academic faculty and in conjunction with the application for limited license.

(b) Hold himself or herself out to the public as being independently engaged in the private practice of veterinary medicine.

R 338.4907b Senior student limited license requirements; limitations.

Rule 7b. (1) An applicant for a senior student limited license issued pursuant to section 18812(1) of the code, MCL 333.18812, shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code **and the administrative rules promulgated under the code**, the applicant must be a senior student in a ~~Doctor of Veterinary Medicine~~ **doctor of veterinary medicine** program at a college of veterinary medicine approved by the board pursuant to R 338.4904 and satisfy all of the following:

(a) Provide a letter of enrollment as a senior student in good standing from the dean of a veterinary school approved by the board pursuant to R 338.4904.

(b) Achieve a passing score on the examination adopted in R 338.4903.

(c) Submit a form provided by the department that contains the name and signature of the Michigan-licensed supervising veterinarian acknowledging assumption of the supervisory responsibilities included in section 18802(4) of the code, MCL 333.18802.

(2) A senior student limited licensee shall not do either of the following:

(a) Engage in the practice of veterinary medicine except under the supervision of the Michigan-licensed veterinarian who signed the form submitted to the department pursuant to subrule (1)(c) of this rule.

(b) Hold himself or herself out to the public as being independently engaged in the private practice of veterinary medicine.

(3) The senior student limited license is granted for 1 year and may not be renewed.

R 338.4907c Graduate of nonapproved veterinary education program limited license; requirements; limitations.

Rule 7c. (1) An applicant for a graduate of a nonapproved veterinary education program limited license issued pursuant to section 18812(2) of the code, MCL 333.18812, shall submit a completed application on a form provided by the department, together with the requisite fee. **In addition to meeting the requirements of the code and the administrative rules promulgated under the code, the applicant shall** ~~and~~ satisfy all of the following:

(a) Provide proof that he or she is a graduate of a veterinary education program. If documentation submitted pursuant to this subrule is in a language other than English, an original, official translation must also be submitted.

(b) Submit a form provided by the department that contains the name and signature of the Michigan-licensed supervising veterinarian acknowledging assumption of the supervisory responsibilities included in section 18802(4) of the code, MCL 333.18802.

(2) A graduate of a nonapproved veterinary education program limited licensee shall not do either of the following:

(a) Engage in the practice of veterinary medicine except under the supervision of the Michigan-licensed veterinarian who signed the form submitted to the department pursuant to subrule (1)(b) of this rule.

(b) Hold himself or herself out to the public as being independently engaged in the private practice of veterinary medicine.

(3) The graduate of a nonapproved education program limited license is granted for 1 year and may not be renewed.

R 338.4909 Relicensure.

Rule 9. (1) An applicant whose license has lapsed may be relicensed **under section 16201(3) or (4) of the code, as applicable, MCL 333.16201, if the applicant upon meets the requirements of the code and the administrative rules promulgated under the code and satisfies the following requirements as indicted by a (√) submission of the appropriate documentation as noted in the table below:**

(4) (a) For an applicant who has let his or her Michigan license lapse and is not currently licensed in another state or province of Canada.	Lapsed 0-3 years	Lapsed more than 3 years
(a)-(i) Application and fee: submit Submit a completed application on a form provided by the department, together with the required fee.	√	√
(b)-(ii) Good moral character: establish Establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√
(c)-(iii) Fingerprints: submit Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√
(d)-(iv) Continuing education: submit Submit proof of having completed 45 hours of continuing education that satisfy the requirements of R 338.4933.	√	√
(e)-(v) Examination: passage of Pass the examination approved pursuant to R 338.4903 within 1 year prior to of submitting the application for relicensure.		√
(f)-(vi) License verification: an applicant's license in good standing shall be verified by the licensing agency of each state or province of Canada in which the applicant holds or ever held a license as a veterinarian. If applicable, verification must include the record of any disciplinary action taken or pending against the applicant. An applicant who is or has ever been licensed, registered, or certified in a health profession or	√	√

	<p>specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:</p> <p>(A) Disclose each license, registration, or certification on the application form.</p> <p>(B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>		
(2) (b)	For an applicant who has let his or her Michigan license lapse and is currently licensed in another state or province of Canada.	Lapsed 0-3 years	Lapsed more than 3 years
(a) (i)	Application and fee: submit Submit a completed application on a form provided by the department, together with the required fee.	√	√
(b) (ii)	Good moral character: establish Establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√
(c) (iii)	Fingerprints: submit Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√
(d) (iv)	Continuing education: submit Submit proof of having completed 45 hours of continuing education that satisfy the requirements of R 338.4933.	√	√
(e) (v)	License verification: an applicant's license in good standing shall be verified by the licensing agency of each state or province of Canada in which the applicant holds or ever held a license as a veterinarian. If applicable, verification must include the record of any disciplinary action taken or pending against the	√	√

	<p>applicant. An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.</p>		
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(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

PART 4. SUPERVISION AND DELEGATION

R 338.4910 Supervision of veterinary ~~student~~ **technician** or limited licensee by veterinarian; **delegation to and supervision of a veterinary student or veterinary assistant.**

Rule 10. ~~If a~~ **(1) A veterinarian who** is supervising a veterinary ~~student~~ **technician** or limited licensee, ~~the veterinarian~~ shall provide the supervision included in section 18802(4) of the code, MCL 333.18802, which requires that degree of close physical proximity necessary for the supervising veterinarian to directly observe and monitor the performance of the veterinary ~~student~~ **technician** or limited licensee to ensure that the ~~student's~~ **technician's** or limited licensee's performance is within the scope of the order, assignment, or prescription of the veterinarian and being performed with the skill expected by the supervising veterinarian.

(2) A veterinarian may delegate the performance of an act, task, or function that falls within the practice of veterinary medicine to a veterinary student or veterinary assistant who is qualified to perform the act, task, or function if the veterinarian complies with both of the following:

(a) Before delegating an act, task, or function that falls within the practice of veterinary medicine, the veterinarian shall first examine the animal patient on which the delegated act, task, or function is to be performed and determine the appropriate treatment for the animal patient.

(b) As permitted by section 16215(6) of the code, MCL 333.16215, the delegating veterinarian shall maintain the degree of close proximity necessary to observe, monitor, and provide the supervision required for the supervising veterinarian to directly observe and monitor the performance of the veterinary student or veterinary assistant to ensure that the student's or

assistant's performance is within the scope of the order, assignment, or prescription of the veterinarian and being performed with the skill expected by the supervising veterinarian.

PART 5. MEDICAL RECORDS

R 338.4921 Medical records; requirements.

Rule 21. (1) A veterinarian who practices veterinary medicine in this state shall maintain a medical record for each animal patient, herd, flock, or other group of animals that accurately reflects the veterinarian's evaluation and treatment of the animal patient or group of animals rendered in person or through a telehealth service. Entries in the medical record must be made in a timely fashion.

(2) Records must be legible and retrievable. A record may be maintained in either a written, electronic, audio, or photographic format.

(3) A record for an individual animal patient, group, herd, flock, or other group of animals must document all of the following:

(a) Identification ~~includes~~ **including**, but ~~is not~~ limited to, a tattoo, tag number, lot number, pen number, age, name, markings, sex, and species, as available.

(b) Date of the last veterinary service.

(c) Name, address, and telephone number of the client.

(d) Location of the animal patient or patients, if not at the location of the veterinary practice.

(e) Reason for the contact including, but not limited to, the case history, problem ~~and~~ or signs of a problem, and whether the contact was a routine health visit or an emergency call.

(f) Vaccination history, ~~when appropriate and~~ if known.

(g) Results of the physical examination and a list of abnormal findings.

(h) Laboratory reports and other reports, ~~when appropriate~~ **if known**.

(i) Diagnostic procedures utilized and the reports that pertain to these procedures.

(j) Procedures performed including, but not limited to, surgery and rectal palpations.

(k) Daily progress notes, if hospitalized.

(l) ~~Documentation of informed~~ **Informed** consent, if appropriate.

(m) ~~Documentation of diagnostic~~ **Diagnostic** options and treatment plans.

(n) ~~Records of any~~ **Any** client communication deemed relevant.

(o) ~~Documentation of prescribed~~ **Prescribed** medication.

(4) Records must be maintained for a minimum of 7 years from the date of the last veterinary service.

(5) Medical records are confidential and must not be released without the consent of the client or as required to protect public health or by law.

(6) Copies of **complete** medical records must be provided upon written **or oral** request from the client.

NOTICE OF PUBLIC HEARING

Department of Licensing and Regulatory Affairs
Bureau of Professional Licensing
Administrative Rules for Veterinary Medicine – General Rules
Rule Set 2021-57 LR

NOTICE OF PUBLIC HEARING

Friday, February 25, 2022

09:00 AM

G. Mennen Williams Building Auditorium
525 W. Ottawa Street, Lansing, Michigan

The Department of Licensing and Regulatory Affairs will hold a public hearing to receive public comments on proposed changes to the Veterinary Medicine – General Rules rule set.

The amendments to the rules clarify and revise the requirements for providing a telehealth service, update examination and educational standards, and clarify the requirements for licensure, licensure by endorsement, limited licensure, and relicensure. The proposed rules also amend the licensure by endorsement rule to add the requirements for a Canadian-licensed applicant and require an applicant for licensure by endorsement or relicensure to disclose each license, registration, or certification in a health profession or specialty issued by any other jurisdiction or entity and require the applicant to demonstrate that no disciplinary proceedings are currently pending and that any prior sanction has been satisfied before being licensed by endorsement or relicensed. The amendments also provide the standards for supervision of a veterinary technician and limited licensee, establish the requirements for delegating a duty to and providing supervision of a veterinary student and veterinary assistant, and clarify the licensee's duties pertaining to an animal patient's medical records.

By the authority conferred on the Director of the Department of Licensing and Regulatory Affairs by MCL 333.16145, 333.16215, 333.16287, and 333.18813, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030.

The proposed rules will take effect immediately after filing with the Secretary of State. The proposed rules are published on the State of Michigan's website at www.michigan.gov/ARD and in the 2/15/2022 issue of the Michigan Register. Copies of these proposed rules may also be obtained by mail or electronic mail at the following email address: BPL-BoardSupport@michigan.gov.

Comments on these proposed rules may be made at the hearing, by mail, or by electronic mail at the following addresses until 2/25/2022 at 05:00PM.

Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing– Boards and Committees Section, Attention: Departmental Specialist

P.O. Box 30670, Lansing, MI 48909-8170

BPL-BoardSupport@michigan.gov

The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 711-to make arrangements.

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

INDUSTRIAL HEMP RULES FOR MARIHUANA BUSINESSES

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or ~~45a(6)~~ **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 executive director of the marijuana regulatory agency by section 206 of the medical marihuana facilities licensing ~~act~~, 2016 PA 281, MCL 333.27206, sections 7 and 8 of the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27957 and 333.27958, and Executive Reorganization Order No. 2019-2, MCL 333.27001)

R 420.1001, R 420.1002, and R 420.1003 are amended and R 420.1003a and R 420.1003b are added to the Michigan Administrative Code, as follows:

R 420.1001 Definitions.

Rule 1. (1) As used in these rules:

- (a) “Agency” means the marijuana regulatory agency.
- (b) “Broker” means that term as defined in section 2 of the industrial hemp research and development act, MCL 286.842.
- (c) “Department” means the department of licensing and regulatory affairs.
- (d) “Edible marihuana product” means any marihuana-infused product containing marihuana that is intended for human consumption in a manner other than inhalation. Edible marijuana product does not include marihuana-infused products that are intended for topical application.**
- ~~(de) “Grower” means that term as defined in section 2 of the industrial hemp research and development act, MCL 286.842~~ **103 of the industrial hemp growers act, MCL 333.29103.**
- ~~(ef) “Handle” means that term as defined in section 2 of the industrial hemp research and development act, MCL 286.842.~~
- ~~(fg) “Industrial hemp” means that term as defined in section 2 of the industrial hemp research and development act, MCL 286.842~~ **3 of the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27953.**
- (h) “Industrial hemp growers act” means the industrial hemp growers act, 2020 PA 220, MCL 333.29101 to MCL 333.29801.**
- (gi) “Industrial hemp research and development act” means the industrial hemp research and development act, 2014 PA 547, MCL 286.841 to 286.859.
- ~~(hj) “Laboratory” means a safety compliance facility licensed under the medical marihuana facilities licensing act or a marihuana safety compliance facility licensed under the Michigan regulation and taxation of marihuana act~~ **Regulation and Taxation of Marihuana Act**, or both.

~~(ik)~~ “Marihuana processor” means that term as defined in section 3 of the Michigan ~~regulation and taxation of marihuana act~~ **Regulation and Taxation of Marihuana Act**, MCL 333.27953.

~~(jl)~~ “Marihuana safety compliance facility” means that term as defined in section 3 of the Michigan ~~regulation and taxation of marihuana act~~ **Regulation and Taxation of Marihuana Act**, MCL 333.27953.

~~(km)~~ “Marihuana tracking act” means the marihuana tracking act, 2016 PA 282, MCL 333.27901 to 333.27904.

~~(l)~~ “Market” means that term as defined in section 2 of the industrial hemp research and development act, ~~MCL 286.842.~~

~~(mm)~~ “Medical marihuana facilities licensing act” or “MMFLA” means the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801.

~~(no)~~ “Michigan ~~m~~Medical ~~m~~Marihuana ~~a~~Act” means the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 to 333.26430.

~~(op)~~ “Michigan ~~r~~Regulation and ~~t~~Taxation of ~~m~~Marihuana ~~a~~Act” or “MRTMA” means the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27951 to 333.27967.

~~(pq)~~ “Process” means that term as defined in section 2 of the industrial hemp research and development act, MCL 286.842.

~~(qr)~~ “Processor” means a facility licensed to operate under section 502 of the medical marihuana facilities licensing act, MCL 333.27502, and these rules.

~~(rs)~~ “Producer” means a processor licensed under the medical marihuana facilities licensing act or a marihuana processor licensed under the Michigan ~~regulation and taxation of marihuana act~~ **Regulation and Taxation of Marihuana Act**, or both.

~~(st)~~ “~~These R~~ules” means the administrative rules promulgated by the agency under the authority of the medical marihuana facilities licensing act, the marihuana tracking act, the Michigan ~~regulation and taxation of marihuana act~~ **Regulation and Taxation of Marihuana Act**, and Executive Reorganization Order No. 2019-2, MCL 333.27001.

~~(tu)~~ “Safety compliance facility” means a facility licensed to operate under section 505 of the medical marihuana facilities licensing act, MCL 333.27505, and these rules.

(2) Terms defined in the acts have the same meanings when used in these rules unless otherwise indicated.

R 420.1002 Testing industrial hemp.

Rule 2. (1) A laboratory may perform tests on industrial hemp ~~product~~ **products** as required under the industrial hemp research and development act and any associated rules promulgated by the ~~Michigan~~ department of agriculture and rural development.

(2) A laboratory may perform all tests required or requested in the industrial hemp research and development act and any associated rules promulgated by the ~~Michigan~~ department of agriculture and rural development.

(3) A laboratory shall document all testing performed on industrial hemp products and ~~shall~~ make those records available to the agency upon request.

(4) A laboratory shall maintain industrial hemp product samples separate from any marihuana product samples at all times.

(5) A laboratory may obtain samples of industrial hemp for testing pursuant to the industrial hemp research and development act and any associated rules promulgated by the ~~Michigan~~ department of agriculture and rural development.

(6) A laboratory must report test results as required under the industrial hemp research and development act and any associated rules promulgated by the ~~Michigan~~ department of agriculture and rural development.

(7) A laboratory must not transfer or sell any industrial hemp product obtained for testing to any other facility other than the licensee from whom the sample was obtained.

~~(8) A laboratory shall enter all transactions, current inventory, and other information into the statewide monitoring system as required by the industrial hemp research and development act and any associated rules promulgated by the Michigan department of agriculture and rural development.~~

R 420.1003 Processing industrial hemp.

Rule 3. (1) A producer may handle, process, market, or broker industrial hemp in compliance with the industrial hemp research and development act and any associated rules promulgated by the ~~Michigan~~ department of agriculture and rural development.

(2) A producer may obtain industrial hemp to process as allowed under the industrial hemp research and development act and any associated rules promulgated by the ~~Michigan~~ department of agriculture and rural development.

(3) A producer shall always store industrial hemp separately from marihuana products and in compliance with these rules relating to storage of marihuana products promulgated by the agency.

(4) A producer shall document all industrial hemp obtained by the facility and shall make those records available to the agency upon request.

~~(5) A producer shall enter all transactions, current inventory, and other information into the statewide monitoring system as required by the industrial hemp research and development act and any associated rules promulgated by the Michigan department of agriculture and rural development.~~

R 420.1003a Conversion of industrial hemp concentrate to marihuana concentrate.

Rule 3a. (1) A producer may obtain industrial hemp concentrate to convert it into marihuana concentrate only with the written approval of the agency.

(2) A producer may convert industrial hemp concentrate into marihuana concentrate only with the written approval of the agency.

(3) To obtain agency approval to undertake the conversion of industrial hemp concentrate to marihuana concentrate, the producer shall comply with all of the following:

(a) Provide a written and complete plan of intent and research proposal to the agency, that includes, but is not limited to, all of the following:

(i) The complete standard operating procedure for the conversion process.

(ii) A comprehensive list of all constituents used to create the synthesized marihuana concentrate.

(iii) Certificates of analysis for all constituents.

(iv) An explanation of known possible contaminants.

(v) A written plan for identification of all chemical constituents of the substance and all byproducts identified during testing.

(vi) A written plan for the identification of the contents of waste products and a written plan for their disposal.

(b) Engage a laboratory that is able to perform all required testing.

(c) Notify the agency within 3 business days of a change of laboratories and obtain approval to engage with a different laboratory than originally named.

(d) Demonstrate the conversion process no fewer than 5 times. The demonstration of the conversion process must comply with all of the following:

(i) Utilize a different batch of industrial hemp concentrate for each demonstration.

(ii) Provide documentation of the results of each demonstration to the agency that includes, at a minimum, both of the following:

- (A) Passing results for all required safety compliance tests.**
- (B) Identification of all chemical constituents of the substance and all byproducts.**
- (iii) Obtain the same results of each conversion batch.**
- (iv) Demonstrate the same conversion rate for each batch.**

(e) Have each batch of resulting synthesized marijuana concentrate tested by the laboratory and have all of the following identified:

- (i) Any constituents that remain unsynthesized after the conversion process listed as required in subdivision (a)(ii) of this subrule.**
- (ii) All contaminants listed as required in subdivision (a)(iv) of this subrule.**
- (iii) All byproducts listed as required in subdivision (a)(v) of this subrule.**
- (iv) All waste products listed as required in subdivision (a)(vi) of this subrule.**
- (v) All unidentified peaks observed during the testing required to identify the items listed in paragraphs (i) to (iv) of this subdivision.**

(f) Submit a new plan of intent and research proposal if any modification is made to the conversion process, including any chemical used in the conversion process.

(g) Submit a new plan of intent and research proposal if unable to demonstrate the conversion process in compliance with subdivision (d) of this subrule.

(h) Submit documentation that the product in final form, including all constituents, except for THC, is safe for human consumption.

(i) Require synthesized marijuana concentrate created as part of the demonstration process to be destroyed and be prohibited from being sold or transferred.

(4) A producer that obtains industrial hemp concentrate under subrule (1) of this rule shall do all of the following:

(a) Retain, and provide to the agency upon request, documentation that the industrial hemp concentrate was produced from industrial hemp that was grown pursuant to any applicable state and federal law.

(b) Retain, and provide to the agency upon request, documentation showing the location of the industrial hemp grower.

(c) Identify and record the industrial hemp concentrate in the statewide monitoring system.

(d) Immediately identify, record, and tag the industrial hemp concentrate in the statewide monitoring system.

(e) Not possess industrial hemp concentrate that is not identified and recorded in the statewide monitoring system.

(f) Not possess industrial hemp concentrate without a statewide monitoring system label affixed to it.

(g) Have the industrial hemp concentrate sampled pursuant to R 420.304 for all safety compliance tests under R 420.305 before being converted.

(5) Upon conversion into marijuana concentrate, the producer shall immediately identify, record, and tag the marijuana concentrate in the statewide monitoring system.

(6) A producer shall have synthesized marijuana concentrate sampled pursuant to R 420.304 for all safety compliance tests under R 420.305 and additional analytes identified by the agency based upon review of the record of formulation.

(7) Synthesized marijuana concentrate that fails safety compliance testing must be destroyed within 90 calendar days unless approval to remediate the concentrate is obtained from the agency.

(8) Synthesized marijuana concentrate must not be sold or transferred until passing test results for all required safety compliance tests are entered into the statewide monitoring system and the

producer has clearly identified and provided documentation of the identification of all chemical constituents of the product and all byproducts.

(9) Synthesized marihuana concentrate, produced by a producer pursuant to subrule (2) of this rule, that has passing test results entered into the statewide monitoring system may be used to create a marihuana-infused product or an edible marihuana product.

(10) Marihuana-infused products and edible marihuana products containing marihuana concentrate synthesized under this rule must be sampled pursuant to R 420.304 for all safety compliance tests under R 420.305.

(11) Marihuana-infused products and edible marihuana products containing marihuana concentrate synthesized under this rule must not be sold or transferred until passing test results for all required safety compliance tests are entered into the statewide monitoring system.

(12) Marihuana-infused products and edible marihuana products containing marihuana concentrate synthesized under this rule must be labeled as synthetic using the same or larger font than the product name.

(13) Marihuana-infused products and edible marihuana products containing marihuana concentrate synthesized under this rule must also be labeled pursuant to these rules.

(14) A producer approved to synthesize marihuana concentrate under this rule shall comply with and pay for random audits of the products created using the synthesized marihuana concentrate from marihuana sales locations. Audits may include verification of the chemical constituents of the product and all byproducts as initially identified as well as verification of the amount of those chemical constituents in the synthesized marihuana concentrate product.

(15) If any unknowns are identified during the audit process that have not been previously identified, the producer must submit a new plan of intent and research proposal and all product in the associated production batch must be placed on administrative hold and destroyed within 90 calendar days.

R 420.1003b Maximum concentrations of THC for industrial hemp products intended for human or animal consumption.

Rule 3b. (1) The maximum THC concentration for an edible product is 1 milligram per serving in the form in which it is intended for sale to a consumer. An edible product must not have more than 10 milligrams of THC per container in the form in which it is intended for sale to a consumer.

(2) The maximum THC concentration for marihuana-infused product that is consumed in a means other than by inhalation is 1 milligram per serving in the form in which it is intended for sale to a consumer. A marihuana-infused product in this category must not have more than 20 milligrams of THC per container in the form in which it is intended for sale to a consumer.

(3) The maximum THC concentration for any other marihuana-infused product meant for human or animal consumption not specifically listed is 1 milligram per serving in the form in which it is intended for sale to a consumer. These products must not have more than 10 milligrams per container in the form in which it is intended for sale to a consumer.

NOTICE OF PUBLIC HEARING

Department of Licensing and Regulatory Affairs
Marijuana Regulatory Agency
Administrative Rules for Industrial Hemp Rules for Marijuana Businesses
Rule Set 2021-92 LR

NOTICE OF PUBLIC HEARING
Wednesday, February 16, 2022
09:30 AM

Sun
2407 North Grand River Avenue, Lansing, Michigan

The Department of Licensing and Regulatory Affairs will hold a public hearing to receive public comments on proposed changes to the Industrial Hemp Rules for Marijuana Businesses rule set.

The proposed changes to the Industrial Hemp Rules for Marijuana Businesses rule set 2021-92 LR are intended to improve clarity/consistency to those working in both the medical and adult use markets. The rule set implements, administers, and enforces appropriate and updated standards for marijuana businesses and associated equipment and establishes regulations ensuring the safety, security, and integrity of the operation of marijuana businesses in relation to industrial hemp.

By authority conferred on the Executive Director of the Agency who is authorized to promulgate rules based upon, Section 206 of the Medical Marijuana Facilities Licensing Act, 2016 PA 281, MCL 333.27206, Sections 7 and 8 of the Michigan Regulation and Taxation of Marijuana Act, 2018 IL 1, MCL 333.27957 and 333.27958, Section 5 of the Michigan Medical Marijuana Act, 2008 IL 1, MCL 333.26425, The Marijuana Tracking Act, 2016 PA 282, MCL 333.27901, et al. and Executive Reorganization Order No. 2019-2, MCL 333.27001.

The proposed rules will take effect immediately after filing with the Secretary of State. The proposed rules are published on the State of Michigan's website at www.michigan.gov/ARD and in the 2/15/2022 issue of the Michigan Register. Copies of these proposed rules may also be obtained by mail or electronic mail at the following email address: MRA-Legal@michigan.gov.

Comments on these proposed rules may be made at the hearing, by mail, or by electronic mail at the following addresses until 2/16/2022 at 05:00PM.

Marijuana Regulatory Agency- Attention: MRA-Legal
PO BOX 30205, Lansing, Michigan 48909

MRA-Legal@michigan.gov

The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 517-242-9262 to make arrangements.

**CORRECTION OF OBVIOUS
ERRORS IN PUBLICATION**

MCL 24.256(1) states in part:

“Sec. 56. (1) The Office of Regulatory Reform shall perform the editorial work for the Michigan register and the Michigan Administrative Code and its annual supplement. The classification, arrangement, numbering, and indexing of rules shall be under the ownership and control of the Office of Regulatory Reform, shall be uniform, and shall conform as nearly as practicable to the classification, arrangement, numbering, and indexing of the compiled laws. The Office of Regulatory Reform may correct in the publications obvious errors in rules when requested by the promulgating agency to do so...””

**CORRECTION OF OBVIOUS
ERRORS IN PUBLICATION**

VIA E-MAIL

Ms. Deidre O’Berry
Michigan Office of Administrative Hearings and Rules
Administrative Rules Division
Department of Licensing and Regulatory Affairs
611 West Ottawa Street, 2nd Floor
Lansing, Michigan 48933

Dear Ms. O’Berry:

SUBJECT: Request for Correction of the Michigan Administrative Code, Air Pollution Control, Part 2. Air Use Approval

The Department of Environment, Great Lakes, and Energy (EGLE), as the promulgating agency, is writing to request that the Michigan Office of Administrative Hearings and Rules, Administrative Rules Division, exercise its discretion to correct obvious errors in the Michigan Administrative Code, pursuant to Section 56(1), MCL 24.256, of the Administrative Procedures Act, 1969 PA 306, as amended.

I respectfully request the following changes be made:

The Air Quality Division, Air Pollution Control, Part 2, Air Use Approval, cites an incorrect word. EGLE requests a simple correction to avoid any confusion caused by this mistake.

R 336.1285 Permit to install exemptions; miscellaneous.

(2) The requirement of R 336.1201(1) to obtain a permit to install does not apply to any of the following:

(r) Equipment used for any of the following metal treatment processes if the process emissions are only released into the general in-plant environment:

- (i) Surface treatment.
- (ii) Pickling.
- (iii) Acid ~~dipping~~ dipping.
- (iv) Cleaning.
- (v) Etching.
- (vi) Electropolishing.
- (vii) Electrolytic stripping or electrolytic plating.

If you have any questions, please contact me at 517-284-6907 or ShawD2@Michigan.gov.

Dale Shaw
Regulatory Affairs Officer
Information Management Division

MICHIGAN ADMINISTRATIVE CODE TABLE
(2022 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

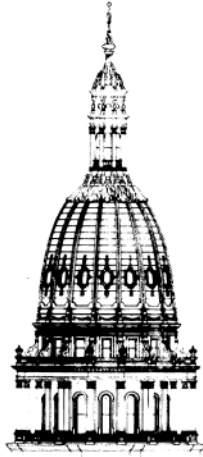
“(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.”

The following table cites administrative rules promulgated during the year 2022 and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2022 RULE FILINGS)**

R Number	Action	2022 MR Issue	R Number	Action	2022 MR Issue
338.3101	*	1	338.3161a	*	1
338.3102	*	1	338.3162	*	1
338.3104	*	1	338.3162a	*	1
338.3108	*	1	338.3162b	*	1
338.3109	R	1	338.3162c	*	1
338.3111	*	1	338.3162d	*	1
338.3112	R	1	338.3162e	R	1
338.3113	R	1	338.3163	*	1
338.3113a	R	1	338.3181	R	1
338.3114	R	1			
338.3114a	R	1			
338.3116	R	1			
338.3117	R	1			
338.3118	R	1			
338.3119	R	1			
338.3119a	R	1			
338.3119b	R	1			
338.3120	R	1			
338.3121	R	1			
338.3121a	R	1			
338.3122	R	1			
338.3123	R	1			
338.3125	R	1			
338.3126	R	1			
338.3127	R	1			
338.3129	R	1			
338.3132	*	1			
338.3135	*	1			
338.3136	R	1			
338.3137	*	1			
338.3141	*	1			
338.3143	*	1			
338.3145	*	1			
338.3151	*	1			
338.3152	R	1			
338.3153	*	1			
338.3153a	*	1			
338.3154	*	1			
338.3161	*	1			

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)



**CUMULATIVE
INDEX**

E

**ENVIRONMENT, GREAT LAKES AND ENERGY, DEPARTMENT OF
Correction**

Part 2. Air Use Approval (2022-2)

L

LICENSING & REGULATORY AFFAIRS, DEPARTMENT OF

Construction Codes - Part 5. Residential Code (2022-2)

Gas Safety (2022-2)

Industrial Hemp Rules for Marihuana Businesses (2022-2*)

Pharmacy - Controlled Substances (2022-1)

Veterinary Medicine – General Rules (2022-2*)

**ADMINISTRATIVE RULES
ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2022 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”

2022 Michigan Public Acts Table

Legislative Service Bureau
Legal Division, Statutory Compiling and Law Publications Unit
124 W. Allegan, Lansing, MI 48909

February 10, 2022
Compiled through PA 8 of 2022

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
0001	4035		Yes	2/1/2022	2/1/2022	2/1/2022	Natural resources; inland lakes; lake level assessment fee reimbursement; provide for under certain circumstances. (Rep. Scott VanSingel)
0002	4363		No	2/1/2022	2/1/2022	**	Natural resources; land acquisition; procedures for certain department of natural resources land transactions; modify time periods. (Rep. Gary Howell)
0003	5322		Yes	2/1/2022	2/1/2022	2/1/2022	Sales tax; exemptions; identifying information required for claiming exemption; include purchaser's license number issued by the Michigan liquor control commission to satisfy the requirements. (Rep. Matt Hall)
0004	5323		Yes	2/1/2022	2/1/2022	2/1/2022	Use tax; exemptions; identifying information required for claiming exemption; include purchaser's license number issued by the Michigan liquor control commission to satisfy the requirements. (Rep. Tenisha Yancey)
0005	4290		Yes	2/9/2022	2/9/2022	2/9/2022 #	Individual income tax; deductions; tax incentive for contributions made to first-time home buyers program; provide for. (Rep. Mari Manoogian)
0006		0145	Yes	2/9/2022	2/9/2022	2/9/2022 #	Individual income tax; other; Michigan first-time home buyer savings program act; create. (Sen. Ken Horn)
0007		0654	Yes	2/9/2022	2/9/2022	2/9/2022	Courts; reorganization; reorganization of fifty-first and twenty-seventh circuit court, and seventy-eighth and seventy-ninth district courts; provide for. (Sen. Jon C. Bumstead)
0008		0694	Yes	2/9/2022	2/9/2022	2/9/2022	Courts; judges; number of judgeships in certain circuit courts; increase by 1 effective January 1, 2023. (Sen. Jon C. Bumstead)

* - I.E. means Legislature voted to give the Act immediate effect.

** - Act takes effect on the 91st day after sine die adjournment of the Legislature.

*** - See Act for applicable effective date.

+ - Line item veto.

++ - Pocket veto.

- Tie bar.

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
Veto	4031		No	No		2/4/2022	Labor; health and safety ; penalty for failure to report a death; decrease by the maximum allowable amount if the death occurs on a family farm to certain individuals. (Rep. Bronna Kahle)

* - I.E. means Legislature voted to give the Act immediate effect.
** - Act takes effect on the 91st day after sine die adjournment of the Legislature.
*** - See Act for applicable effective date.
+ - Line item veto.
++ - Pocket veto.
- Tie bar.