

Annual Administrative Code Supplement
2014 Edition

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF WORKERS' DISABILITY COMPENSATION

WORKER'S COMPENSATION HEALTH CARE

PART 1. GENERAL PROVISIONS

R 418.10101

Source: 2012 AACS.

R 418.10102

Source: 1998-2000 AACS.

R 418.10103

Source: 2005 AACS.

R 418.10104

Source: 2008 AACS.

R 418.10105

Source: 2003 AACS.

R 418.10106 Procedure codes; relative value units; other billing information.

Rule 106. (1) Upon annual promulgation of R 418.10107, the health care services division of the workers' compensation agency shall provide separate from these rules a manual, tables, and charts containing all of the following information on the agency's website, www.michigan.gov/wca:

- (a) All Current Procedural Terminology (CPT®) procedure codes used for billing health care services.
- (b) Medicine, surgery, and radiology procedures and their associated relative value units.
- (c) Hospital maximum payment ratios.
- (d) Billing forms and instruction for completion.

(2) The procedure codes and standard billing and coding instructions for medicine, surgery, and radiology services shall be adopted from the most recent publication entitled "Current Procedural Terminology (CPT®)" as adopted by reference in R 418.10107. However, billing and coding guidelines published in the CPT codebook do not guarantee reimbursement. A carrier shall only reimburse medical procedures for a work-related injury or illness that are reasonable and necessary and are consistent with accepted medical standards.

(3) The formula and methodology for determining the relative value units shall be adopted from the "Medicare RBRVS Fee Schedule" as adopted by reference in R 418.10107 using geographical information for the state of Michigan. The geographical information, (GPCI), for these rules is a melded average using 60% of the figures published for the city of Detroit added to 40% of the figures published for the rest of this state.

(4) The maximum allowable payment for medicine, surgery, and radiology services shall be determined by multiplying the relative value unit assigned to the procedure times the conversion factor listed in the reimbursement section, part 10 of these rules.

(5) Procedure codes from "HCPCS 2014 Level II Professional Edition" as adopted by reference in R 418.10107 shall be used to describe all of the following services:

- (a) Ambulance services.
- (b) Medical and surgical expendable supplies.
- (c) Dental procedures.
- (d) Durable medical equipment.
- (e) Vision and hearing services.
- (f) Home health services.

(6) Medical services shall be considered "By Report" (BR) if a procedure code listed in "HCPCS 2014 Level II Professional Edition" or "Current Procedural Terminology (CPT®) 2014 Professional Edition" as adopted by reference in R 418.10107 does not have an assigned value.

History: 1998-2000 AACS; 2003 AACS; 2004 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

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R 418.10107 Source documents; adoption by reference.

Rule 107. The following documents are adopted by reference in these rules and are available for distribution from the indicated sources, at the cost listed in subdivisions (a) to (h) of this rule:

(a) "Current Procedural Terminology (CPT®) 2014 Professional Edition," published by the American Medical Association, P.O. Box 930876, Atlanta GA, 31193-0876, item #EP888814, 1-800-621-8335. The publication may be purchased at a cost of \$114.95 plus \$16.95 shipping and handling as of the time of adoption of these rules. Permission to use this publication is on file in the workers' compensation agency.

(b) "HCPCS 2014 Level II Professional Edition," published by the American Medical Association, P.O. Box 930876 Atlanta GA 31193-0876, item #OP231514, customer service 1-800-621-8335. The publication may be purchased at a cost of \$96.95, plus \$11.95 for shipping and handling, as of the time of adoption of these rules.

(c) "Medicare RBRVS 2014: The Physicians' Guide," 23rd edition, published by The American Medical Association, P.O. Box 930876, Atlanta GA 31193-0876, item #OP059614, 1-800-621-8335, available February 2014. The publication may be purchased at a cost of \$91.95, plus \$11.95 shipping and handling, as of the time of adoption of these rules.

(d) "International Classification of Diseases, ICD-9-CM 2014 Professional Edition for Physicians, Volumes 1 and 2," American Medical Association, P.O. Box 930876, Atlanta GA 31193-0876, item # OP065114, 1-800-621-8335. The publication may be purchased at a cost of \$92.95, plus \$11.95 shipping and handling, as of the time of adoption of these rules.

(e) "International Classification of Diseases, ICD-10-CM 2014: The Complete Official Draft Code Set," American Medical Association, P.O. Box 930876, Atlanta, GA 31193-0876, item # OP201414, 1-800-621-8335. The publication may be purchased at a cost of \$99.95, plus \$11.95 shipping and handling, as of the time of adoption of these rules.

(f) Red Book Online subscription service of Truven Health Analytics, contact: <http://www.redbook.com/redbook/online/>.

(g) Medi-Span Drug Information Database, a part of Wolters Kluwer Health, contact: <http://www.medispan.com>.

(h) "Official UB-04 Data Specifications Manual 2014, July 1, 2013" developed in cooperation with the American Hospital Association's National Uniform Billing committee, published by American Hospital Association, National Uniform Billing Committee - UB-04, P.O. Box 92247, Chicago, IL 60675-2247, 1-312-422-3390. As of the time of adoption of these rules, the cost of this eBook for a single user is \$155.00 and is available at www.nubc.org.

History: 1998-2000 AACS; 2001 AACS; 2002 AACS; 2003 AACS; 2004 AACS; 2005 AACS; 2006 AACS; 2006 AACS; 2007 AACS; 2008 AACS; 2009 AACS; 2010 AACS; 2012 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10108 Definitions; A to I.

Rule 108. As used in these rules:

(a) "Act" means the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941.

(b) "Adjust" means that a carrier or a carrier's agent reduces a health care provider's request for payment to the maximum fee allowed by these rules, to a provider's usual and customary charge, or, when the maximum fee is by report, to a reasonable amount. "Adjust" also means when a carrier re-codes a procedure, or reduces payment as a result of professional review.

(c) "Agency" means the workers' compensation agency in the department of licensing and regulatory affairs.

(d) "Ambulatory surgical center" (ASC) means an entity that operates exclusively for providing surgical services to patients not requiring hospitalization and has an agreement with the centers for Medicare and Medicaid services (CMS) to participate in Medicare.

(e) "Appropriate care" means health care that is suitable for a particular person, condition, occasion, or place.

(f) "Biologics" or "biologicals" include drugs or other products that are derived from life forms. Biologics are biology-based products used to prevent, diagnose, treat, or cure disease or other conditions in humans and animals. Biologics generally include products such as vaccines, blood, blood components, allergenics, somatic cells, genes, proteins, DNA, tissues, skin substitutes, recombinant therapeutic proteins, microorganisms, antibodies, immunoglobins, and others, including, but not limited to, those that are produced using biotechnology and are made from proteins, genes, antibodies, and nucleic acids.

(g) "BR" or "by report" means that the procedure is not assigned a relative value unit, (RVU) or a maximum fee and requires a written description.

(h) "Carrier" means an organization that transacts the business of workers' compensation insurance in Michigan and which may be any of the following:

(i) A private insurer.

(ii) A self-insurer.

(iii) One of the funds in chapter 5 of the act, MCL 418.501 to 408.561.

(i) "Case" means a covered injury or illness that occurs on a specific date and is identified by the worker's name and date of injury or illness.

(j) "Case record" means the complete health care record that is maintained by a carrier and pertains to a covered injury or illness that occurs on a specific date.

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- (k) "Complete procedure" means a procedure that contains a series of steps that are not to be billed separately.
- (l) "Covered injury or illness" means an injury or illness for which treatment is mandated by section 315 of the act, MCL 418.315.
- (m) "Current procedural terminology (CPT®)" means a listing of descriptive terms and identifying codes and provides a uniform nationally accepted nomenclature for reporting medical services and procedures. The CPT codebook provides instructions for coding and claims processing.
- (n) "Custom compound" as used in these rules, means a customized topical medication prescribed or ordered by a duly licensed prescriber for the specific patient that is prepared in a pharmacy by a licensed pharmacist in response to a licensed practitioner's prescription or order, by combining, mixing, or altering of ingredients, but not reconstituting, to meet the unique needs of an individual patient.
- (o) "Dispute" means a disagreement between a carrier or a carrier's agent and a health care provider on the application of these rules.
- (p) "Durable medical equipment" means specialized equipment that is designed to stand repeated use, is used to serve a medical purpose, and is appropriate for home use.
- (q) "Emergency condition" means that a delay in treating a patient would lead to a significant increase in the threat to the patient's life or to a body part.
- (r) "Established patient" means a patient whose medical and administrative records for a particular covered injury or illness are available to the provider.
- (s) "Expendable medical supply" means a disposable article that is needed in quantity on a daily or monthly basis.
- (t) "Facility" means an entity licensed by the state pursuant to the public health code, 1978 PA 368, MCL 333.1101 to 333.25211. The office of an individual practitioner is not considered a facility.
- (u) "Focused review" means the evaluation of a specific health care service or provider to establish patterns of use and dollar expenditures.
- (v) "Follow-up days" means the days of care following a surgical procedure that are included in the procedure's maximum allowable payment, but does not include care for complications. If the surgical procedure lists "xxx" for the follow-up days, then the global concept does not apply. If "yyy" is listed for follow-up days, then the carrier shall set the global period. If "zzz" is used, then the procedure code is part of another service and falls within the global period of the other service.
- (w) "Free standing outpatient facility" (FSOF) means a facility, other than the office of a physician, dentist, podiatrist, or other private practice, offering a surgical procedure and related care that in the opinion of the attending physician can be safely performed without requiring overnight inpatient hospital care.
- (x) "Health care organization" means a group of practitioners or individuals joined together to provide health care services and includes any of the following:
- (i) Health maintenance organization.
 - (ii) Industrial or other clinic.
 - (iii) Occupational health care center.
 - (iv) Home health agency.
 - (v) Visiting nurse association.
 - (vi) Laboratory.
 - (vii) Medical supply company.
 - (viii) Community mental health board.
- (y) "Health care review" means the review of a health care case or bill, or both, by a carrier, and includes technical health care review and professional health care review.
- (z) "Incidental surgery" means a surgery that is performed through the same incision, on the same day, by the same doctor of dental surgery, doctor of medicine, doctor of osteopathy, or doctor of podiatry and that is not related to diagnosis.
- (aa) "Independent medical examination" means an examination and evaluation that is requested by a carrier or an employee and that is conducted by a different practitioner than the practitioner who provides care.
- (bb) "Industrial medicine clinic" also referred to as an "occupational health clinic" means an organization that primarily treats injured workers. The industrial medicine clinic or occupational clinic may be a health care organization as defined by these rules or may be a clinic owned and operated by a hospital for the purposes of treating injured workers.
- (cc) "Insured employer" means an employer who purchases workers' compensation insurance from an insurance company that is licensed to write insurance in the state of Michigan.

History: 2000 AACS; 2001 AACS; 2003 AACS; 2005 AACS; 2010 AACS; 2012 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10109 Definitions; M to U.

Rule 109. As used in these rules:

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- (a) "Maximum allowable payment" means the maximum fee for a procedure that is established by these rules, a reasonable amount for a "by report" procedure, or a provider's usual and customary charge, whichever is less.
- (b) "Medical only case" means a case that does not involve wage loss compensation.
- (c) "Medical rehabilitation" means, to the extent possible, the interruption, control, correction, or amelioration of a medical or a physical problem that causes incapacity through the use of appropriate treatment disciplines and modalities that are designed to achieve the highest possible level of post-injury function and a return to gainful employment.
- (d) "Medically accepted standards" means a measure that is set by a competent authority as the rule for evaluating quantity or quality of health care or health care services ensuring that the health care is suitable for a particular person, condition, occasion, or place.
- (e) "Morbidity" means the extent of illness, injury, or disability.
- (f) "Mortality" means the likelihood of death.
- (g) "New patient" means a patient who is new to the provider for a particular covered injury or illness and who needs to have medical and administrative records established.
- (h) "Nursing home" means a nursing care facility, including a county medical care facility, created pursuant to section 20109, 1978 PA 368, MCL 333.20109.
- (i) "Opioid drugs" as used in these rules, refers to opiate analgesics, narcotic analgesics, or any other Schedule C (II-III) controlled substance as identified in United States Code Controlled Substances Act of 1970, 21. U.S.C. §812. Opioid analgesics are the class of drugs, such as morphine, codeine, and methadone, that have the primary indication for the relief of pain.
- (j) "Orthotic equipment" means an orthopedic apparatus that is designed to support, align, prevent, or correct deformities of, or improve the function of, a movable body part.
- (k) "Pharmacy" means the place where the science, art, and practice of preparing, preserving, compounding, dispensing, and giving appropriate instruction in the use of drugs is practiced.
- (l) "Practitioner" means an individual who is licensed, registered, or certified as used in the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
- (m) "Primary procedure" means the therapeutic procedure that is most closely related to the principal diagnosis and has the highest assigned relative value unit (RVU).
- (n) "Properly submitted bill" means a request by a provider for payment of health care services that is submitted to a carrier on the appropriate completed claim form with attachments as required by these rules.
- (o) "Prosthesis" means an artificial substitute for a missing body part. A prosthesis is constructed by a "prosthetist", a person who is skilled in the construction and application of a prosthesis.
- (p) "Provider" means a facility, health care organization, or a practitioner.
- (q) "Reasonable amount" means a payment based upon the amount generally paid in the state for a particular procedure code using data available from the provider, the carrier, or the workers' compensation agency, health care services division.
- (r) "Restorative" means that the patient's function will demonstrate measurable improvement in a reasonable and generally predictable period of time and includes appropriate periodic care to maintain the level of function.
- (s) "Secondary procedure" means a surgical procedure that is performed to ameliorate conditions that are found to exist during the performance of a primary surgery and is considered an independent procedure that may not be performed as a part of the primary surgery or for the existing condition.
- (t) "Separate procedure" means procedures or services listed in the CPT code set that are commonly carried out as an integral component of a total service or procedure have been identified by the inclusion of a term "separate procedure."
- (u) "Specialist" means any of the following entities that are board-certified, board-eligible, or otherwise considered an expert in a particular field of health care by virtue of education, training, and experience generally accepted in that particular field:
 - (i) A doctor of chiropractic.
 - (ii) A doctor of dental surgery.
 - (iii) A doctor of medicine.
 - (iv) A doctor of optometry.
 - (v) A doctor of osteopathic medicine and surgery.
 - (vi) A doctor of podiatric medicine and surgery.
- (v) "Subrogation" means substituting 1 creditor for another. An example of subrogation in workers' compensation is when a case is determined to be workers' compensation and the health benefits plan has already paid for the service and is requesting the workers' compensation carrier or the provider to refund the money that the plan paid on behalf of the worker.

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(w) "Technical surgical assist" means that additional payment for an assistant surgeon, referenced in R 418.10416, is allowed for certain designated surgical procedures. The Health Care Services Manual, published annually by the workers' compensation agency, denotes a surgical procedure allowing payment for the technical surgical assist with the letter "T."

(x) "Treatment plan" means a plan of care for restorative physical treatment services that indicates the diagnosis and anticipated goals.

(y) "Usual and customary charge" means a particular provider's average charge for a procedure to all payment sources, and includes itemized charges which were previously billed separately and which are included in the package for that procedure as defined by these rules. A usual and customary charge for a procedure shall be calculated based on data beginning January 1, 2000.

History: 1998-2000 AACS; 2004 AACS; 2005 AACS; 2009 AACS; 2010 AACS; . 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10110

Source: 2005 AACS.

R 418.10111

Source: 2005 AACS.

R 418.10112

Source: 1998-2000 AACS.

R 418.10113

Source: 1998-2000 AACS.

R 418.10114

Source: 1998-2000 AACS.

R 418.10115

Source: 2005 AACS.

R 418.10116

Source: 2003 AACS.

R 418.10117

Source: 2009 AACS.

R 418.10119

Source: 1998-2000 AACS.

R 418.10120

Source: 2005 AACS.

R 418.10121

Source: 2003 AACS.

PART 2. MEDICINE

R 418.10201

Source: 2006 AACS.

R 418.10202

Source: 2007 AACS.

R 418.10203

Source: 1998-2000 AACS.

R 418.10204

Source: 1998-2000 AACS.

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R 418.10205

Source: 2010 AACS.

R 418.10206

Source: 1998-2000 AACS.

R 418.10207 Mental health services.

Rule 207. (1) A psychiatrist only, shall use procedure code 90792 to describe a psychiatric diagnostic evaluation with medical services, or shall use a new patient evaluation and management code instead of 90792 to describe a psychiatric diagnostic evaluation. A psychologist shall use procedure code 90791 to describe a diagnostic evaluation without medical services. Procedure codes 90791 and 90792 shall not be reported on the same day as a psychotherapy or evaluation and management service procedure code.

(2) A psychiatrist only, shall use add on procedure codes 90833, 90836 and 90838, which shall be reported in conjunction with an evaluation and management services code.

(3) An individual performing psychological testing shall report the services using procedure codes 96101-96125.

(4) Mental health providers shall use the following modifiers to describe the practitioner providing the health services:

(a) -AH, for services provided by a licensed psychologist.

(b) -AL, for services provided by a limited licensed psychologist.

(c) -AJ, for services provided by a certified social worker.

(d) -LC, for services provided by a licensed professional counselor.

(e) -CS, for services provided by a limited licensed counselor.

(f) -MF, for services provided by a licensed marriage and family therapist.

(g) -ML, for services provided by a limited licensed marriage and family therapist.

History: 2000 AACS; 2001 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10208

Source: 2012 AACS.

R 418.10209

Source: 2012 AACS.

R 418.10212

Source: 2010 AACS.

R 418.10213

Source: 2009 AACS.

R 418.10214 Orthotic and prosthetic equipment.

Rule 214. (1) A copy of a prescription by 1 of the following is required for prosthetic and orthotic equipment:

(a) A doctor of medicine.

(b) A doctor of osteopathic medicine and surgery.

(c) A doctor of chiropractic.

(d) A doctor of podiatric medicine and surgery.

(2) Orthotic equipment may be any of the following:

(a) Custom-fit.

(b) Custom-fabricated.

(c) Non-custom supply that is prefabricated or off-the-shelf.

(3) A non-custom supply shall be billed using procedure code 99070, appropriate L-codes or A4570 for a prefabricated orthosis.

(4) An orthotist or prosthetist that is certified by the American board for certification in orthotics and prosthetics shall bill orthosis and prostheses that are custom-fabricated, molded to the patient, or molded to a patient model. Licensed physical and licensed occupational therapists may bill orthoses using L-codes within their discipline's scope of practice. In addition, a doctor of podiatric medicine and surgery may bill for a custom fabricated or custom-fit, or molded patient model foot orthosis using procedure codes L3000-L3649.

(5) If a licensed occupational therapist or licensed physical therapist constructs an extremity

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orthosis that is not adequately described by another L-code, then the therapist shall bill the service using procedure code L3999. The carrier shall reimburse this code as a "by report" or "BR" procedure. The provider shall include the following information with the bill:

- (a) A description of the orthosis.
- (b) The time taken to construct or modify the orthosis.
- (c) The charge for materials, if applicable.
- (6) L-code procedures shall include fitting and adjustment of the equipment.
- (7) The health care services division shall provide the maximum allowable payments for L-code procedures separate from these rules on the agency's website, www.michigan.gov/wca. If an L-code procedure does not have an assigned maximum allowable payment, then the procedure shall be by report, "BR."
- (8) A provider may not bill more than 4 dynamic prosthetic test sockets without documentation of medical necessity. If the physician's prescription or medical condition requires utilization of more than 4 test sockets, then a report shall be included with the bill that outlines a detailed description of the medical condition or circumstances that necessitate each additional test socket provided.

History: 2000 AACS; 2004 AACS; 2009 AACS; 2010 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

PART 4. SURGERY

R 418.10401 Global surgical procedure; services included.

Rule 401. (1) The surgical procedures in the CPT code set as adopted in R 418.10107 always include the following list of specific services in addition to the surgical procedure.

- (a) Local infiltration, metacarpal/metatarsal/digital block or topical anesthesia.
- (b) Subsequent to the decision for surgery, 1 related evaluation and management encounter on the date immediately prior to or on the date of the procedure is included. However, when an initial evaluation and management encounter occurs and a decision for surgery is made at that encounter, the evaluation and management service is payable in addition to the surgical procedure.
- (c) Immediate postoperative care, including dictating operative notes, talking with the family and other physicians.
- (d) Writing postoperative surgical orders in the patient's chart and dictating an operative report.
- (e) Evaluating the patient in the postanesthesia recovery area.
- (f) Typical, routine, normal postoperative follow-up care, including suture removal, during the global period. The global period or follow-up days shall be provided separate from the rules on the agency website, www.michigan.gov/wca.

(2) Intra-operative procedures required to perform the surgical service shall not be billed separately.

History: 1998-2000 AACS; 2007 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10403

Source: 1998-2000 AACS.

R 418.10404 Follow-up care occurring during global service.

Rule 404. (1) Follow-up care for a diagnostic procedure shall refer only to the days required to recover from the diagnostic procedure and not the treatment of the underlying condition.

(2) Follow-up care for therapeutic surgical procedures includes only that care which is usually part of the surgical service. Complications, exacerbations, recurrence, or the presence of other compensable diseases or injuries requiring additional services should be reported with the identification of appropriate procedures. The follow-up days for the surgical procedures are adopted from the "Medicare RBRVS The Physicians Guide," as referenced in R 418.10107(d). The follow-up days for each surgical procedure are provided separate from these rules on the agency website, www.michigan.gov/wca. All of the following apply to the global service provider:

- (a) If a carrier requests the surgeon to see an injured worker during the global service period for the purpose of job restrictions, job adjustments, or return to work, then the visit shall not be considered part of the global surgery package. If the carrier requests the visit, then the carrier shall prior authorize the visit assigning an authorization number. The provider shall bill the visit using procedure 99455 and modifier -32, including the authorization number in box 23 of the CMS 1500 form. The carrier shall not deny a prior authorized visit and shall reimburse the provider for the prior authorized visit. The maximum allowable payment for 99455-32 shall be listed in the manual published separate from these rules.
- (b) The medical record shall reflect job adjustments, job restrictions or limitations, or return to work date, and the provider shall include the medical record with the bill.

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(c) If an insured employer requests the surgeon to see an injured worker during the global surgery period for the purpose of job adjustments, restrictions, or return to work, then the employer shall obtain the prior authorization number from the carrier for the visit.

(3) Hospital follow-up care or a hospital visit by the practitioner responsible for the surgery shall be considered part of the surgical follow-up days listed for the procedure and shall not be paid as an independent procedure.

History: 1998-2000 AACS; 2001 AACS; 2005 AACS; 2007 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10405

Source: 2002 AACS.

R 418.10406

Source: 2002 AACS.

R 418.10407

Source: 2002 AACS.

R 418.10410

Source: 1998-2000 AACS.

R 418.10411

Source: 2002 AACS.

R 418.10415

Source: 2002 AACS.

R 418.10416

Source: 2007 AACS.

R 418.10417

Source: 1998-2000 AACS.

PART 5. RADIOLOGY, RADIATION THERAPY, AND NUCLEAR MEDICINE

R 418.10501

Source: 2002 AACS.

R 418.10502

Source: 2002 AACS.

R 418.10503

Source: 2002 AACS.

R 418.10504 Multiple procedure policy for radiology procedures.

Rule 504. (1) A multiple procedure payment reduction shall apply to specified radiology procedures when performed in a freestanding radiology office, a non-hospital facility, or a physician's office or clinic. The primary procedure, identified by the code with the highest relative value, shall be paid at 100% of the maximum allowable payment. If the provider's charge is less than the maximum allowable payment, then the service shall be paid at 100% of the provider's charge.

(2) The multiple procedure payment reduction shall apply when multiple radiological diagnostic imaging procedures are furnished to the same patient, on the same day, in the same session, by the same physician or group practice that has the same national provider identifier. The agency shall publish in a manual separate from these rules a table listing the diagnostic imaging CPT codes subject to the multiple procedure payment reduction. When more than 1 procedure from the table is furnished to the same patient, on the same day, in the same session, by the same physician or group practice, the procedure with the highest relative value is paid at 100% of the maximum allowable payment. Each additional procedure shall have modifier -51 appended and the technical component shall be reduced to 50% of the maximum allowable payment, or the provider's charge, whichever is less, and the professional component shall be reduced to 75% of the maximum allowable payment, or the provider's charge, whichever is less.

History: 2007 AACS; 2008 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

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R 418.10505

Source: 2007 AACCS.

PART 7. DENTAL

R 418.10701 Scope.

Rule 701. (1) Dental services, related to, or resulting from, a covered work-related injury are covered under these rules. Incidental dental services are not covered.

(2) A dental provider shall bill services on a standard American dental claim form. The workers' compensation agency shall provide a copy of the claim form and instructions for completion separate from these rules in the health care services manual on the agency's website at www.michigan.gov/wca.

(3) Dental services shall be reimbursed at either the dentist's usual and customary fee or reasonable fee, whichever is less.

History: 2000 AACCS; 2005 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

PART 9. BILLING

SUBPART A. PRACTITIONER BILLING

R 418.10901 General information.

Rule 901. (1) All health care practitioners and health care organizations, as defined in these rules, shall submit charges on the proper claim form as specified in this rule. Copies of the claim forms and instruction for completion for each form shall be provided separate from these rules in a manual on the workers' compensation agency's website at www.michigan.gov/wca. Charges shall be submitted as follows:

(a) A practitioner shall submit charges on the CMS1500 claim form.

(b) A doctor of dentistry shall submit charges on a standard dental claim form approved by the American dental association.

(c) A pharmacy, other than an inpatient hospital, shall submit charges on an invoice or an NCPDP Workers Compensation/Property & Casualty Universal Claim Form.

(d) A hospital-owned occupational or industrial clinic, or office practice shall submit charges on the CMS 1500 claim form.

(e) A hospital billing for a practitioner service shall submit charges on a CMS 1500 claim form.

(f) Ancillary service charges shall be submitted on the CMS 1500 claim form for durable medical equipment and supplies, L-code procedures, ambulance, vision, and hearing services. Charges for home health services shall be submitted on the UB-04 claim form.

(g) A shoe supplier or wig supplier shall submit charges on an invoice.

(2) A provider shall submit all bills to the carrier within 1 year of the date of service for consideration of payment, except in cases of litigation or subrogation.

(3) A properly submitted bill shall include all of the following appropriate documentation:

(a) A copy of the medical report for the initial visit.

(b) An updated progress report if treatment exceeds 60 days.

(c) A copy of the initial evaluation and a progress report every 30 days of physical treatment, physical or occupational therapy, or manipulation services.

(d) A copy of the operative report or office report if billing surgical procedure codes 10040-69990.

(e) A copy of the anesthesia record if billing anesthesia codes 00100-01999.

(f) A copy of the radiology report if submitting a bill for a radiology service accompanied by modifier -26. The carrier shall only reimburse the radiologist for the written report, or professional component, upon receipt of a bill for the radiology procedure.

(g) A report describing the service if submitting a bill for a "by report" procedure.

(h) A copy of the medical report if a modifier is applied to a procedure code to explain unusual billing circumstances.

History: 2000 AACCS; 2002 AACCS; 2004 AACCS; 2005 AACCS; 2008 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10902 Billing for injectable medications, other than vaccines and toxoids, in office setting.

Rule 902. (1) The provider shall not bill the carrier for administration of therapeutic injections when billing an evaluation and management procedure code. If an evaluation and management procedure code is not listed, then the appropriate medication administration procedure code may be billed.

(2) The medication being administered shall be billed with either the unlisted drug and supply code from the CPT code set or the specific J-code procedure from Medicare's National Level II Codes as adopted by reference in R 418.10107.

(3) The provider shall list the NDC number for the medication in the upper shaded portion of box 24 of the CMS 1500.

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(4) The carrier shall reimburse the medication at average wholesale price (AWP) minus 10%, as determined by Red Book or Medi-Span, as adopted by reference in R 418.10107. No dispense fee shall be billed for injectable medications administered in the office setting.

(5) If the provider does not list the national drug code for the medication, the carrier shall reimburse the medication using the least costly NDC number by Red Book or Medi-Span for that medication.

History: 2003 AACs; 2005 AACs; 2007 AACs; 2008 AACs; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10902a Billing for vaccines and toxoids in office setting.

Rule 902a. (1) When a provider administers a vaccine or toxoid in the office setting, both the vaccine and toxoid shall be billed as separate services. If a significantly separate evaluation and management service is performed, the appropriate evaluation and management service code shall be reported in addition to the vaccine or toxoid administration code pursuant to CPT codebook guidelines, as adopted by reference in R 418.10107.

(2) The vaccine or toxoid being administered and the administration of the vaccine or toxoid shall be billed using the applicable CPT procedure codes pursuant to CPT codebook guidelines, as adopted by reference in R 418.10107.

(3) The provider shall list the NDC number for the vaccine or toxoid in the upper shaded portion of box 24 of the CMS 1500.

(4) The carrier shall reimburse the vaccine or toxoid at the average wholesale price (AWP) minus 10%, as determined by Red Book or Medi-Span, as adopted by reference in R 418.10107. No dispensing fee shall be billed for vaccines or toxoids administered in the office setting.

(5) If the provider does not list the NDC number for the vaccine or toxoid, the carrier shall reimburse the vaccine or toxoid using the least costly NDC number listed by Red Book or Medi-Span for that vaccine or toxoid.

History: 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10904 Procedure codes and modifiers.

Rule 904. (1) A health care service shall be billed with procedure codes adopted from "Current Procedural Terminology (CPT®) 2014 Professional Edition" or "HCPCS 2014 Level II Professional Edition," as referenced in R 418.10107. Procedure codes from the CPT code set shall not be included in these rules, but shall be provided on the workers' compensation agency's website at www.michigan.gov/wca. Refer to "Current Procedural Terminology (CPT®) 2014 Professional Edition," as referenced in R 418.10107, for standard billing instructions, except where otherwise noted in these rules. A provider billing services described with procedure codes from "HCPCS 2014 Level II Professional Edition" shall refer to the publication as adopted by reference in R 418.10107 for coding information.

(2) The following ancillary service providers shall bill codes from "HCPCS 2014 Level II Professional Edition," as adopted by reference in R 418.10107, to describe the ancillary services:

- (a) Ambulance providers.
 - (b) Certified orthotists and prosthetists.
 - (c) Medical suppliers, including expendable and durable equipment.
 - (d) Hearing aid vendors and suppliers of prosthetic eye equipment.
- (3) A home health agency.

(4) If a practitioner performs a procedure that cannot be described by 1 of the listed CPT or HCPCS procedure codes, then the practitioner shall bill the unlisted procedure code. An unlisted procedure code shall only be reimbursed when the service cannot be properly described with a listed code and the documentation supporting medical necessity includes all of the following:

- (a) Description of the service.
- (b) Documentation of the time, effort, and equipment necessary to provide the care.
- (c) Complexity of symptoms.
- (d) Pertinent physical findings.
- (e) Diagnosis.
- (f) Treatment plan.

(5) The provider shall add a modifier code, found in Appendix A of the CPT codebook as adopted by reference in R 418.10107, following the correct procedure code describing unusual circumstances arising in the treatment of a covered injury or illness. When a modifier code is applied to describe a procedure, a report describing the unusual circumstances shall be included with the charges submitted to the carrier.

(6) Applicable modifiers from table 10904 shall be added to the procedure code to describe the type of practitioner performing the service. The required modifier codes for describing the practitioner are as follows:

Table 10904 Modifier Codes

-AA Anesthesia services performed personally by anesthesiologist.

-AH When a licensed psychologist bills a diagnostic service or a therapeutic service, or both.

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- AJ When a certified social worker bills a therapeutic service.
- AL A limited license psychologist billing a diagnostic service or a therapeutic service.
- CS When a limited licensed counselor bills for a therapeutic service.
- GF Non-physician (nurse practitioner, advanced practice nurse or physician assistant) provides services in an office or clinic setting or in a hospital setting.
- LC When a licensed professional counselor performs a therapeutic service.
- MF When a licensed marriage and family therapist performs a therapeutic service.
- ML When a limited licensed marriage and family therapist performs a service.
- TC When billing for the technical component of a radiology service.
- QK When an anesthesiologist provides medical direction for not more than 4 qualified individuals being either certified registered nurse anesthetists or anesthesiology residents.
- QX When a certified registered nurse anesthetist performs a service under the medical direction of an anesthesiologist.
- QZ When a certified registered nurse anesthetist performs anesthesia services without medical direction.
History: 1998-2000 AACCS; 2002 AACCS; 2003 AACCS; 2005 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10905

Source: 2010 AACCS.

R 418.10907

Source: 2005 AACCS.

R 418.10909

Source: 2008 AACCS.

R 418.10911

Source: 1998-2000 AACCS.

R 418.10912 Billing for prescription medications.

Rule 912. (1) Prescription drugs may be dispensed to an injured worker by either an outpatient pharmacy or a health care organization as defined in these rules. These rules shall apply to the pharmacy dispensing the prescription drugs to an injured worker only after the pharmacy has either written or oral confirmation from the carrier that the prescriptions or supplies are covered by workers' compensation insurance.

(2) When a generic drug exists, the generic drug shall be dispensed. When a generic drug does not exist, the brand name drug may be dispensed. A physician may only write a prescription for "DAW", or dispense as written, when the generic drug has been utilized and found to be ineffective or has caused adverse effects for the injured worker. A copy of the medical record documenting the medical necessity for the brand name drug shall be submitted to the carrier.

(3) A bill or receipt for a prescription drug from an outpatient pharmacy, practitioner, or health care organization shall be submitted to the carrier and shall include the name, address, and social security number of the injured worker. An outpatient pharmacy shall bill the service using the NCPDP Workers' Compensation/Property & Casualty Universal Claim Form or an invoice and shall include either the pharmacy's NPI or NCPDP number, and the NDC of the prescription drug.

(4) A health care organization or physician office dispensing the prescription drug shall bill the service on the CMS 1500 claim form. Procedure code 99070 shall be used to code the service and the national drug code shall be used to describe the drug.

(5) If an injured worker has paid for a prescription drug for a covered work illness, then the worker may send a receipt showing payment along with the drug information to the carrier for reimbursement.

(6) An outpatient pharmacy or health care organization shall include all of the following information when submitting a bill for a prescription drug to the carrier:

- (a) The brand or chemical name of the drug dispensed.
- (b) The NDC number from Red Book or Medi-Span as adopted by reference in R 418.10107.
- (c) The dosage, strength, and quantity dispensed.
- (d) The date the drug was dispensed.
- (e) The physician prescribing the drug.

(7) A practitioner or a health care organization, other than an inpatient hospital, shall bill WC700-G to describe the dispense fee for each generic prescription drug and WC700-B to describe the dispense fee for each brand name prescription drug. A provider will only be reimbursed for 1 dispense fee for each prescription drug in a 10-day period. A dispense fee shall not be billed with "OTC"s, over-the-counter drugs.

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History: 2000 AACS; 2002 AACS; 2005 AACS; 2008 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10913

Source: 2008 AACS.

R 418.10915

Source: 2005 AACS.

R 418.10916

Source: 2006 AACS.

R 418.10918

Source: 2002 AACS.

R 418.10920 Billing for supplementary radiology supplies.

Rule 920. (1) If a description of a diagnostic radiology procedure includes the use of contrast materials, then those materials shall not be billed separately as they are included in the procedure.

(2) A radiopharmaceutical diagnostic low osmolar contrast materials and paramagnetic contrast materials shall only be billed when the CPT codebook instructions indicate supplies shall be listed separately.

(3) A supply for a radiology procedure shall be coded as provided in this rule. A provider shall include an invoice documenting the wholesale price of the contrast material used and the provider shall be reimbursed the wholesale price of the contrast material. Code Descriptor A4641 Supply of radiopharmaceutical diagnostic imaging agent Q9965 Supply of low osmolar contrast material, 100-199 mg/ml of iodine concentration per ml Q9966 Supply of low osmolar contrast material, 200-299 mg/ml of iodine concentration per ml Q9967 Supply of low osmolar contrast material, 300-399 mg/ml of iodine concentration per ml.

History: 1998-2000 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10921 Facility billing.

Rule 921. (1) Except for a freestanding surgical outpatient facility, a licensed facility as defined in these rules shall submit facility charges on a UB-04 claim form to the carrier. A copy of the UB-04 form shall be published separate from these rules in a manual provided on the agency's website at www.michigan.gov/wca. The Official UB-04 Data Specifications Manual referenced in these rules contains instructions for facility billing.

(2) A facility billing for a practitioner service shall bill charges on the CMS 1500 claim form.

History: 1998-2000 AACS; 2005 AACS; 2008 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10922 Hospital billing instructions.

Rule 922. (1) A hospital shall bill facility charges on the UB-04 national uniform billing claim form and shall include revenue codes, ICD.-9.-CM coding, until ICD-10-CM is implemented, then ICD-10-CM coding, HCPCS codes, and CPT® procedure codes to identify the surgical, radiological, laboratory, medicine, and evaluation and management services. This rule only requires that the following medical records be attached when appropriate:

(a) Emergency room report.

(b) The initial evaluation and progress reports every 30 days whenever physical medicine, speech, and hearing services are billed.

(c) The anesthesia record when billing for a CRNA or anesthesiologist.

(2) A properly completed UB-04 shall not require attachment of medical records except for those in sub rule (1) of this rule to be considered for payment. Information required for reimbursement is included on the claim form. A carrier may request any additional records under R 418.10118.

(3) If a hospital clinic, other than an industrial or occupational medicine clinic, bills under a hospital's federal employer identification number, then a hospital clinic facility service shall be identified by using revenue code 510 "clinic."

(4) A hospital system-owned office practice shall bill services on the CMS 1500 claim form using the office site of service and shall not bill facility fees.

(5) A hospital or hospital system-owned industrial or occupational clinic providing occupational health services shall bill services on the CMS 1500 claim form using the office site of service and shall not bill facility fees.

History: 1998-2000 AACS; 2003 AACS; 2006 AACS; 2007 AACS; 2008 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10923

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Source: 2008 AACCS.

R 418.10923b Billing for ambulatory surgery center (ASC) or freestanding surgical outpatient facility (FSOF).

Rule 923b. (1) An ASC or FSOF shall be licensed by the Michigan department of community health under part 208 of the code or if it has an agreement with the centers for Medicare and Medicaid services (CMS) to participate in Medicare. The owner or operator of the facility shall make the facility available to other physicians, dentists, podiatrists, or providers who comprise its professional staff. The following apply:

- (a) When a surgery procedure is appropriately performed in the ASC or FSOF and CMS has not assigned a payment code for that procedure, the procedure shall be considered BR.
 - (b) The ASC or FSOF shall be reimbursed the maximum allowable paid for the payment code, taking into consideration the multiple procedure rule for facilities as defined by CMS.
- (2) Billing instructions in this rule do not apply to a hospital-owned freestanding surgical outpatient facility billing with the same tax identification number as the hospital.
- (3) An ASC or FSOF shall bill the facility services on the CMS 1500 claim form and shall include modifier SG to identify the service as the facility charge. The place of service shall be "24." The appropriate HCPCS or CPT procedure code describing the service performed shall be listed on separate lines of the bill.
- (4) Modifier 50, generally indicating bilateral procedure, is not valid for the ASC or FSOF claim. Procedures performed bilaterally shall be billed on 2 separate lines of the claim form and shall be identified with modifiers, LT for left and RT for right.
- (5) An ASC or FSOF shall only bill for outpatient procedures that, in the opinion of the attending physician, can be performed safely without requiring inpatient overnight hospital care and are exclusive of such surgical and related care as licensed physicians ordinarily elect to perform in their private offices.
- (6) The payment for the surgical code includes the supplies for the procedure.
- (7) Durable medical equipment, the technical component (-TC) of certain radiology services, certain drugs, and biologicals that are allowed separate payment under the outpatient prospective payment system (OPPS) will be provided separate from the rules on the agency's website, www.michigan.gov/wca.
- (8) Items implanted into the body that remain in the body at the time of discharge (such as plates, pins, screws, mesh) from the facility are reimbursable when they are designated by CMS as pass through items. These pass through items will be provided separate from these rules on the agency's website, www.michigan.gov/wca. The facility shall bill implant items with the appropriate HCPCS code that is reimbursable under the OPPS. A report listing a description of the implant and a copy of the facility's cost invoice, including any full or partial credit given for the implant, shall be included with the bill.
- (9) Those radiological services that are allowed separate payment under the OPPS will be provided separate from the rules on the agency's website, www.michigan.gov/wca. When radiology procedures are performed intraoperatively, only the technical component shall be billed by the facility and reimbursed by the carrier. The professional component shall be included with the surgical procedure. Pre-operative and post-operative radiology services may be globally billed.
- (10) At no time shall the ASC or FSOF bill for practitioner services on the facility bill.
- (11) When an allowed drug or biological, provided separate from these rules on the agency's website, www.michigan.gov/wca, is billed by the ASC or FSOF, it shall be listed by the appropriate HCPCS or CPT procedure code. All of the following apply:
- (a) Each allowable drug or biological shall be listed on a separate line.
 - (b) Units administered shall be listed for each drug or biological.
 - (c) A dispense fee shall not be billed.

History: 2005 AACCS; 2008 AACCS; 2010 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.10924

Source: 2003 AACCS.

R 418.10925 Billing requirements for other licensed facilities.

Rule 925. (1) A licensed facility, other than a hospital or freestanding surgical outpatient facility, shall bill the facility services on the UB-04 national uniform billing claim form and shall include the revenue codes contained in the Official UB-04 Data Specifications Manual, ICD-9-CM, until ICD-10-CM is implemented, then ICD-10-CM coding for diagnoses and procedures, and CPT procedure codes for surgical, radiological, laboratory, and medicine and evaluation and management services.

(2) Only the technical component of a radiological service or a laboratory service shall be billed on the standardized UB-04 national uniform billing claim form.

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(3) All bills for the professional services shall be billed on a CMS 1500 claim form, using the appropriate CPT procedure code and modifier.

(4) A report describing the services provided and the condition of the patient shall be included with the bill.

History: 1998-2000 AACCS; 2003 AACCS; 2005 AACCS; 2008 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

PART 10. REIMBURSEMENT
SUBPART A. PRACTITIONER REIMBURSEMENT

R 418.101001

Source: 2006 AACCS.

R 418.101002 Conversion factors for practitioner services.

Rule 1002. (1) The workers' compensation agency shall determine the conversion factors for medicine, evaluation and management, physical medicine, surgery, pathology, and radiology procedures. The conversion factor shall be used by the workers' compensation agency for determining the maximum allowable payment for medical, surgical, and radiology procedures. The maximum allowable payment shall be determined by multiplying the appropriate conversion factor times the relative value unit assigned to a procedure. The relative value units are listed for the medicine, surgical, and radiology procedure codes in a manual separate from these rules. The manual shall be published annually by the workers' compensation agency using codes adopted from "Current Procedural Terminology (CPT®)" as adopted by reference in R 418.10107(a). The workers' compensation agency shall determine the relative values by using information found in the "Medicare RBRVS: The Physicians' Guide" as adopted by reference in R 418.10107(c).

(2) The conversion factor for medicine, radiology, and surgical procedures shall be \$47.19 for the year 2014 and shall be effective for dates of service on the effective date of these rules.

History: 1998-2000 AACCS; 2002 AACCS; 2003 AACCS; 2004 AACCS; 2005 AACCS; 2006 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101002a Rescinded.

History: 2007 AACCS; 2008 AACCS; 2009 AACCS; 2010 AACCS; 2012 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101002b

Source: 2010 AACCS.

R 418.101003 Reimbursement for "by report" and ancillary procedures.

Rule 1003. (1) If a procedure code does not have a listed relative value, or is noted BR, then the carrier shall reimburse the provider's usual and customary charge or reasonable payment, whichever is less, unless otherwise specified in these rules.

(2) The following ancillary services are by report and the provider shall be reimbursed either at the practitioner's usual and customary charge or reasonable payment, whichever is less:

(a) Ambulance services.

(b) Dental services.

(c) Vision and prosthetic optical services.

(d) Hearing aid services.

(e) Home health services.

(3) Orthotic and prosthetic procedures, L0000-L9999, shall be reimbursed by the carrier at Medicare plus 5%. The health care services division shall provide maximum allowable payments for L-code procedures separate from these rules on the agency's website, www.michigan.gov/wca. Orthotic and prosthetic procedures with no assigned maximum allowable payment shall be considered by report procedures and require a written description accompanying the charges on the CMS-1500 claim form. The report shall include date of service, a description of the service or services provided, the time involved, and the charge for materials and components.

History: 1998-2000 AACCS; 2005 AACCS; 2006 AACCS; 2008 AACCS; 2009 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101003a Reimbursement for dispensed medications.

Rule 1003a. (1) Prescription medication shall be reimbursed at the average wholesale price (AWP) minus 10%, as determined by Red Book or Medi-Span referenced in R 418.10107, plus a dispense fee. All of the following apply:

(a) The dispense fee for a brand name drug shall be \$3.50 and shall be billed with WC700-B.

(b) The dispense fee for a generic drug shall be \$5.50 and shall be billed with WC700-G.

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(c) Reimbursement for repackaged pharmaceuticals shall be at a maximum reimbursement of AWP minus 10% based upon the original manufacturer's NDC number, as published by Red Book or Medi-Span, plus a dispensing fee of \$3.50 for brand name and \$5.50 for generic.

(d) All pharmaceutical bills submitted for repackaged products shall include the original manufacturer or distributor stock package national drug code or NDC number.

(e) When an original manufacturer's NDC number is not available in either Red Book or Medi-Span and a pharmaceutical is billed using an unlisted or "not otherwise specified code," the payer shall select the most closely related NDC number to use for reimbursement of the pharmaceutical.

(2) Over-the-counter drugs (OTC's), dispensed by a provider other than a pharmacy, shall be dispensed in 10-day quantities and shall be reimbursed at the average wholesale price, as determined by Red Book or Medi-Span or \$2.50, whichever is greater.

History: 2008 AACS; 2010 AACS; 2012 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101003b Reimbursement for biologicals, durable medical equipment, and supplies.

Rule 1003b. (1) The carrier shall reimburse durable medical equipment (DME), supplies, and biologicals at Medicare plus 5%. The health care services division shall provide the maximum allowable payments for DME, supplies, and biologicals separate from these rules on the agency website, www.michigan.gov/wca. Biologicals that have NDC numbers shall be billed and reimbursed under R 418.10912.

(2) Rented DME shall be identified on the provider's bill by RR. Modifier NU will identify the item as purchased, new.

(3) If a DME, supply, or biological exceeding \$35.00 is not listed in the fee schedule, or if the service is billed with a not otherwise specified code, then reimbursement shall be manufacturers' invoice cost plus a percent mark-up as follows:

(a) Invoice cost of \$35.01 to \$100.00 shall receive cost plus 50%.

(b) Invoice cost of \$100.01 to \$250.00 shall receive cost plus 30%.

(c) Invoice cost of \$250.01 to \$700.00 shall receive cost plus 25%.

(d) Invoice cost of \$700.01 or higher shall receive cost plus 20%.

History: 2006 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101004 Modifier code reimbursement.

Rule 1004. (1) Modifiers may be used to report that the service or procedure performed has been altered by a specific circumstance but does not change the definition of the code.

This rule lists procedures for reimbursement when certain modifiers are used. A complete listing of modifiers are listed in Appendix A of "Current Procedural Terminology CPT® 2014 Professional Edition," and Appendix A, section E of "HCPCS 2014 Level II Professional Edition" as adopted by reference in R 418.10107.

(2) When modifier code -25 is added to an evaluation and management procedure code, reimbursement shall only be made when the documentation provided supports the patient's condition required a significant separately identifiable evaluation and management service other than the other service provided or beyond the usual preoperative and postoperative care.

(3) When modifier code -26, professional component, is used with a procedure, the professional component shall be paid.

(4) If a surgeon uses modifier code -47 when performing a surgical procedure, then anesthesia services that were provided by the surgeon and the maximum allowable payment for the anesthesia portion of the service shall be calculated by multiplying the base unit of the appropriate anesthesia code by \$42.00. No additional payment is allowed for time units.

(5) When modifier code -50 or -51 is used with surgical procedure codes, the services shall be paid according to the following as applicable:

(a) The primary procedure at not more than 100% of the maximum allowable payment or the billed charge, whichever is less.

(b) The secondary procedure and the remaining procedure or procedures at not more than 50% of the maximum allowable payment or the billed charge, whichever is less.

(c) When multiple injuries occur in different areas of the body, the first surgical procedure in each part of the body shall be reimbursed 100% of the maximum allowable payment or billed charge, whichever is less, and the second and remaining surgical procedure or procedures shall be identified by modifier code -51 and shall be reimbursed at 50% of the maximum allowable payment or billed charges, whichever is less.

(d) When modifier -50 or -51 is used with a surgical procedure with a maximum allowable payment of BR, the maximum allowable payment shall be 50% of the provider's usual and customary charge or 50% of the reasonable amount, whichever is less.

(6) The multiple procedure payment reduction shall be applied to the technical and professional component for more than 1 radiological imaging procedure furnished to the same patient, on the same day, in the same session, by the same physician or group practice. When modifier -51 is used with specified diagnostic radiological imaging procedures, the payment for the technical component of the procedure shall be reduced by 50% of the maximum allowable payment and payment for the

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professional component of the procedure shall be reduced to 75% of the maximum allowable payment. A table of the diagnostic imaging CPT procedure codes subject to the multiple procedure payment reduction shall be provided by the agency in a manual separate from these rules.

(7) When modifier code -TC, technical services, is used to identify the technical component of a radiology procedure, payment shall be made for the technical component only. The maximum allowable payment for the technical portion of the radiology procedure is designated on the agency's website, www.michigan.gov/wca.

(8) When modifier -57, initial decision to perform surgery, is added to an evaluation and management procedure code, the modifier -57 shall indicate that a consultant has taken over the case and the consultation code is not part of the global surgical service.

(9) When both surgeons use modifier -62 and the procedure has a maximum allowable payment, the maximum allowable payment for the procedure shall be multiplied by 25%.

Each surgeon shall be paid 50% of the maximum allowable payment times 25%, or 62.5 % of the MAP. If the maximum allowable payment for the procedure is BR, then the reasonable amount shall be multiplied by 25% and be divided equally between the surgeons.

(10) When modifier code -80 is used with a procedure, the maximum allowable payment for the procedure shall be 20% of the maximum allowable payment listed in these rules, or the billed charge, whichever is less. If a maximum payment has not been established and the procedure is BR, then payment shall be 20% of the reasonable payment amount paid for the primary procedure.

(11) When modifier code -81 is used with a procedure code that has a maximum allowable payment, the maximum allowable payment for the procedure shall be 13% of the maximum allowable payment listed in these rules or the billed charge, whichever is less. If modifier code -81 is used with a BR procedure, then the maximum allowable payment for the procedure shall be 13% of the reasonable amount paid for the primary procedure.

(12) When modifier -82 is used and the assistant surgeon is a licensed doctor of medicine, doctor of osteopathic medicine and surgery, doctor of podiatric medicine, or a doctor of dental surgery, the maximum level of reimbursement shall be the same as for modifier -80. If the assistant surgeon is a physician's assistant, the maximum level of reimbursement shall be the same as modifier -81. If a person other than a physician or a certified physician's assistant bills using modifier -82, then the charge and payment for the service is reflected in the facility fee.

(13) When modifier -GF is billed with evaluation and management or minor surgical services, the carrier shall reimburse the procedure at 85% of the maximum allowable payment, or the usual and customary charge, whichever is less.

History: 1998-2000 AACCS; 2005 AACCS; 2007 AACCS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101005

Source: 2008 AACCS.

R 418.101006 Reimbursement for mental health services.

Rule 1006. (1) A carrier shall only reimburse procedure code 90792 and add on procedure codes 90833, 90836, and 90838 when billed by a psychiatrist who is either a medical doctor (M.D.) or a doctor of osteopathy (D.O.).

(2) A licensed psychologist or a limited license psychologist billing for a diagnostic procedure shall be paid the maximum allowable payment or the practitioner's usual and customary fee, whichever is less.

(3) A licensed psychologist billing for a therapeutic service shall use modifier -AH and shall be paid the maximum allowable payment or the practitioner's usual and customary charge, whichever is less.

(4) For the following providers, therapeutic mental health services shall be reimbursed at 85% of the maximum allowable payment, or the practitioner's usual and customary charge, whichever is less. If a procedure code has a maximum allowable payment of "by report," the maximum allowable payment shall be 85% of the reasonable payment, or the practitioner's usual and customary charge, whichever is less:

(a) -AL limited license psychologist.

(b) -AJ certified social worker.

(c) -LC licensed professional counselor.

(d) -MF licensed marriage and family therapist.

(5) For the following providers, mental health services shall be reimbursed at 64% of the maximum allowable payment, or the practitioner's usual and customary charge, whichever is less. If a procedure code has a maximum allowable payment of "by report," then the maximum allowable payment shall be 64% of the reasonable payment, or the practitioner's usual and customary charge, whichever is less:

(a) -CS limited licensed counselor.

(b) -ML limited licensed marriage and family therapist.

R 418.101007 Reimbursement for anesthesia services.

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Rule 1007. (1) The carrier shall determine the maximum allowable payment for anesthesia services by adding the base units to the time units. The carrier shall reimburse anesthesia services at either the maximum allowable payment, or the practitioner's usual and customary charge, whichever is less. Each anesthesia base unit shall be multiplied by \$42.00 to determine payment for the base procedure.

(2) Anesthesia base units shall only be paid to an anesthesiologist, a surgeon who provides the anesthesia and performs the surgery, or a certified registered nurse anesthetist providing anesthesia without medical direction of the anesthesiologist. Only 1 practitioner shall be reimbursed for base units, documented by the anesthesia record.

(3) The carrier shall reimburse the time units by the total minutes listed in the "days" or "units" column and the alpha modifier added to the procedure code. Time units are reimbursed in the following manner:

(a) Increments of 15 minutes or portions thereof, for administration of the anesthesia.

(b) Increments of 30 minutes or portions thereof, for supervision of a CRNA.

(c) In no instance shall less than 1 time unit be reimbursed.

(4) The maximum allowable payment for anesthesia time shall be calculated in the following manner:

(a) If the anesthesiologist administers the anesthesia, then the modifier shall be -AA and the maximum payment shall be \$2.80 per minute.

(b) If the anesthesiologist supervises a CRNA, then the modifier shall be QK and the maximum payment shall be \$1.40 per minute.

(c) If a CRNA supervised by an anesthesiologist administers the anesthesia, then the modifier shall be -QX and the maximum payment shall be \$2.80 per minute.

(d) If a CRNA administers without supervision of the anesthesiologist, then the modifier shall be -QZ and the maximum payment shall be \$2.80 per minute.

History: 1998-2000 AACS; 2009 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101007

Source: 1998-2000 AACS.

R 418.101008 Reimbursement for opioid treatment for chronic, non-cancer pain.

Rule 1008. (1) For purposes of these rules, chronic pain is pain unrelated to cancer or is incident to surgery and that persists beyond the period of expected healing after an acute injury episode. It is pain that persists beyond 90 days following the onset of the pain. The payer shall reimburse for opioids used in the treatment of chronic pain resulting from work-related conditions.

2) This rule is applicable to opioid treatment of chronic pain for either of the following:

(a) For injury dates on or after 6 months following the effective date of these rules.

(b) For injury dates prior to the effective date, 12 months following the effective date.

History: 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101008a Required documentation for reimbursement of treatment for chronic, non-cancer pain with opioids.

Rule 1008a. (1) In order to receive reimbursement for opioid treatment beyond 90 days, the physician seeking reimbursement shall submit a written report to the payer not later than 90 days after the initial opioid prescription fill for chronic pain and every 90 days thereafter. The written report shall include all of the following:

(a) A review and analysis of the relevant prior medical history, including any consultations that have been obtained, and a review of data received from an automated prescription drug monitoring program in the treating jurisdiction, such as the Michigan Automated Prescription System (MAPS), for identification of past history of narcotic use and any concurrent prescriptions.

(b) A summary of conservative care rendered to the worker that focused on increased function and return to work.

(c) A statement on why prior or alternative conservative measures were ineffective or contraindicated.

(d) A statement that the attending physician has considered the results obtained from appropriate industry accepted screening tools to detect factors that may significantly increase the risk of abuse or adverse outcomes including a history of alcohol or other substance abuse.

(e) A treatment plan which includes all of the following:

(i) Overall treatment goals and functional progress.

(ii) Periodic urine drug screens.

(iii) A conscientious effort to reduce pain through the use of non-opioid medications, alternative non-pharmaceutical strategies, or both.

(iv) Consideration of weaning the injured worker from opioid use.

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(f) An opioid treatment agreement that has been signed by the worker and the attending physician. This agreement shall be reviewed, updated, and renewed every 6 months. The opioid treatment agreement shall outline the risks and benefits of opioid use, the conditions under which opioids will be prescribed, and the responsibilities of the prescribing physician and the worker.

(2) The provider may bill the additional services required for compliance with these rules utilizing CPT procedure code 99215 for the initial 90 day report and all subsequent follow-up reports at 90-day intervals.

(3) Providers may bill \$25.00 utilizing code MPS01 for accessing MAPS or other automated prescription drug monitoring program in the treating jurisdiction.

History: 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101008b Denial of reimbursement for prescribing and dispensing opioid medications used to treat chronic, non-cancer pain.

Rule 1008b. Reimbursement for prescribing and dispensing opioid medications may be denied, pursuant to the act. Denial of reimbursement may occur if the physician reporting and treatment plan requirements as stated in R 418.101008a are not met. Denial of reimbursement shall occur only after a reasonable period of time is provided for the weaning of the injured worker from the opioid medications, and alternative means of pain management have been offered.

History: 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101009 Reimbursement for custom compounded topical medication.

Rule 1009. (1) Six months after the effective date of this rule, a custom compound topical medication, as defined in R418.10108, shall be reimbursed only when the compound meets all of the following standards:

(a) There is no readily available commercially manufactured equivalent product.

(b) No other FDA approved alternative drug is appropriate for the patient.

(c) The active ingredients of the compound each have an NDC number and are components of drugs approved by the United States Food and Drug Administration (FDA).

(d) The drug has not been withdrawn or removed from the market for safety reasons.

(e) The prescriber is able to demonstrate to the payer that the compound medication is clinically appropriate for the intended use.

(2) Topical compound drugs or medications shall be billed using the specific amount of each component drug and its original manufacturers' NDC number included in the compound. Reimbursement shall be based on a maximum reimbursement of the AWP minus 10% based upon the original manufacturer's NDC number, as published by Red Book or Medi-Span, and pro-rated for each component amount used. Components without NDC numbers shall not be reimbursed. A single dispensing fee for a compound prescription shall be \$12.50 for a non-sterile compound. The dispensing fee for a compound prescription shall be billed with code WC 700-C. The provider shall dispense a 30-day supply per prescription.

(3) Reimbursement for a custom compounded drug is limited to a maximum of \$600.00. Any charges exceeding this amount must be accompanied by the original component manufacturers' invoice pro-rated for each component amount used, for review by the carrier.

History: 2015 MR 24, Eff. Dec. 26, 2014.

PART 10. REIMBURSEMENT
SUBPART B. FACILITY REIMBURSEMENT

R 418.101015

Source: 2008 AACS.

R 418.101016

Source: 2009 AACS.

R 418.101017

Source: 2007 AACS.

R 418.101018

Source: 2007 AACS.

R 418.101019

Source: 2007 AACS.

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R 418.101022

Source: 2005 AACS.

R 418.101023 Reimbursement for ASC or FSOF.

Rule 1023. (1) Reimbursement for surgical procedures performed in an ASC or FSOF shall be determined by using the ASC rate published by CMS. The formula for determining the maximum allowable paid (MAP) for a surgical procedure in an ASC or FSOF is determined by multiplying the (Medicare ASC rate) X (1.30). The MAP shall be published in the health care services fee schedule.

(2) When 2 or more surgical procedures are performed in the same operative session, the facility shall be reimbursed at 100% of the maximum allowable payment or the facility's usual and customary charge, whichever is less, for the procedure classified in the highest payment group. Any other surgical procedures performed during the same session shall be reimbursed at 50% of the maximum allowable payment or 50% of the facility's usual and customary charge, whichever is less. A facility shall not un-bundle surgical procedure codes when billing the services.

(3) When an eligible procedure is performed bilaterally, each procedure shall be listed on a separate line of the claim form and shall be identified with LT for left and RT for right. At no time shall modifier 50 be used by the facility to describe bilateral procedures.

(4) Implants are included in the maximum allowable paid unless the CMS list it as a pass through item. Pass through items will be provided on the agency's website, www.michigan.gov/wca. If an item is implanted during the surgical procedure and the ASC or FSOF bills the implant and includes the copy of the invoice, then the implant shall be reimbursed at the cost of the implant plus a percent markup as follows:

(a) Cost of implant: \$1.00 to \$500.00 shall receive cost plus 50%.

(b) Cost of implant: \$500.01 to \$1000.00 shall receive cost plus 30%.

(c) Cost of implant: \$1000.01 and higher shall receive cost plus 25%.

(5) Laboratory services shall be reimbursed by the maximum allowable payment as determined in R 418.101503.

(6) When a radiology procedure is performed intra-operatively, only the technical component shall be billed by the facility and reimbursed by the carrier. The professional component shall be included with the surgical procedure. Pre-operative and post-operative radiology services may be globally billed.

(7) When the freestanding surgical facility provides durable medical equipment, the items shall be reimbursed in accord with R 418.101003b.

History: 2005 AACS; 2006 AACS; 2008 AACS; 2010 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

PART 11. HOSPITAL PAYMENT RATIO

R 418.101101

Source: 2005 AACS.

R 418.101102

Source: 2005 AACS.

R 418.101103

Source: 2005 AACS.

R 418.101104

Source: 2005 AACS.

R 418.101105

Source: 2005 AACS.

PART 12. CARRIER'S REVIEW OF HEALTH CARE REVIEW

R 418.101201

Source: 1998-2000 AACS.

R 418.101203

Source: 1998-2000 AACS.

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R 418.101204

Source: 2005 AACS.

R 418.101205

Source: 2005 AACS.

R 418.101206

Source: 2010 AACS.

R 418.101207

Source: 2012 AACS.

R 418.101208

Source: 2005 AACS.

R 418.101209

Source: 2005 AACS.

R 418.101210

Source: 2005 AACS.

**PART 13. PROCESS FOR RESOLVING DIFFERENCES
BETWEEN CARRIER AND PROVIDER REGARDING BILL**

R 418.101301 Carrier's adjustment or rejection of properly submitted bill.

Rule 1301. (1) If a carrier adjusts or rejects a bill or a portion of the bill, then the carrier shall notify the provider within 30 days of the receipt of the bill of the reasons for adjusting or rejecting the bill or a portion of the bill and shall notify the provider of its right to provide additional information and to request reconsideration of the carrier's action. The carrier shall set forth the specific reasons for adjusting or rejecting a bill or a portion of the bill and request specific information on a form, "Carrier's Explanation of Benefits," prepared by the agency pursuant to the reimbursement provisions in these rules.

(2) If the provider sends a properly submitted bill to a carrier and the carrier does not respond within 30 days, and if a provider sends a second properly submitted bill and does

not receive a response within 60 days from the date the provider supplied the first properly submitted bill, then the provider may file an application with the agency for mediation or hearing. The provider shall send a completed form entitled "Application for Mediation or Hearing" to the agency and shall send a copy of this form to the carrier.

(3) The carrier shall notify the employee and the provider that the rules prohibit a provider from billing an employee for any amount for health care services provided for the treatment of a covered work-related injury or illness if that amount is disputed by the carrier under its utilization review program or if the amount is more than the maximum allowable payment established by these rules. The carrier shall request the employee to notify the carrier if the provider bills the employee.

History: 2000 AACS; 2005 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101302

Source: 1998-2000 AACS.

R 418.101303

Source: 2012 AACS.

R 418.101304

Source: 2005 AACS.

R 418.101305

Source: 2005 AACS.

PART 14. DATA ACQUISITION

R 418.101401 Annual medical payment report.

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Rule 1401. (1) Payments for medical services received by injured workers shall be reported to the workers' compensation agency on a form prescribed by the agency entitled "Annual Medical Payment Report (WC-406)." The agency shall provide instruction to the carriers and service companies regarding completion of the form. The annual medical payment report shall cover the periods January 1 through December 31 and shall include all of the following information:

(a) The total number of medical payments for health care services for medical cases, wage loss cases, and the carrier's total number of worker's compensation cases in each category during the reporting period.

(b) Medical only cases, defined as those cases where no indemnity was paid, and the total medical payments made by the carrier for those cases.

(c) Wage loss cases, defined as those cases in which wage loss or indemnity was paid, and the total medical payments made by the carrier for those cases. For the purposes of this annual medical payment report, once wage loss benefits are paid, then the case shall always be reported as wage loss.

(d) For the purpose of the Annual Medical Payment Report (WC-406), "medical services" is defined as all reasonable medical, surgical, and hospital services and medicines, or other attendance or treatment recognized by the laws in this state as legal, and furnished by licensed practitioners within the scope of their practice. The report shall not include indemnity payments, travel expenses, payments for independent medical examinations, legal expenses, vocational rehabilitation, or on-site or telephonic case management expenses.

(2) The annual medical payment report (WC-406) shall be due to the agency by February 28 of each year. Form WC-406 is an online report and must be completed via the Health Care Services Online Program provided on the agency's website, www.michigan.gov/wca.

(3) A carrier, self -insured, or group shall submit required forms either directly or through a third-party vendor, to the agency at such time as the director deems appropriate. The forms required are both of the following:

(a) Certification of a carrier's professional health care review program (form WC590).

(b) Annual medical report (WC406).

History: 1998-2000 AACS; 2005 AACS; 2010 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101402

Source: 2005 AACS.

R 418.101404

Source: 2005 AACS.

PART 15. PROCEDURE CODE AND REIMBURSEMENT TABLES

R 418.101501 Tables for health care services and procedures.

Rule 1501. (1) Procedures that do not have relative values assigned are referenced in part

15 of these rules and have assigned fees developed by the workers' compensation agency through rule promulgation and shall be published as part of these rules.

(2) The agency shall provide separate from these rules a manual, tables, and charts containing all of the following on the agency's website, www.michigan.gov/wca:

(a) Procedure codes and relative value units for the medical, surgical, and radiology services.

(b) Reference to the ancillary services identified in Medicare's Level II codes as adopted by reference in R 418.10107.

(c) Maximum payment ratios for hospitals.

(d) A copy of the billing forms and instructions for completion.

History: 1998-2000 AACS; 2001 AACS; 2003 AACS; 2005 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101502

Source: 2009 AACS.

R 418.101503 Laboratory procedure codes and maximum allowable payments.

Rule 1503. (1) The workers' compensation agency shall determine the maximum allowable payment for the laboratory procedure codes found in the 80000 series of the CPT code set. The rate shall be determined by multiplying the Medicare rate established for this state by 110%.

(2) The pathology procedure codes found in the 80000 series of the CPT code set have assigned relative values and shall be provided on the agency's website at www.michigan.gov/wca.

(3) The maximum allowable payments for the laboratory and pathology procedures shall be provided on the agency's website, www.michigan.gov/wca.

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History: 2003 AACS; 2005 AACS; 2015 MR 24, Eff. Dec. 26, 2014.

R 418.101504
Source: 2009 AACS.

MICHIGAN JOBS COMMISSION
MICHIGAN EMPLOYMENT SECURITY AGENCY
EMPLOYMENT SECURITY
PART 1. ADMINISTRATION

R 421.1
Source: 1998-2000 AACS.

R 421.10
Source: 1980 AACS.

R 421.15
Source: 1996 AACS.

PART 2. EMPLOYERS

R 421.101
Source: 1980 AACS.

R 421.105
Source: 1980 AACS.

R 421.112
Source: 2001 AACS.

R 421.113
Source: 1998-2000 AACS.

R 421.115
Source: 1980 AACS.

R 421.121
Source: 2002 AACS.

R 421.122
Source: 2002 AACS.

R 421.123
Source: 1995 AACS.

R 421.162
Source: 2001 AACS.

R 421.184
Source: 1980 AACS.

R 421.190
Source: 2002 AACS.

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PART 3. CLAIMS

R 421.201
Source: 2002 AACS.

R 421.204
Source: 2002 AACS.

R 421.205
Source: 2001 AACS.

R 421.208
Source: 2001 AACS.

R 421.209
Source: 1986 AACS.

R 421.210
Source: 2002 AACS.

R 421.211
Source: 1980 AACS.

R 421.212
Source: 1980 AACS.

R 421.215
Source: 1997 AACS.

R 421.216
Source: 2002 AACS.

R 421.243
Source: 1980 AACS.

R 421.251
Source: 1986 AACS.

R 421.254
Source: 1979 AC.

R 421.269
Source: 2001 AACS.

R 421.270
Source: 2001 AACS.

R 421.301
Source: 1997 AACS.

R 421.302
Source: 1980 AACS.

**SECURITY FOR REIMBURSEMENT FINANCING OF
UNEMPLOYMENT INSURANCE COSTS**

R 421.601
Source: 1992 AACS.

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R 421.602
Source: 1992 AACS.

R 421.603
Source: 1992 AACS.

R 421.604
Source: 1992 AACS.

R 421.605
Source: 1992 AACS.

R 421.606
Source: 1992 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
EMPLOYMENT SECURITY BOARD OF REVIEW
RULES OF PRACTICE

PART 1. GENERAL PROVISIONS

R 421.1101
Source: 2007 AACS.

R 421.1102
Source: 1979 AC.

R 421.1103
Source: 2007 AACS.

R 421.1104
Source: 2007 AACS.

R 421.1105
Source: 1979 AC.

R 421.1106
Source: 1979 AC.

R 421.1107
Source: 1979 AC.

R 421.1108
Source: 2007 AACS.

R 421.1109
Source: 2007 AACS.

R 421.1110
Source: 2007 AACS.

R 421.1111
Source: 2007 AACS.

R 421.1112
Source: 1979 AC.

PART 2. APPEALS TO REFEREES

R 421.1201

Source: 1979 AC.

R 421.1202

Source: 1988 AACS.

R 421.1203 Notice of hearing.

Rule 203. (1) Except as required by subrule (3) of this rule, notice of the time and place of the initial hearing before an administrative law judge, and a short and plain statement of the issues involved, shall be served upon the parties not less than 10 days before the date of the hearing.

(2) When an administrative law judge adjourns or continues a hearing for which notice has been given, notice to the parties of the new hearing date may be given orally if the new hearing date is within 7 days of the old hearing date. Otherwise, the new notice shall be served at least 7 days before the date of the new hearing.

(3) When a hearing involves employer or claimant fraud under section 54, 54a, 54b, 54c, or 62(b), (c), or (d) of the act, MCL 421.54, 421.54a, 421.54b, 421.54c or 421.62(b), (c), or (d), the notice of hearing shall be served upon the parties not less than 20 days before the date of the hearing.

History: 1979 AC; 2002 AACS; 2014 MR 11, Eff. June 11, 2014.

R 421.1204

Source: 1979 AC.

R 421.1205

Source: 1979 AC.

R 421.1206

Source: 1988 AACS.

R 421.1207

Source: 1988 AACS.

R 421.1208 Hearing location; telephone hearing.

Rule 208. (1) Hearings held to resolve disputes of determinations made under sections 13 to 25 of the act, MCL 421.13 to 421.25, and sections 54, 54a, 54b, 54c or 62(b), (c), or (d) of the act, MCL 421.54, 421.54a, 421.54b, 421.54c or 421.62(b), (c), or (d), shall be scheduled as in-person hearings at a location determined by the Michigan administrative hearing system. At the discretion of the administrative law judge, the testimony of parties or witnesses may be taken by telephone or video.

(2) With the exception of a hearing scheduled under subsection (1) of this rule, all hearings held before an administrative law judge shall be conducted by telephone, unless otherwise directed by the executive director of the Michigan administrative hearing system or his or her designee or designees.

(3) A party to the hearing shall submit any documents he or she intends to introduce at the hearing to the other parties and to the administrative law judge in time to ensure the documents are received before the date of the scheduled hearing. All documents submitted to the administrative law judge shall be identified on the record. The documents shall not be considered evidence on the record unless offered and admitted during the course of the hearing.

(4) If a hearing is conducted by telephone, the administrative law judge shall, on the record, make inquiries that the administrative law judge considers appropriate to ascertain the identity of the individuals participating by telephone. Absent approval of the executive director of the Michigan administrative hearing system or his or her designee, an administrative law judge shall not require a party to submit an affidavit to attest to his or her identity.

History: 1979 AC; 1988 AACS; 2002 AACS; 2014 MR 11, Eff. June 11, 2014.

R 421.1209

Source: 1979 AC.

R 421.1210

Source: 1979 AC.

R 421.1211

Source: 1988 AACS.

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R 421.1212
Source: 1988 AACS.

R 421.1213
Source: 1988 AACS.

R 421.1214
Source: 1988 AACS.

PART 3. APPEALS TO BOARD OF REVIEW

R 421.1301
Source: 2007 AACS.

R 421.1302
Source: 2007 AACS.

R 421.1303
Source: 1979 AC.

R 421.1304
Source: 2007 AACS.

R 421.1305
Source: 2007 AACS.

R 421.1306
Source: 1979 AC.

R 421.1307
Source: 2007 AACS.

R 421.1308
Source: 1979 AC.

R 421.1309
Source: 2012 AACS.

R 421.1310
Source: 1979 AC.

R 421.1311
Source: 1979 AC.

R 421.1312
Source: 1988 AACS.

R 421.1313
Source: 1979 AC.

R 421.1314
Source: 2007 AACS.

R 421.1315
Source: 2007 AACS.

R 421.1316
Source: 2007 AACS.

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R 421.1317

Source: 1979 AC.

EMPLOYMENT RELATIONS COMMISSION

PART 1. GENERAL PROVISIONS

R 423.101 Definitions; A to C.

Rule 101. As used in these rules:

- (a) "Administrative law judge" means a designee authorized by the commission to perform hearing functions and duties under LMA and PERA in the commission's labor relations division.
 - (b) "Applicant" means a person, public employer, labor organization or duly authorized agent or party representative thereof who files an application for fact finding under LMA or PERA.
 - (c) "Bureau" means the bureau of employment relations which is the administrative component of the commission.
 - (d) "Charge" means the document containing the information specified in R 423.151.
 - (e) "Charging party" means a person, public employer, labor organization or duly authorized agent or party representative thereof, who files a charge alleging an unfair labor practice under LMA or PERA.
 - (f) "Commission" means the employment relations commission as established under section 3 of LMA, MCL 423.3.
- History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.102 Definitions; D to L.

Rule 102. As used in these rules:

- (a) "Designee" means a commission member or an employee designated by the commission to perform functions and duties under LMA and PERA.
 - (b) "Fact finder" means a commission member, an employee, or other individual, whether or not a member of the commission's staff, designated by the commission to perform fact finding functions and duties under section 25 of LMA.
 - (c) "LMA" means 1939 PA 176, MCL 423.1 to 423.30.
- History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.103 Definitions; M to P.

Rule 103. As used in these rules:

- (a) "Mediator" means the commission, a commission member, or an employee designated by the commission to perform the functions and duties of mediation under LMA and PERA in the commission's mediation division.
 - (b) "PERA" means the 1947 PA 336, MCL 423.201 to 423.217.
 - (c) "Petition" means the document containing the information specified in R 423.141.
 - (d) "Petitioner" means a person, public employer, labor organization or duly authorized agent or party representative thereof who files a petition under LMA or PERA.
- History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.104 Definitions; R.

Rule 104. As used in these rules, "respondent" means a person, public employer, employer or labor organization charged with having engaged in or engaging in unfair labor practices under LMA or PERA as set forth in a complaint issued by the commission.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.105

Source: 2002 AACS.

R423.106 Party representative.

Rule 106. A party to a proceeding before the Michigan employment relations commission may be represented by an attorney or non-attorney, or other agent of his or her choice, or appear on his or her own behalf.

History: 2015 MR 24, Eff. Dec. 16, 2014.

PART 2. MEDIATION OF LABOR DISPUTES

R 423.121

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Source: 2002 AACS.

R 423.122

Source: 2002 AACS.

R 423.123

Source: 2002 AACS.

R 423.124 Strike elections.

Rule 124. A strike election conducted by the commission under sections 9 and 9a of LMA, MCL 423.9 and MCL 423.9a, shall be governed by the rules in part 4 as applicable. Sections 9 and 9a shall be complied with as a condition to a strike election. Within 48 hours after the close of a strike election, excluding Saturdays, Sundays, and legal holidays, a party may file objections to the conduct of the election or to conduct improperly affecting the results of the election. Objections shall be in writing and shall contain a statement of facts and the reasons therefor upon which the objections are based. A party shall file a signed original and 4 copies of the objections with the commission, and the party filing objections shall at the same time serve a copy upon each of the other parties, with proof of service to the commission. This rule does not apply to public employees as defined in section 1(e) of PERA, MCL 423.201e.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

PART 3. FACT FINDING

R 423.131 Definitions.

Rule 131. As used in this part:

- (a) "Advocate" means an individual who has represented management or a union in collective bargaining or labor relations in the 5 years before his or her selection by the commission as a nominee for chair of a fact finding panel under MCL 423.25 and R 423.135. Advocate also means an individual, including an attorney, who is associated with a firm or entity that has represented management or a union in collective bargaining or labor relations in the 5 years before his or her selection by the commission as a nominee for chair of a fact finding panel under section 25 of LMA, MCL 423.25, and R 423.135.
- (b) "Commission's panel of fact finders" means those members who are appointed to the Michigan employment relations commission panel of fact finders by the commission.
- (c) "Dispute" means a disagreement regarding mandatory subjects of bargaining concerning rates of pay, wages, hours of employment, or other conditions of employment.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.132 Petitions; initiation by commission of fact finding.

Rule 132. (1) Pursuant to section 25 of LMA, MCL 423.25, a petition for fact finding may be filed by a public employer, a collective bargaining representative of public employees, or, if no representative has been designated or selected, by a majority of any given group of public employees. The petition shall be signed by an authorized agent of the petitioner. The petitioner shall file an original and 3 copies with the commission and shall serve a copy of the petition on the other party or its representative. Petitions for fact finding shall be filed pursuant to R 423.181 and service shall be pursuant to R 423.182.

(2) The applicant may withdraw the petition with the consent of the commission or bureau director.

(3) The commission, on its own motion, may institute fact finding if it is apparent to the commission that matters in disagreement between the parties may be more readily settled if the facts involved in the disagreement are determined and publicly known. If the commission institutes fact finding, the commission may suspend the fact finder selection process in these rules and may appoint a fact finder on its own motion.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.133 Contents of petitions.

Rule 133. (1) The petition shall contain all of the following information:

- (a) The name and address of the public employer involved and the name and telephone number of its principal representative.
- (b) The name and address of the collective bargaining representative involved; or, if there is no collective bargaining representative, the name and address of the principal representative of the majority of the members of a given group on whose behalf the petition is being filed.
- (c) A description of the certified or recognized collective bargaining unit, or, if there is no such unit, a description of the given group.

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- (d) The approximate number of employees in the unit or given group.
- (e) Contract expiration date.
- (f) A statement that the applicant has attempted to engage in good-faith collective bargaining and mediation and that the parties have not succeeded in resolving the matters in dispute.
- (g) A statement that the applicant has exhausted the contractual grievance procedure, if applicable.
- (h) A listing of any unresolved issue in dispute and the related facts.
- (i) A statement of reasons why publicizing the facts and recommendations would assist in resolving the issues in dispute.
- (j) If applicable, the name of the fact finder from the commission's panel of fact finders that the parties have mutually selected.
- (k) The name and address of the petitioner and the signature and telephone number of the persons executing the petition.
- (2) The petition may include a request for combined fact finding with another bargaining unit involving that same employer.
History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.134 Answers.

- Rule 134. (1) A party upon whom a petition has been served shall file an answer to the petition within 10 days from its service, unless notified by the commission that the circumstances require a specified shorter period of time to file an answer. Upon proper cause shown, the commission may extend the time for filing an answer, or, in exceptional circumstances, may waive the requirement for an answer.
- (2) The answer shall specifically admit, deny, or explain each of the allegations in the petition, shall contain a statement of the position of the answering party, and shall be signed by the answering party or authorized agent.
 - (3) The answer and 3 copies shall be filed with the commission. The party filing an answer concurrently shall serve a copy of the answer on the petitioner or its agent, and file proof of service with the commission.
 - (4) A party on whom a petition has been served may rely on the filing by the opposing party. The proposed withdrawal of the initial petition shall not act to terminate the process unless otherwise ordered by the commission for good cause, which may include the consent of the parties.
History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.135 Fact finder selection.

- Rule 135. (1) The commission shall establish and appoint a panel of fact finders to be known as the Michigan employment relations commission panel of fact finders. Panel members shall be appointed for indefinite terms, and shall be impartial, competent, and reputable citizens of the United States and residents of the state. The commission may at any time appoint additional members to the panel of fact finders and may remove existing members with or without cause.
- (2) If a commission-nominated fact finder is an advocate as defined in R 423.131, either party may notify the other party and ask the commission to delete the fact finder's name from the list of nominees and provide the parties with the name of a fact finder who is not an advocate. The commission shall provide the parties with another fact finder's name and resume. If, within 10 days, a fact finder is not selected from the list to which there has been no objection, then the commission may select a fact finder.
 - (3) The parties may mutually agree upon the selection of a fact finder from the commission's panel of fact finders or a fact finder who is eligible for membership on that panel and notify the commission of their selection when the petition is filed.
 - (4) A fact finder's resume shall include all of the following information:
 - (a) A brief summary of the fact finder's educational and professional background.
 - (b) A list of the fact finder's past 5 years of employment.
 - (c) A list of the fact finder's commission arbitration awards and fact finding reports.
 - (d) A list that shows the percentage of advocacy work, if any, which was performed by the fact finder and the fact finder's firm on an annual basis for the past 5 years.
 - (5) The commission or bureau director may determine after consultation with the parties that it is appropriate to appoint the same fact finder to hear more than 1 fact finding petition involving that same employer.
 - (6) If it appears that there is undue delay in the fact finder selection process or there is a delay for reasons the commission considers inappropriate, the commission or bureau director may appoint a fact finder on its own motion.
 - (7) The commission or bureau director may make administrative decisions related to the appointment of a fact finder.
History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.136 Hearings; fact finder powers.

- Rule 136. (1) If it appears to the commission that a hearing is warranted, then the commission shall appoint a fact finder and serve upon each of the parties a notice of the person appointed.

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(2) A fact finder shall conduct a prehearing conference within 15 days of the fact finder's appointment. It may be conducted by telephone conference call. The commission may waive the requirement for a prehearing conference in exceptional circumstances. The fact finder shall also issue and serve, upon each of the parties, a notice indicating either of the following:

(a) A hearing date.

(b) A hearing is not necessary, and a fact finding report shall be based on the exhibits and briefs filed by the parties.

(3) The fact finder may amend or withdraw a notice of hearing at any time before the start of the hearing.

(4) Before the hearing, the fact finder may require the parties to prepare and submit a prehearing statement identifying the issues in dispute and each party's position on each issue along with copies of any exhibits on which the parties intend to rely during the hearing. The fact finder may permit the submission of rebuttal or response statements and exhibits. The fact finder may also permit the submission of additional exhibits or evidence during the hearing.

(5) The hearing shall be public, but for good cause shown, may be limited to the immediate parties by the fact finder, who shall inquire into pertinent matters necessary to allow the issuance of recommendations concerning the dispute. The fact finder may follow the procedures of section 11 of LMA, MCL 423.11.

(6) A fact finding hearing shall be limited to 2 days but may be extended for good cause if determined by the bureau director in consultation with the fact finder that additional hearing days are necessary.

(7) A fact finder may grant an application for subpoenas, subpoena witnesses, administer oaths and affirmations, examine witnesses, receive relevant testimony and evidence, rule upon offers of proof, and introduce into the record documentary or other evidence. The fact finder may determine the weight, credibility, and sufficiency of evidence submitted by the parties.

(8) No official record will be made unless the parties request one, in which case, the cost of a court reporter and any other costs associated with the preparation of the record shall fully be the responsibility of the parties pursuant to R 423.138.

(9) The fact finder has the authority and powers given to the administrative law judge in R 423.172 (1) and (2).

(10) At any time during the fact finding process, the fact finder may remand the parties to further bargaining with a mediator if the fact finder believes it may be conducive to obtaining a full or partial agreement.

(11) The fact finder shall not receive, consider, or refer to a recommendation from the mediator.

(12) The fact finding hearing, including the filing of post hearing briefs, shall conclude within 90 days after the hearing commences, absent special circumstances warranting an extension of the deadline as determined by the bureau director in consultation with the fact finder.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.137 Fact finders' reports.

Rule 137. (1) Within 30 days after the close of the record or additional time as the bureau director may permit, the fact finder shall file a report containing all of the following:

(a) The names of the parties.

(b) A statement of findings of fact and conclusions upon all material issues presented at the hearing.

(c) A final summary sheet listing the issues in dispute, the position of each party for each issue, and recommendations with respect to each of the issues in dispute.

(d) Reasons and basis for the findings, conclusions and recommendations. However, the parties may waive the requirements of this subdivision and the fact finder may then issue a report containing only items in subdivisions (a), (b), (c), (e) and (f) of this subrule.

(e) The date the report issued.

(f) The signature of the fact finder.

(2) The fact finder shall file the fact finding report and 2 copies with the commission in accordance with commission requirements and, at the same time, serve a copy on each of the parties.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.137a Expedited fact finding.

Rule 137a. Upon motion of a party or upon the commission's own motion, the commission may expedite the fact finding proceedings and the issuance of a fact finding report. Prior to reaching a decision to expedite a fact finding proceeding and report, the commission will consider the parties' positions and other circumstances.

History: 2015 MR 24, Eff. Dec. 16, 2014.

R 423.138 Costs.

Rule 138. (1) A fact finder shall not charge more than 2 preparation days for each day of hearing unless otherwise permitted in advance by the commission or bureau director.

(2) The costs of subpoenas and witness fees shall be borne by the party at whose request subpoenas are issued and at whose request witnesses appeared.

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(3) A party may order a transcript of a deposition at its own expense. The party who requests a deposition shall pay the costs for the court reporter and for a copy of the transcript of the deposition for the fact finding hearing record.
History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

PART 4. REPRESENTATION PROCEEDINGS

R 423.141 Petitions for elections.

Rule 141. (1) A petition for election to determine a collective bargaining representative or a petition for decertification of a collective bargaining representative shall be prepared on a form furnished by the commission. An original and 4 copies of the petition shall be filed with the commission under section 12 of PERA, section 27 of LMA, and subrule (3) of this rule.

(2) A petition for an election to determine the collective bargaining representative or for decertification shall include, insofar as known, at least all of the following information:

- (a) The name of the employer.
- (b) The address of the establishment involved.
- (c) A description of the bargaining unit claimed to be appropriate.
- (d) The name and address of persons or labor organizations who claim to represent employees in the alleged appropriate unit, and brief descriptions of the contracts, if any, covering the employees in the unit.
- (e) The number of employees in the alleged appropriate unit.
- (f) The name, affiliation, if any, and address of the petitioner.
- (g) Any other relevant facts.
- (h) Signature of petitioner or its duly authorized agent if filed by an employer.
- (i) A statement that 1 or more individuals or labor organizations have presented a claim to be recognized as the bargaining representative.

(3) Where there is a collective bargaining agreement covering employees in the bargaining unit, a petition for election may be filed during the following periods:

- (a) Where the petition covers employees of a public school district or public educational institution and the expiration date of the collective bargaining agreement falls between June 1 and September 30, a petition may be filed between January 2 and March 31 of the year in which the collective bargaining agreement expires.
- (b) Where the petition covers public employees other than those described in subdivision (a) of this subrule, a petition shall not be filed sooner than 150 days and not later than 90 days before the expiration date of the collective bargaining agreement.
- (c) Where the petition covers private employees under the LMA, a petition shall not be filed sooner than 90 days and not later than 60 days before the expiration date of the collective bargaining agreement.

(4) At the request of any party, or on the commission's own initiative, a representative election shall be conducted by the commission, without a showing of interest and notwithstanding the existence of any collective bargaining agreement or agreements, where all of the following occur:

- (a) There is a new interlocal agreement for the joint exercise of power entered into under 1967 PA 7, MCL 124.501 to 124.512; or, a new intergovernmental transfer of functions and responsibilities under 1967 PA 8, MCL 124.531 to 124.536; or, the creation of a new authority for the purpose of providing emergency services to municipalities under 1988 PA 57, MCL 124.601 to 124.614.
 - (b) Multiple labor organizations assert the right to represent all or a part of the workforce or a substantial portion of the transferred employees were not previously represented.
 - (c) No voluntary agreement exists.
- (5) The commission shall determine the appropriate unit pursuant to R 423.146.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.142

Source: 2002 AACCS.

R 423.143 Petitions for unit clarification.

Rule 143. (1) A petition to determine the unit placement of a disputed position or classification may be filed by the employer or by a labor organization representing an existing bargaining unit. A petition for unit clarification shall be prepared on a form furnished by the commission.

(2) A petition for unit clarification shall include at least all of the following information:

- (a) The name of the employer.
- (b) The employer's address.
- (c) The position or positions whose unit status petitioner seeks to have clarified.

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- (d) A statement of the clarification sought, and the reasons set out in detail with the approximate dates the position was created or substantially changed.
 - (e) Whether the position whose status is to be clarified is currently included in any bargaining unit, and, if so, a description of that unit and the name of the labor organization currently representing that unit.
 - (f) A description of any bargaining unit that may be affected.
 - (g) The name, affiliation, if any, and address of the petitioner.
 - (h) Any other relevant facts.
 - (i) Signature of petitioner or its duly authorized agent.
- History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.144 Investigation of petitions; consent election agreements.

Rule 144. The commission or its designee shall investigate the petition. If there is reasonable cause that a question concerning representation exists, then the petitioner and the other parties may, with the approval of the commission or its election agent, enter into a consent election agreement on a form furnished by the commission. The agreement shall include a description of the appropriate bargaining unit, the payroll period to be used in determining the employees within the appropriate unit who shall be eligible to vote, and such other matters as the commission considers appropriate. The time, place, and manner of the election shall be determined by the commission or its designee after consultation with the parties.

History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.145 Showing of interest; intervenors.

Rule 145. (1) A petition for an election to determine a collective bargaining representative, except when filed by an employer, or a decertification petition shall be supported by a showing of interest existing at the time of the filing of the petition of at least 30% of the employees in the unit claimed to be appropriate. A showing of interest is not required for a self-determination election petition.

(2) Evidence of interest shall be submitted at the time of filing a petition. Unless an original showing of interest is received within 48 hours of the filing, the petition will be dismissed.

(3) "Intervenor", as used in this rule, means a labor organization that seeks to appear on the ballot.

(4) Only an employee, group of employees, individual, or labor organization is eligible to become an intervenor to the election by filing a petition supported by a showing of interest of not less than 10% of the employees within the proposed unit. An intervenor may participate in all conferences and any hearings that may be held. The signature of an intervenor is not required on a consent election agreement unless the intervenor demonstrates to the commission that 30% or more of the employees in the unit claimed to be appropriate wish to be represented by the intervenor, in which event, the intervenor's signature on the consent election agreement is required. The determination with respect to the statutory 30% or an intervenor's 10% showing of interest is an administrative action and shall be made exclusively by the commission or its agent. Once a consent election agreement has been signed by all required parties known to the commission, an interested party shall file a written request to intervene and provide a showing of interest within 2 business days of the date of the consent. The date of the consent is the date on which the last required signed copy of the consent agreement is received by the commission. Intervention may be permitted after 2 business days with the agreement of all parties and the approval of the commission or its agent or with the approval of the commission upon a showing of good cause. An intervenor who has not less than a 10% showing of interest but less than 30%, may file a motion with the commission and serve a copy on each of the other parties within 48 hours after a consent election agreement is signed alleging reasons for disallowance of the consent election agreement and requesting a hearing. The commission, or its agent, shall determine whether the petition establishes good cause for holding a hearing. If the commission or its agent decides to hold a hearing on the petition, then the consent election agreement shall be suspended pending disposition of the case by the commission.

(4) Intervention will not be allowed after the close of the hearing without the agreement of all parties and the approval of the commission or its agent, or the approval of the commission upon a showing of good cause.

History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.146 Hearing on election petition.

Rule 146. (1) If a consent election agreement is not executed by the required parties, the petition for election shall be referred to an administrative law judge, who, after due notice, may hold a hearing for the purpose of gathering facts on the matters in dispute. R 423.171, R 423.172, R 423.173, and R 423.174 apply to all hearings conducted under this rule. A notice of hearing or other notice shall be served upon all interested parties including any intervenor. The notice of hearing shall set the time, date, and place of the hearing, and, unless by agreement of the parties or in case of special circumstances, the time shall be not less than 5 days after service of the notice.

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(2) The commission or its agent may consolidate representation and unfair labor practice proceedings for hearing and decision.

(3) In addition to the duties and powers enumerated in R 423.172, an administrative law judge presiding over a hearing involving an election petition may take evidence regarding issues not specifically raised by the parties.

(4) After the hearing closes, or where there is no material dispute of fact, the commission shall determine the matters in dispute and direct an election, dismiss the petition, or make other disposition of the matter as the commission deems appropriate. The commission may reopen a proceeding under R 423.166 or R 423.167.

(5) If a motion for reconsideration or rehearing of a commission order directing an election is filed, then the commission, during its consideration of the motion, shall conduct the election under its original direction, count the ballots, and issue a certification of results or representation unless a party makes a written request to stay the election or impound the ballots, or both, and the commission determines that it would not effectuate the purpose of the statute to conduct an election or count the ballots, or both, while the motion is pending.

(6) If an appeal of a commission order directing an election is filed with a court, then the commission shall conduct the election under its original direction, count the ballots, and issue a certification of results or representative unless a stay is issued by the court.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.147 Elections; general procedures.

Rule 147. (1) An election shall be conducted under the supervision and direction of a designee of the commission and shall be by secret ballot.

(2) At least 7 days before the date of an election, or the date of the mailing of the ballots in a mail ballot election, excluding Saturdays, Sundays, and legal holidays, the employer shall submit to the commission and other interested parties a list of the names and addresses of all eligible voters in alphabetical order. This requirement may be modified by mutual agreement of the parties, or by order of the commission, or its agent.

(3) A sample ballot and notice of election, setting forth the date, time, place, and purpose of the election shall be posted in a prominent place or places, as the commission or its designee shall determine, in the employer's establishment, not less than 5 days before the date of the election, or the date of the mailing of the ballots in a mail ballot election, unless modified by mutual agreement of the parties or by order of the commission or its designee.

(4) The commission may conduct an election in whole or in part by mail ballot by order of the commission, or as determined by its designee after consultation with the parties.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.148

Source: 2002 AACS.

R 423.149 Ballot boxes and ballots.

Rule 149. (1) The commission's designee shall examine the ballot boxes before the opening of the polls and in the presence of any observers. The boxes shall be sealed at the opening of the polls.

(2) The commission's designee shall privately assist any voter in marking a ballot when the voter states under oath, duly administered by the election agent, that the voter is incapable of marking the ballot because of physical disability or inability to read or write.

(3) A voter shall designate a choice on the ballot by making a cross (X) or check mark (✓) in the selected circle or block. The intent of the voter shall be followed in the marking of the ballot. If the ballot is defaced, torn, marked in a manner that is not understandable, or identifies the voter, then the ballot shall be declared void. If a ballot is inadvertently spoiled by a voter, it may be returned to the election agent, who shall provide another ballot. The spoiled ballot shall be preserved for the time of counting.

(4) A voter shall fold the ballot so that no part of its face is exposed, and, on leaving the polling booth, shall personally deposit the ballot in the ballot box. If the election is continued for more than 1 period, the ballot box shall remain sealed until the subsequent opening of the polls, and shall so remain in possession of the election agent until time for the counting of the ballots.

(5) An absentee ballot shall be mailed to an individual eligible to vote upon written notice to the commission of the inability to be present at the election because of sickness, physical disability, military leave or other circumstance as agreed upon by the parties to the election with the approval of the commission or designee. The voted ballot shall be mailed or delivered by the absentee voter to the commission not later than the designated deadline date and time using the official envelopes provided for this purpose. The envelopes containing the ballots shall be opened at the time of the counting of the ballots.

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(6) In a mail ballot election, to be valid, each voted ballot shall be personally and individually mailed or delivered by the voter to the commission in the official envelopes provided for this purpose. The time for counting the ballots shall be determined by the commission's designee.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.149a Counting of ballots; election results.

Rule 149a. The commission's designee shall count the ballots as soon after the polls have closed as practicable, or as provided under R 423.149(6). The commission's designee shall announce the results of the election as soon as the complete results have been tabulated. The election agent shall furnish to the parties a tabulation of results signed by the observers and the election agent. The commission shall furnish the parties with a certification of representative or results.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.149b

Source: 2002 AACCS.

PART 5. UNFAIR LABOR PRACTICE CHARGES

R 423.151 Filing, contents, and service.

Rule 151. (1) A charge that a person has engaged in or is engaging in an unfair labor practice in violation of LMA or PERA, may be filed with the commission. The charge shall, except for good cause shown, be prepared on a form furnished by the commission. Attachments submitted with a charge shall not exceed 25 pages and shall comply with R 423.184. An original and 4 copies of the charge shall be filed with the commission.

(2) A charge shall include, insofar as known, all of the following information:

(a) The name, mailing address, affiliation or title, if any, and signature of a charging party or representative.

(b) The name and mailing address of each charged party.

(c) A clear and complete statement of the facts which allege a violation of LMA or PERA, including the date of occurrence of each particular act, the names of the agents of the charged party who engaged in the violation or violations and the sections of LMA or PERA alleged to have been violated.

(d) Any other information requested on the form furnished by the commission.

(3) Upon filing of a charge, the charging party shall timely and properly serve a copy of the charge and any attachments upon the parties being charged as prescribed in R 423.182, and shall file with the commission a statement that service was completed pursuant to this rule.

(4) Filing and service shall be effected by the charging party within the applicable 6-month limitation period.

(5) Failure to comply with this rule may result in either rejection of a charge by the commission or bureau director, or in dismissal of a charge without a hearing.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.152 Complaint.

Rule 152. After a charge is filed, the commission or an administrative law judge designated by the commission may serve upon each named respondent a complaint, a copy of the charge upon which the complaint is based, and a notice of hearing, or, at the discretion of the commission or administrative law judge, a complaint, a copy of the charge upon which the complaint is based, and a notice of prehearing conference. The notice of hearing shall fix the place of hearing at a time not less than 5 days from service thereof. The notice of prehearing conference shall fix the time, date, and place of prehearing conference at a time at least 5 days from service thereof. The commission or administrative law judge designated by the commission may effectuate service of these documents by facsimile transmission with the permission of the person receiving the documents.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.153 Amendments to charges.

Rule 153. (1) The charging party may file an amended charge before, during, or after the conclusion of the hearing. All amendments made before or after hearing shall be in writing and shall, except for good cause shown, be prepared on a form furnished by the commission. An original and 4 copies of the amended charge shall be filed with the commission and a copy served on each party. Amendments made at hearing shall be made in writing to the administrative law judge or stated orally on the record.

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(2) If a request to amend a charge is made in writing, each party opposing the request shall file with the commission a signed original and 2 copies of its objection within 10 days after receipt of the request to amend, and at the same time shall serve a copy of the objection on each party.

(3) Proposed amendments to a charge that are submitted in writing shall clearly indicate any deletions from or additions to the original charge.

(4) The commission or administrative law judge designated by the commission may permit or deny the request to amend upon such terms as are just and consistent with due process.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.154 Withdrawal of charges.

Rule 154. (1) The charge may be withdrawn by the charging party at any time before the issuance of a proposed decision and recommended order upon approval by the administrative law judge, subject to review by the commission. Any party seeking commission review of an order granting withdrawal must file an objection within 10 days after the issuance of the order granting withdrawal.

(2) The charge may be withdrawn by the charging party following the issuance of a proposed decision and recommended order upon approval by the commission. Upon agreement of the parties, the commission may withhold publication of the decision and recommended order of the administrative law judge. Final determination on publication of the decision and recommended order shall rest solely with the commission.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.155

Source: 2002 AACS.

R 423.156 Amendments to answers.

Rule 156. (1) The commission or administrative law judge designated by the commission may permit or require a respondent to amend the answer before or during the hearing, or at any time prior to issuance of the administrative law judge's recommended order, within a period of time fixed by the administrative law judge.

(2) An original and 4 copies of the amended answer shall be filed with the commission and a copy served on each party.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.157

Source: 2002 AACS.

R 423.158 Prehearing conference.

Rule 158. (1) The commission or an administrative law judge designated by the commission may direct the parties to appear for a prehearing conference, file a position statement, or both. The prehearing conference may resolve any matter upon which the parties agree or which the commission or administrative law judge may determine is proper for resolution.

(2) Failure to comply with a prehearing order may result in dismissal of the charge or the granting of relief in favor of the charging party.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

PART 6. MOTION PRACTICE

R 423.161 General provisions.

Rule 161. (1) An application to the commission for an order other than that sought for by the unfair labor practice charge shall be by motion. Examples of such motions are set forth in R 423.162 to R 423.167.

(2) All motions made before or after hearing shall be in writing and shall state with particularity the grounds upon which the motion is based and the relief sought. A motion that presents an issue of law shall be accompanied by a brief citing the authority on which it is based. All motions and briefs made before the hearing shall be served as provided in R 423.182.

(3) Each adverse party may file a written brief in opposition to any motion made before or after hearing. The brief shall be filed within 10 days after service of the motion, or within any other period as specified by the commission or administrative law judge designated by the commission, and served as provided in R 423.182.

(4) Motions made before or after hearing shall be ruled upon without notice or oral argument. A request for oral argument by either party shall indicate "oral argument requested" in bold capital letters on the first page under the caption of the motion, response, or other pleading. If the request is granted, the commission or administrative law judge designated by the commission will serve a notice of hearing upon all parties.

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- (5) All motions made at hearing shall be made in writing to the administrative law judge or stated orally on the record.
- (6) All pleadings to the administrative law judge shall include 1 original, and 1 copy, unless otherwise directed.
- (7) Rulings by an administrative law judge on any motion, except a motion resulting in a ruling dismissing or sustaining the unfair labor practice charge in its entirety, shall not be appealed directly to the commission, but shall be considered by the commission only if raised in exceptions or cross exceptions to the proposed decision and recommended order filed under R 423.176.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.162 Motion for more definite statement.

Rule 162. If an unfair labor practice charge fails to comply with R 423.151, the administrative law judge may by his or her own motion, or on the motion of the respondent, order the filing of a more definite statement of the charge or an amended charge. Respondent shall certify that it has already sought a more definite statement of the charge from charging party before bringing its motion.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.163

Source: 2002 AACCS.

R 423.164 Motion to consolidate or sever.

Rule 164. The commission or administrative law judge designated by the commission may, on its own motion or on a motion by any party, order that a charge and any proceeding which may have been initiated with respect thereto, be consolidated with any other proceeding which may have been instituted thereto, or be severed from any other proceeding with which it may have been consolidated under this rule. The commission or administrative law judge designated by the commission shall grant such motion only if the consolidation or severance will promote the just, economical, and expeditious determination of the issues presented.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.165 Motion for summary disposition.

Rule 165. (1) The commission or administrative law judge designated by the commission may, on its own motion or on a motion by any party, order dismissal of a charge or issue a ruling in favor of the charging party. Such a motion, or order to show cause, may be made at any time before or during the hearing.

(2) A motion for summary disposition made under this rule may be based upon 1 or more of the following reasons and may require a supporting affidavit:

- (a) The commission lacks jurisdiction over a party.
- (b) The commission lacks jurisdiction over the subject matter of the charge.
- (c) The charge is barred because of the expiration of the applicable period of limitations.
- (d) The charging party has failed to state a claim upon which relief can be granted.
- (e) The respondent has filed a pleading that demonstrates it does not have a valid defense to the charge.
- (f) Except as to the relief sought, there is no genuine issue of material fact.
- (g) A charge or defense to a charge has been abandoned for failure to appear for hearing or pre-hearing conference.
- (h) A party fails to timely respond to a dispositive motion or a show cause order or other order, including an order requiring the filing of a pre-hearing position statement or a post-hearing brief.

(3) If the motion for summary disposition is filed before the hearing, then the commission or administrative law judge designated by the commission may issue an order to the nonmoving party to show cause why summary disposition should not be granted. If a response to the order is not filed in a timely manner, then the motion shall be considered and decided without oral argument.

(4) If the motion for summary disposition is denied, or if the proposed decision and order does not dispose of the entire action or grant all of the relief demanded, then the action shall proceed to hearing according to part 7 of these rules.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.166 Motion for reopening of record.

Rule 166. (1) A party to a proceeding may move for reopening of the record following the close of a hearing conducted under Part 7 of these rules.

(2) The motion shall be filed with either of the following:

- (a) The assigned administrative law judge if before the issuance of a decision and recommended order.
- (b) The commission after the issuance of a decision and recommended order.

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- (3) A motion for reopening of the record may be granted only upon a showing of all of the following:
- (a) The additional evidence could not with reasonable diligence have been discovered and produced at the original hearing.
 - (b) The additional evidence itself, and not merely its materiality, is newly discovered.
 - (c) The additional evidence, if adduced and credited, would require a different result.
 - (4) Any motion pursuant to this rule shall not be filed more than 21 days after the issuance of the commission's final order, except as provided under section 216(c) of PERA or section 23(2)(e) of LMA.
- History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.167 Motion for reconsideration following commission decision.

Rule 167. A party to a proceeding may move for reconsideration after a decision and order is issued by the commission. A motion for reconsideration shall state with particularity the material error claimed and, with respect to any finding of material fact, shall specify the page of the record relied upon. Generally, and without restricting the discretion of the commission, a motion for reconsideration which merely presents the same issues ruled on by the commission, either expressly or by reasonable implication, will not be granted. Any motion pursuant to this rule shall not be filed later than 20 days after the issuance of the commission's final order, except as provided under section 216(c) of PERA or section 23(2)(e) of LMA. The filing and pendency of a motion under this rule shall not operate to stay the effectiveness of the action of the commission unless so ordered.

History: 2002 AACCS; 2015 MR 24, Eff. Dec. 16, 2014.

PART 7. HEARINGS

R 423.171 General provisions.

Rule 171. (1) A hearing for the purpose of taking evidence upon a petition or complaint and attached charge shall be conducted by the commission or administrative law judge designated by the commission. The hearing shall be public unless otherwise ordered by the commission or administrative law judge for good cause shown.

(2) A party may do all of the following:

- (a) Appear at a hearing in person, by counsel, or by other representative.
- (b) Call, examine, and cross-examine witnesses.
- (c) Introduce into the record documentary or other evidence.

(3) A party may introduce stipulations of fact into evidence at a hearing with respect to any issue at the discretion of the commission, administrative law judge, or fact finder.

(4) An objection to conduct of a hearing, including an objection to introduction of evidence, may be oral or written, and be accompanied by a short statement of the grounds to the objection, and shall be included in the record.

(5) Witnesses subpoenaed before the commission, administrative law judge, or fact finder shall be paid the same fees and mileage that are paid to witnesses in the circuit courts of the state. This payment shall be made by the party at whose request the witness appears and shall be tendered before the time the witness testifies.

(6) Except as authorized by law, an administrative law judge or other agent of the commission shall not make or receive an ex parte communication regarding a matter subject to the hearing process, whether directly through a party or a representative of a party, or indirectly through staff. An administrative law judge or other agent of the commission who makes or receives an ex parte communication shall place it in the official record. If an ex parte communication is so prejudicial that it cannot be cured by exposure in the official record, the administrative law judge or other agent of the commission shall disqualify himself or herself from further involvement in the matter.

(7) When a court has issued injunctive relief in aid of the commission's jurisdiction related to a pending case, either party may seek and may be granted expedited proceedings on the underlying unfair labor practice charge on such terms as may be considered appropriate by the bureau director and the assigned administrative law judge.

(8) The record of any hearing or proceeding shall be taken pursuant to all of the following:

(a) Certification. Only official court reporters certified in accordance with the state court administrative office (SCAO) may record or prepare transcripts of proceedings held by or on behalf of the commission pursuant to these rules. Official court reporters shall, at a minimum, be designated as a certified shorthand reporter (CSR), certified steno mask reporter (CSMR), or certified electronic recorder (CER) as defined by SCAO. The signature line on the certification shall be signed by the court reporter who physically appeared at the proceedings and shall contain a current certification number issued by the SCAO as assigned to that reporter.

(b) Attendance at hearing. A court reporter satisfying the certification requirements specified in subrule (8)(a) of this rule shall attend all hearings conducted by or on behalf of the commission and take a verbatim record of the proceedings, including, but not limited to, opening statements, witness testimony, final arguments, and the reasons given by the administrative law judge for granting or refusing any motion made by a party during the course of hearing.

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(c) Furnishing transcript. The court reporter shall furnish within 10 business days, in verbatim record, a transcript of the proceedings or any part of the proceedings taken by him or her to any party on request. A party ordering the transcript shall make satisfactory arrangements with the court reporter for payment of the cost of the transcript.

(d) Filing transcript. The court reporter shall file with the commission and the administrative law judge an original transcript of the record, in legible English, of any proceedings conducted by or on behalf of the commission. The transcript shall include a certification by the court reporter that the transcript is an original, verbatim transcript of the proceedings. The original transcript shall become part of the record in the case, and the commission shall maintain a copy of the transcript for the time period required under R 423.185.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.172 Duties and powers of administrative law judge or fact finder.

Rule 172. (1) An administrative law judge or fact finder shall inquire fully into the facts involved in the proceeding before him or her.

(2) An administrative law judge or fact finder has the power to do all of the following:

(a) Hold pretrial conferences for settlement or clarification of the issues, either in person or by telephonic or electronic means, and may order the filing of position statements to aid in the pretrial or hearing process.

(b) Dispose of procedural requests, motions, or similar matters.

(c) Continue or adjourn a hearing to a later date.

(d) Take or cause depositions to be taken when the ends of justice would be served thereby.

(e) Grant applications for subpoenas, subpoena witnesses, administer oaths and affirmations, examine witnesses, receive relevant testimony and evidence, rule upon offers of proof, and introduce into the record documentary or other relevant evidence.

(f) Regulate the course of a hearing and, if appropriate or necessary, exclude persons or counsel from the hearing for contemptuous conduct.

(g) Order a hearing reopened before issuance of an administrative law judge's recommended order or fact finder's report.

(h) Take official notice of facts. A judicially noticed fact must be one not subject to reasonable dispute in that it is either generally recognized or capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

(i) Take official notice of common law, administrative law, constitutions, public statutes, private acts, resolutions of public bodies, ordinances, and regulations.

(j) Take any other action necessary and authorized by rules of the commission.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.173 Oral argument at hearing and briefs.

Rule 173. A party is entitled upon request to a reasonable period at the close of the hearing for oral argument, which shall be made part of the record. A party is entitled, upon request made before the close of the hearing, to file a brief with the administrative law judge, who may fix a reasonable time for the filing. The commission or administrative law judge may direct the filing of briefs when the filing is, in the opinion of the commission or administrative law judge, warranted by the nature of the proceedings or the particular issues involved. An original and 2 copies shall be submitted for any brief filed in a representation proceeding under part 4 of these rules, unless additional copies are requested.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.174 Rescinded.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.175 Unfair labor practice case decisions and recommended orders.

Rule 175. (1) In an unfair labor practice case, the administrative law judge shall prepare a decision and recommended order setting forth findings of fact, conclusions of law, and the reasons for his or her determination on all material issues.

(2) The administrative law judge may recommend dismissal or sustain the complaint and attached charge, in whole or in part, and recommend that respondent cease and desist from the unlawful acts found and take action to remedy their effects, including reinstatement of employees with or without back pay, as appropriate.

(3) In the interest of judicial economy, the administrative law judge may issue a decision from the bench following the conclusion of an oral argument or an evidentiary hearing, unless a party requests to file a post hearing brief. The bench decision does not constitute a decision and recommended order until it is incorporated into a written order.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

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R 423.176 Exceptions to administrative law judge's decision and recommended orders; cross exceptions and response; brief in support.

Rule 176. (1) Any party may file written exceptions to the decision and recommended order of the administrative law judge, or to any other part of the record or proceedings, including rulings upon motions or objections, and a brief in support thereof. Except as permitted by order of the commission, the combined length of the exceptions and brief is limited to 50 pages, exclusive of tables, indexes and appendixes. The exceptions and brief shall conform to the form and style in R 423.184.

(2) An original and 4 copies of the exceptions and brief shall be filed with the commission, along with all of the following documents:

- (a) Two copies of each exhibit, if any, admitted, or offered and marked at hearing by either party.
 - (b) Two copies of each party's post-hearing briefs.
 - (c) Two copies of all of the following documents:
 - (i) Any motion that resulted in a ruling by the administrative law judge dismissing or sustaining the unfair labor practice in whole or part.
 - (ii) Any brief in support of the motion.
 - (iii) The response to the motion filed by the opposing party or parties.
 - (d) Copies of the exceptions and brief and a list of the other documents filed with the exceptions shall be served at the same time on each party to the proceedings, and a statement of service shall be filed under R 423.182
- (3) Exceptions and the supporting documents in subrule (2) of this rule shall be filed with the commission, and not with the administrative law judge, within 20 days of service of the decision and recommended order.
- (4) Exceptions shall be in compliance with all of the following provisions:
- (a) Set forth specifically the question of procedure, fact, law, or policy to which exceptions are taken.
 - (b) Identify that part of the administrative law judge's decision and recommended order to which objection is made.
 - (c) Designate, by precise citation of page, the portions of the record relied on.
 - (d) State the grounds for the exceptions and include the citation of authorities, if any, unless set forth in a supporting brief.
- (5) A brief in support of exceptions shall contain only matter included within the scope of the exceptions and shall contain, in the sequence indicated, all of the following:
- (a) A title page, stating the full title of the case, including the name of the administrative law judge and the case number.
 - (b) An index of authorities, listing, in alphabetical order, all case authorities cited, with the complete citations including the years of decision, and all other authorities cited, with the number of the pages where they appear in the brief.
 - (c) A statement of the questions involved and to be argued.
 - (d) A clear and concise statement of facts. All material facts, both favorable and unfavorable, shall be fairly stated without argument or bias. The statement shall contain specific page references to the transcript and the legal or other material relied on.
 - (e) The argument, presenting clearly the points of fact and law relied on in support of the position taken on each question, with specific page references to the transcript and the legal or other material relied on.
- (6) An exception to a ruling, finding, conclusion, or recommendation that is not specifically raised is waived.
- (7) An exception that fails to comply with this rule may be disregarded.
- (8) Within 10 days after service of exceptions, a party may file 1 original and 4 copies of cross exceptions and briefs in support thereof, or 1 original and 4 copies of a brief or legal memorandum in support of the decision and recommended order. Copies of these documents shall be served on each party to the proceedings.
- (9) Within 10 days after service of cross exceptions, an opposing party may file 1 original and 4 copies of a brief or legal memorandum responding specifically to the issues raised in the cross exceptions that were not addressed in the exceptions.
- (10) An amicus curiae brief may be filed on motion granted by the commission. The motion and proposed brief shall be filed within 20 days of the date that the brief in support of the decision and recommended order is due. The brief is limited to the issues raised by the parties.
- (11) The commission may, on its own motion, reopen a record in any case and receive further evidence, may close the case upon compliance with the administrative law judge's recommended order, or may make other disposition of the case.

History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.176a Extension of time to file certain pleadings after issuance of decision and recommended order.

- (1) A party may file with the commission a written request for an extension of time to file 1 of the following:
 - (a) Exceptions.
 - (b) Cross exceptions and supporting brief.
 - (c) Brief or legal memorandum in support of the decision and recommended order.
 - (d) Responses to cross exceptions.

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- (2) Written requests to extend the filing deadline for such pleadings shall be filed with the commission and served on the other party before the expiration of the filing deadline.
- (3) One 30-day extension may be granted, unless a shorter period is ordered by the commission.
- (4) The new filing deadline shall apply to all parties and no subsequent extensions of time for filing that same form of pleading shall be granted unless all parties to the case consent to the additional extension of time or the requesting party shows exceptional circumstances, which justify another extension under subrule (5) of this rule.
- (5) Exceptional circumstances for the purposes of a subsequent extension of time under this rule include any of the following:
- (a) Severe injury, severe illness, or death of an individual who is either a party or party representative.
 - (b) Severe injury, severe illness, or death of a member of that individual's immediate family or household.
 - (c) Similarly dire circumstances.
- (6) Medical documentation supporting an assertion of a severe injury or illness shall be submitted with any request for a subsequent extension unless all parties to the case have consented to the additional extension.
- History: 2015 MR 24, Eff. Dec. 16, 2014.

R 423.177 Compliance and enforcement.

- Rule 177. (1) A compliance request made under this rule shall be limited to a controversy concerning the meaning, interpretation, or scope of a commission order. A request for enforcement of a commission order shall be made in the court of appeals under MCL 423.216(d) and MCL 423.23(2)(e). Both of the following apply:
- (a) If, at any time after entry of a commission order or entry of a final court judgment enforcing a commission order, a controversy exists between the parties concerning compliance with the order which cannot be resolved without a formal proceeding, the prevailing party may request that the commission conduct a hearing on such issues.
 - (b) An original and 4 copies of the request shall be filed with the commission, together with a proof of service of a copy on all other parties, as prescribed in R 423.181 and R 423.182.
- (2) If the controversy concerns the amount of back pay due, then the request for compliance shall specifically and in detail show, for each employee, the back pay periods broken down by calendar quarters, the specific figures and basis of computation of gross back pay, and the interim earnings and expenses for each quarter, the net back pay due, and any other pertinent information.
- (3) If the controversy concerns matters other than the amount of back pay due, then the request shall contain a clear and concise description of the respects in which the respondent has failed to comply with a commission or court order, including the remedial acts claimed to be necessary for compliance by the respondent.
- (4) Each respondent alleged in the request to have compliance obligations shall, within 10 days of service of the request, file an original and 4 copies of an answer with the commission, together with proof of service of copies of such documents on all other parties. The answer shall specifically admit, deny, or explain each allegation in the request, unless the respondent is without knowledge, in which case the respondent shall so state, such statement operating as a denial. As to all matters within the knowledge of the respondent, including but not limited to the various factors entering into the computation of gross back pay, a general denial shall not suffice. As to such matters, if the respondent disputes either the accuracy of the figures in the request or the premises upon which they are based, the answer shall specifically state the basis for such disagreement, setting forth in detail the respondent's position as to the applicable premises and furnishing the appropriate supporting figures.
- (5) If the respondent fails to file any answer to the request within the time prescribed by this rule, then the commission may, either with or without taking evidence in support of the allegations in the request for compliance and, without further notice to the respondent, enter an appropriate order. If the respondent files an answer to the specification but fails to deny any allegation in the request in the manner required by subrule (4) of this rule, and the failure to deny is not adequately explained, then such allegation shall be admitted as true, and may be found by the commission without the taking of evidence supporting such allegation, and the respondent shall be precluded from introducing any evidence controverting the allegation.
- (6) Upon proper cause shown by any party, the commission may by written order extend the time within which the answer to the request for compliance is filed.
- (7) After the filing of a request for compliance and the issuance of a notice of hearing, the requirements in part 7 shall be followed as applicable.
- History: 2002 AACs; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.178 Oral argument before commission.

- Rule 178. If a party desires to argue orally before the commission, a written request shall accompany the exceptions, cross exceptions, or the brief in support of the decision and recommended order, and at the same time, the request shall be served

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on all other parties. The request must indicate “oral argument requested” in bold capital letters on the first page of the pleading under the caption. The commission, on its own motion, may also direct oral argument. The commission shall notify the parties of the time and place of oral argument. The commission may limit the time for oral argument by each party.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.179 Commission action.

Rule 179. (1) Upon the filing of exceptions or cross exceptions, the commission may adopt, modify, or reverse the administrative law judge's decision and recommended order, or grant such other relief as the commission deems necessary to effectuate the purposes of the act.

(2) If the commission identifies an issue not raised by the parties, it may on its own motion direct the parties to file briefs on the issue, or remand the matter to the administrative law judge for additional findings of fact.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

PART 8. FILING AND SERVICE OF DOCUMENTS

R 423.181

Source: 2002 AACS.

R 423.182 Service of documents and other pleadings.

Rule 182. (1) Service on any party or parties of any document authorized or required by LMA, PERA, or these rules, except service required by section 9 of LMA, may be effected by hand delivery, registered, certified or regular mail, private delivery service, or by leaving a copy at the principal office or place of business of the person required to be served, or by any other means specifically authorized by the commission or an administrative law judge designated by the commission. Service required by section 9 of LMA shall be made as prescribed therein.

(2) Where service of any document or pleading, other than an unfair labor practice charge filed under R 423.151, is effected by mail or private delivery service, the date of service is the date of deposit with the United States post office or other carrier. For service of an unfair labor practice charge filed under R 423.151, or where service of any document or pleading is effected by hand, by facsimile transmission, or by any other method authorized by these rules, the date of service is the date of receipt.

(3) The person or party serving the papers or process on other parties under this rule shall submit a written statement of service with the commission or assigned administrative law judge designated by the commission stating the names of the parties served and the date and manner of service. The statement of service may be included at the end of the document at filing. Failure to timely file a statement of service will not affect the validity of service.

(4) If, subsequent to the receipt of the statement of service, a question is raised with respect to proper service, then the person or party serving the papers or process on other parties in conformance with this rule shall submit a proof of service. When service is made by registered or certified mail, the return post office receipt shall be proof of service. When service is made by private delivery service, the receipt from that service showing delivery shall be proof of service. When service is made in any other manner authorized by these rules, verified proof of service shall be made by oath or affirmation of the person or party serving the papers or process. Disputes with respect to proper service will be resolved by the commission or administrative law judge designated by the commission.

(5) The commission or administrative law judge designated by the commission may decline to consider any document or pleading not served in accordance with these rules. The commission or administrative law judge designated by the commission shall decline to consider any unfair labor practice charge filed under R 423.151 that is not served within the applicable period of limitations.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.183

Source: 2002 AACS.

R 423.184 Form and style of motions, briefs, and other pleadings.

Rule 184. (1) Motions and briefs filed with the commission or an administrative law judge designated by the commission shall be typewritten on 1 side only of 8 ½ by 11-inch plain white paper, shall have margins not less than 1 inch on each side, shall be in a typeface not smaller than 12 point and shall be double-spaced, except that quotations and footnotes may be single-spaced. Unless expressly increased or decreased by order of the administrative law judge, commission or designee, or other provision under these rules, the size of any pleading is limited to 50 pages, exclusive of tables, indexes, and appendices.

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(2) The original of all pleadings shall be firmly bound with 1 staple in the upper left hand corner or secured with metal fasteners through a standard 2-hole punch perforation at the top. No other method of securing original motions and briefs is acceptable. Copies of pleadings may be secured by any reasonable format.

(3) The first page of each pleading shall bear the caption, case number or numbers, and name of the administrative law judge, if any, or the commission.

(4) Failure to comply with the requirements of this rule may be a basis for rejection of the document.

History: 2002 AACS; 2015 MR 24, Eff. Dec. 16, 2014.

R 423.185 Retention and disposal of commission materials.

Rule 185. All documents, records, non-records and other materials, public and nonpublic, official and unofficial, shall be maintained and disposed of using the general and bureau specific retention and disposal schedules under section 5 of 1913 PA 271, MCL 399.5, and section 491 of the Michigan penal code, 1931 PA 328, MCL 750.491.

History: 2015 MR 24, Eff. Dec. 16, 2014.

PART 9. NOTICE OF PUBLIC SCHOOL STRIKE OR LOCKOUT

R 423.191

Source: 2002 AACS.

R 423.192

Source: 2002 AACS.

R 423.193

Source: 2002 AACS.

R 423.194

Source: 2002 AACS.

R 423.301

Source: 1997 AACS.

R 423.302

Source: 1997 AACS.

R 423.303

Source: 1997 AACS.

R 423.304

Source: 1997 AACS.

R 423.305

Source: 1997 AACS.

R 423.306

Source: 1997 AACS.

R 423.307

Source: 1997 AACS.

R 423.308

Source: 1997 AACS.

R 423.309

Source: 1997 AACS.

R 423.310

Source: 1997 AACS.

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- R 423.311**
Source: 1997 AACS.
- R 423.312**
Source: 1997 AACS.
- R 423.313**
Source: 1997 AACS.
- R 423.314**
Source: 1997 AACS.
- R 423.315**
Source: 1997 AACS.
- R 423.316**
Source: 1997 AACS.
- R 423.317**
Source: 1997 AACS.
- R 423.401**
Source: 2002 AACS.
- R 423.403**
Source: 2002 AACS.
- R 423.405**
Source: 2002 AACS.
- R 423.407**
Source: 2002 AACS.
- R 423.411**
Source: 2002 AACS.
- R 423.421**
Source: 2002 AACS.
- R 423.422**
Source: 2002 AACS.
- R 423.423**
Source: 2002 AACS.
- R 423.431**
Source: 2002 AACS.
- R 423.432**
Source: 2002 AACS.
- R 423.433**
Source: 2002 AACS.
- R 423.434**
Source: 2002 AACS.
- R 423.435**
Source: 2002 AACS.

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- R 423.441**
Source: 2002 AACS.
- R 423.442**
Source: 2002 AACS.
- R 423.443**
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- R 423.444**
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- R 423.445**
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- R 423.455**
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- R 423.456**
Source: 2002 AACS.
- R 423.461**
Source: 2002 AACS.
- R 423.462**
Source: 2002 AACS.
- R 423.463**
Source: 2002 AACS.

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- R 423.464**
Source: 2002 AACCS.
- R 423.465**
Source: 2002 AACCS.
- R 423.466**
Source: 2002 AACCS.
- R 423.467**
Source: 2002 AACCS.
- R 423.468**
Source: 2002 AACCS.
- R 423.469**
Source: 2002 AACCS.
- R 423.470**
Source: 2002 AACCS.
- R 423.471**
Source: 2002 AACCS.
- R 423.472**
Source: 2002 AACCS.
- R 423.481**
Source: 2002 AACCS.
- R 423.482**
Source: 2002 AACCS.
- R 423.483**
Source: 2002 AACCS.
- R 423.484**
Source: 2002 AACCS.

**ADMINISTRATION OF COMPULSORY ARBITRATION ACT FOR LABOR DISPUTES IN MUNICIPAL
POLICE AND FIRE DEPARTMENTS**

R 423.501 Definitions; A to D.

Rule 1. As used in these rules:

- (a) "Act 312" means 1969 PA 312, MCL 423.231 to 423.247.
- (b) "Advocate" means an individual who has represented management or a union in collective bargaining or labor relations in the 5 years prior to his or her selection by the commission as a nominee for an impartial arbitrator or chair of an arbitration hearing panel pursuant to Section 5(1) of 1969 PA 312, MCL 423.235(1). Advocate also means an individual, including an attorney, who is associated with a firm or entity that has represented management or a union in collective bargaining or labor relations in the 5 years prior to his or her selection by the commission as a nominee for an impartial arbitrator or chair of an arbitration hearing panel pursuant to section 5(1) of 1969 PA 312, MCL 423.235(1).
- (c) "Arbitration hearing panel" means the impartial arbitrator or chair and 2 delegates who conduct an act 312 arbitration hearing.
- (d) "Arbitrator" means an individual who is appointed by the commission to the Michigan employment relations commission panel of arbitrators to be an impartial arbitrator or chair of the arbitration panel in an act 312 arbitration hearing.
- (e) "Commission" means the employment relations commission as established in section 3 of the LMA.
- (f) "Commission's panel of arbitrators" means those members who are appointed to the Michigan employment relations commission panel of arbitrators by the commission.

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- (g) "Delegate" means an employee or employer representative who sits on the act 312 arbitration hearing panel.
- (h) "Dispute" means a disagreement regarding mandatory subjects of bargaining concerning rates of pay, wages, hours of employment, or other conditions of employment.
- History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.502 Definitions; L to P.

Rule 2. As used in these rules:

- (a) "LMA" means 1939 PA 176, MCL 423.1 to 423.30 .
- (b) "Mediator" means the commission, a commission member, or an employee who is designated by the commission to perform the functions and duties of mediation pursuant to act 312, LMA, and PERA in the commission's mediation division.
- (c) "PERA" means 1947 PA 336, MCL 423.201 to 423.217.
- (d) "Petition" means the document that contains the information specified in R 423.505.
- (e) "Petitioner" means a person or duly authorized agent thereof who files a petition pursuant to the provisions of act 312 for compulsory arbitration.
- (f) "Representative" means a person, who may or may not be an attorney, who represents a party in an act 312 proceeding.
- History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.503 Mediation.

Rule 3. (1) It is the policy of the commission to encourage parties to a labor dispute to settle their disputes through the collective bargaining process subject to section 30 of 1939 PA 176, MCL 423.30, and section 15 of 1947 PA 336, MCL 423.215. If the issues in dispute cannot be resolved through the collective bargaining process, then either party may request, or the commission may initiate, mediation.

(2) Upon the request of 1 of the parties to the dispute, or upon its own initiative, the commission shall appoint a mediator.

(3) The mediator may do any of the following:

- (a) Arrange for, hold, adjourn, or reconvene a conference or conferences between the disputants or any of their representatives, or both.
- (b) Direct the disputants or their representatives, or both, to attend the conference and submit, either orally or in writing, their disputes.
- (c) Discuss the disputes with the disputants or their representatives.
- (d) Assist in negotiating and drafting agreements for the adjustment or settlement of the disputes.
- (4) A mediator shall be subject to the confidentiality requirements imposed by the provisions of 1939 PA 176, MCL 423.1 to 423.30, and 1947 PA 336, MCL 423.201 to 423.217.
- History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.504 Mediator's report to commission.

Rule 4. If binding arbitration proceedings are initiated, the mediator shall submit a written mediation report to the commission. The report shall include the following information:

- (a) The date of the first mediation conference convened with the parties to the dispute and the number of dates and times of subsequent bargaining sessions and mediation conferences held.
- (b) A recommendation to the commission as to whether it would be useful or beneficial to remand the dispute to the parties for further collective bargaining.
- History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.505 Petition to initiate compulsory arbitration.

Rule 5. (1) The petition shall be prepared on a form furnished by the commission. The original shall be signed and served on the other party. At the same time, 3 copies, along with a proof of service, shall be filed with the commission.

(2) The petition shall include all of the following:

- (a) The name and address of the public employer involved and the name, fax number, email address, and telephone number of its principal representative.
- (b) The name and address of the collective bargaining representative involved and the name, fax number, email address, and telephone number of its principal representative.
- (c) The name and address of the petitioner and the signature, fax number, email address, and telephone number of the person executing the petition.
- (d) Date of the first mediation conference convened with the parties to the dispute.

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(3) A petition may be dismissed administratively if not filed in accordance with these rules, or if filed before 30 calendar days have passed since the dispute was submitted to mediation as evidenced by the date of the first scheduled mediation conference.

History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.506 Arbitrator selection.

Rule 6. (1) If a commission-nominated panel member is an advocate as defined in R423.501(b), either party may notify the other party and may request that the commission delete the panel member's name from the list of nominees. The commission shall provide the parties with a replacement name of an arbitrator who is not an advocate. The request will extend the time limits in section 5(1) of act 312, MCL 423.235(1), by whatever reasonable time is necessary for the commission to provide the parties with another nominee and resume. If an arbitrator is not selected within 10 days, the commission may select an arbitrator.

(2) Prior to an appointment by the commission, the parties may mutually agree upon the selection of an arbitrator from the commission's panel of arbitrators or an arbitrator who is eligible for membership on that panel and notify the commission of their selection.

(3) An arbitrator's resume shall include all the following information:

(a) A brief summary of the arbitrator's educational and professional background.

(b) A list of the arbitrator's past 5 years of employment and an accurate statement of whether the arbitrator is an "advocate" as defined in R 423.501(b).

(c) A list of the arbitrator's commission arbitration awards and fact finding reports.

(d) A list that shows the percentage of advocacy work, if any, which was performed by the arbitrator and the arbitrator's firm or other entity with which the arbitrator has been associated on an annual basis for the past 5 years.

(4) The panel member shall ensure that information contained in the arbitrator's resume is current, including whether the panel member is an "advocate" as defined in R 423.501(b).

History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.507 Arbitration hearing.

Rule 7. (1) An arbitrator shall begin the hearing by conducting a scheduling conference within 15 days of the arbitrator's appointment. The scheduling conference may be conducted by telephone conference call. A court reporter need not be present at the scheduling conference.

(2) The scheduling conference shall be used to discuss matters relating to the proceeding, including all of the following:

(a) Issues raised in the petition for binding arbitration submitted to the commission.

(b) Issues that the parties have resolved.

(c) Whether the issues in dispute are economic or noneconomic.

(d) The dates, times, place, and manner for all of the following:

(i) Exchange of a list of comparable communities to be used under sections 9(d)(i) and 9(d)(ii) of 1969 PA 312, MCL 423.239(1)(d)(i) and MCL 423.239(1)(d)(ii).

(ii) Exchange of applicable collective bargaining agreements or tentative agreements, or both, and applicable documents, if the collective bargaining agreement has not been completed and executed, for all comparable communities not listed by the opposing party.

(iii) The procedure and hearing dates for the determination of issues in subrule 3(a) and (b) of this rule.

(iv) The start of the evidentiary hearing unless that date will be established under subrule 3(d) of this rule.

(e) The exhibits to be entered into evidence, the method to be used for marking the exhibits, the number of copies of exhibits to be provided by the parties, and the dates and means of exchanging exhibits before hearing.

(f) The list of witnesses, including experts, to be presented by each party.

(g) The list of comparables for purposes of wages and benefits.

(h) The procedural format for the hearing.

(i) Any subpoenas, stipulations, or depositions.

(j) Whether oral arguments or written briefs are to be submitted.

(k) Other matters the panel considers appropriate.

(3) The arbitrator shall do all of the following:

(a) Make a determination on the economic issues in dispute and the duration of the collective bargaining agreement, and require each party to exchange and submit all of the following:

(i) A statement of the party's issues setting forth the specific changes in the collective bargaining agreement proposed by the party.

(ii) The party's position as to whether each issue is economic or non-economic.

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- (iii) The proposed duration of the collective bargaining agreement.
- (b) Absent mutual agreement, conduct a procedural hearing and advise the parties in writing of the arbitration panel's decision on the issues in dispute including the duration of the collective bargaining agreement, jurisdiction of the arbitration panel concerning any disputed issue and, if in dispute, whether an issue presented by a party is economic.
- (c) Direct each party to submit to the arbitration panel and to each other its last offer of settlement on each economic issue by either of the following:
 - (i) On a date certain after the close of the scheduling conference but prior to the first day of the evidentiary hearing.
 - (ii) If a procedural hearing has been scheduled, after the submission of the arbitration panel's decision on the procedural issues. Once submitted, a party may withdraw, but not otherwise modify, any economic issue submitted in its last offer of settlement except by stipulation of the parties.
- (d) Establish the start date of the evidentiary hearing, if a procedural hearing was held under subrule 3(b) of this rule.
- (4) The record shall be the official record of the evidentiary hearing. Before the first day of the evidentiary hearing, the arbitrator shall give reasonable notice, in writing, to the commission's court reporting supervisor of the dates, times, and locations of the evidentiary hearings. A court reporter shall be assigned by the commission or designee. If the hearing date is canceled or changed, the arbitrator shall notify the commission's court reporting supervisor immediately. If a transcript of the hearing is made and a party asserts that the transcript is incorrect, then the transcript may be corrected if the errors are substantive. Proposed corrections may be submitted by stipulation or motion to the arbitrator with notice to the other party. After notice and an opportunity to submit statements in opposition by the other party, the arbitrator shall rule on whether the transcript will be corrected.
- (5) The cost of the hearing transcript shall be paid by the party or parties requesting the transcript. The cost of a hearing transcript for the benefit of the panel chair shall be divided equally among the parties.
- (6) On written application of either party, the panel may issue subpoenas requiring attendance and testimony of witnesses and the production of any evidence, including books, records, correspondence, or documents, in their possession or under their control which the panel considers material to a just determination of the issues in dispute. Witnesses who are subpoenaed before the arbitration panel shall be paid the same fees and mileage that are paid to witnesses in the circuit courts. Payment shall be made by the party who requested that the witness appear and shall be made before the time that the witness testifies. An application for a subpoena may be made ex parte.
- (7) With the exception of motions that are stated orally on the record at a hearing, all motions shall be made in writing, served on the other party, and shall briefly state the order, ruling, or action that is sought and shall set forth, with particularity, the reasons for such motion. Any party may, by motion, request that the arbitrator take any action which the arbitrator is authorized to take. Any statement opposing a motion shall be promptly filed and shall conform to the requirements of this subrule. The arbitrator shall rule upon motions that are filed with the arbitrator before the close of the hearing. Motions that are made during a hearing shall be ruled on by the arbitrator either during the hearing or at such time as the entire record is considered. All rulings on motions shall be in writing or, if announced at the hearing, may be stated orally on the record. All motions and any rulings or orders thereon shall become part of the record.
- (8) A party shall request the permission of the arbitrator before deposing a person on oral examination. The sole purpose for taking a deposition shall be to preserve evidence. Depositions shall not be taken for the purpose of discovery. Before deposing a person on oral examination, a party shall give reasonable notice, in writing, to the arbitrator and to the other party. The notice shall state all of the following information:
 - (a) The date, time, and place for taking the deposition.
 - (b) The name and address of each person to be examined.
 - (c) If a subpoena has been served and directs the deponent to produce documents or other tangible things, then the designation of the material to be produced, as set forth in the subpoena, shall be attached to, or included in, the notice.
- (9) The arbitrator may extend or shorten the time for taking a deposition. The arbitrator shall regulate the scope, time, and order of taking depositions to best serve the convenience of the parties and the witnesses and to expedite the arbitration.
- (10) Testimony shall be taken by a court reporter. The examination and cross-examination of a witness shall be allowed. The technical rules of evidence shall not apply. All objections that are made at the deposition shall be noted on the record by the party who makes the objections, including objections to any of the following:
 - (a) The manner of taking the deposition.
 - (b) The evidence presented.
 - (c) The conduct of the party.
- (11) On request of a party, documents and things that are produced for inspection during the examination of a witness shall be marked for identification and annexed to the deposition, if practicable, and may be inspected and copied by either party.

History: 1995 AACs; 2015 MR 23, Eff. Dec. 5, 2014.

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R 423.508

Source: 1995 AACCS.

R 423.509 Arbitrator; powers and duties.

Rule 9. (1) In addition to the duties specified in act 312, the panel shall do all of the following:

- (a) Obtain a full and complete record.
 - (b) Place on the record or state in the award all agreements that are reached between the parties, including portions of any previous labor agreement that the parties adopt as part of their current agreement. The award or record shall contain or identify, by specific reference, the parties' stipulated settlement of all issues that were not presented for arbitration and indicate how the issues were resolved.
 - (c) If the parties agree to a hearing extension, the arbitrator shall reduce the agreement to writing, obtain the signatures of both parties, and notify the commission, in writing, with copies, of all written agreements between the parties that extend the arbitration hearing. Except as permitted under section 7a of act 312, MCL 423.237a, the hearing which includes the filing of any posthearing briefs shall not extend beyond 180 days from the start of the scheduling conference.
 - (d) After a hearing is closed, the hearing may be reopened for good cause shown.
- (2) In addition to the powers specified in act 312, the panel may do any of the following:
- (a) Rule upon motions and offers of proof, receive relevant evidence, and exclude irrelevant, immaterial, or unduly repetitious evidence.
 - (b) Question witnesses.
 - (c) Take depositions or cause depositions to be taken and determine the scope of depositions.
 - (d) Regulate the date, time, place, and course of the hearings.
 - (e) Dispose of procedural requests or other similar matters.
 - (f) Hold conferences during the course of the hearing for the settlement, simplification, or adjustment of the issues by consent of the parties.
 - (g) Remand the parties to further bargaining with a mediator for a period not to exceed 3 weeks pursuant to section 7a of act 312, MCL 423.237a, if the arbitrator believes it will be conducive to an agreement.
 - (h) Charge a fee to a party or parties who cancel a hearing date if a cancellation fee is clearly set forth in the arbitrator's resume and made known to the parties at or prior to the scheduling conference.

History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.510 Rescinded.

History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.511 Filing of posthearing briefs and proposed findings.

Rule 11. Any party may, upon a request made before the close of the evidentiary hearing, file a posthearing brief or proposed findings and conclusions, or both, at a time fixed by the arbitrator who conducts the hearing. The arbitrator may direct the filing of briefs when considered warranted. The filing of a posthearing brief shall not extend the hearing timeline beyond 180 days from the start of the scheduling conference.

History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.512 Arbitration panel posthearing conference.

Rule 12. After the close of the hearing and before the rendering of an award, a posthearing conference shall be held at the request of either delegate or the arbitrator. The posthearing conference shall be limited to the delegate of each party and the arbitrator. Any and all matters that have been placed into the record of the hearing may be discussed. The posthearing conference shall not delay the time period specified in section 6 of act 312, MCL 423.235, for making findings of fact, promulgating a written opinion and order, and mailing copies.

History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.513 Panel findings, opinion, and award.

Rule 13. (1) The impartial arbitrator shall ensure that the final award is subscribed to by a majority of the arbitration hearing panel.

(2) The arbitrator shall notify the parties in writing or via email of an extension of up to 60 additional days for issuance of an award.

(3) The written decision and award of the panel shall contain all of the following information:

- (a) The names of both parties.
- (b) The advocates for both parties.

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- (c) The names of the members of the arbitration hearing panel.
 - (d) Each party's final offer of settlement of the issues in dispute.
 - (e) A list of the economic and noneconomic issues in dispute as identified by the arbitration hearing panel.
 - (f) A finding of fact and opinion based on the record made before the arbitration hearing panel. The finding of fact and opinion shall include a detailed discussion of the relation of the criteria specified in section 9 of act 312 to both the economic and noneconomic issues.
 - (g) The date the decision is rendered.
 - (h) The signatures of the panel member or members who approved the award or any of the issues in the award.
- (4) The arbitrator shall serve a copy of the award on each party and send the original and 2 copies of the award, along with an electronic copy of the award, to the commission with the entire record.
- History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.514 Costs.

- Rule 14. (1) The parties to a hearing may obtain information with regard to the per diem and other charges of the arbitrator upon filing a request with the commission. An arbitrator shall not charge more than 2 preparation days for each day of hearing without advance permission to do so from the commission or its designee.
- (2) The costs of subpoenas and witness fees shall be borne by the party at whose request subpoenas are issued and at whose request witnesses appeared.
- (3) A transcript of a deposition may be ordered at the expense of the party who ordered the transcript. The party who requests a deposition shall pay the costs for the court reporter and for a copy of the transcript of the deposition for the arbitration hearing panel record.
- (4) The costs listed in this rule are in addition to the costs identified elsewhere in these rules.
- History: 1995 AACCS; 2015 MR 23, Eff. Dec. 5, 2014.

R 423.515 Retention and disposal of commission materials.

- Rule 15. All documents, records, non-records and other materials, public and nonpublic, official and unofficial, shall be maintained and disposed of using the general and bureau specific retention and disposal schedules pursuant to section 5 of 1913 PA 271, MCL 399.5, and section 491 of the Michigan penal code, 1931 PA 328, MCL 750.491.
- History: 2015 MR 23, Eff. Dec. 5, 2014.

DEPARTMENT OF ENVIRONMENTAL QUALITY

GEOLOGICAL SURVEY DIVISION

MINE RECLAMATION

- R 425.1**
Source: 1979 AC.
- R 425.2**
Source: 1979 AC.
- R 425.3**
Source: 1979 AC.
- R 425.4**
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- R 425.5**
Source: 1979 AC.
- R 425.6**
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- R 425.7**
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- R 425.8**

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Source: 1979 AC.

R 425.9

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R 425.16

Source: 1979 AC.

PART 2. RECLAMATION OF OPEN PITS

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Source: 1979 AC.

DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF GEOLOGICAL SURVEY

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DEPARTMENT OF AGRICULTURE
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DEPARTMENT OF TREASURY
BUREAU OF STATE LOTTERY
LOTTERY RULES

PART 1. GENERAL PROVISIONS

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R 432.19
Source: 1998-2000 AACS.

R 432.20
Source: 2006 AACS.

R 432.21
Source: 2006 AACS.

R 432.22
Source: 1998-2000 AACS.

PART 2. ON-LINE TERMINALS

R 432.31
Source: 1998-2000 AACS.

R 432.32
Source: 1998-2000 AACS.

R 432.33
Source: 1998-2000 AACS.

R 432.34
Source: 1998-2000 AACS.

R 432.35
Source: 1998-2000 AACS.

R 432.36
Source: 2006 AACS.

R 432.37
Source: 2006 AACS.

R 432.38
Source: 1986 AACS.

MILLIONAIRE PARTY RULES

PART 1. GENERAL PROVISIONS

R 432.101 Definitions.

Rule 101. (1) As used in these rules:

(a) "Act" means 1972 PA 382, MCL 432.101 to 432.120.

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- (b) "Administrative procedures act" means 1969 PA 306, MCL 24.201 to 24.328.
- (c) "Bona fide member" means a member, according to an organization's established membership criteria, who participates in the organization to further its lawful purposes.
- (d) "Charitable purpose" means 1 or more of the following causes, deeds, or activities that are beneficial to the general public:
- (i) Relief of poverty.
 - (ii) Advancement of education.
 - (iii) Advancement of religion.
 - (iv) Protection of health or relief from disease, suffering, or distress.
 - (v) Advancement of civic, governmental, or municipal purposes.
 - (vi) Protection of the environment and conservation of wildlife.
 - (vii) Defense of human rights and the elimination of prejudice and discrimination.
 - (viii) Any other purpose that the executive director determines to be beneficial to the general public.
- (e) "Compliance meeting" means a meeting as prescribed by the administrative procedures act, conducted by the executive director at which the licensee has an opportunity to show compliance with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.
- (f) "Compliance meeting notice" means the document issued by the executive director before the compliance meeting to inform a licensee of the date, time, and location of the compliance meeting.
- (g) "Contested case hearing" means a formal hearing before a hearing officer conducted as prescribed by the administrative procedures act.
- (h) "Contested case hearing notice" means the document issued by the executive director before the contested case hearing to inform a licensee of the date, time, and location of the contested case hearing.
- (i) "Day" means the standard 24-hour period, except when referring to the issuance of a millionaire party license, when it means the time period from 8 a.m. of 1 day to 2 a.m. of the following day.
- (j) "Dealer" means the person performing the act of dealing, assisting in the supervision of the dealers, or providing technical advice to the millionaire party chairperson on an executive director-approved game in accordance with the approved rules of the game and in accordance with the act and these rules during a licensed millionaire party.
- (k) "Demarcated area" means the physical area in which licensed millionaire party gaming will be conducted, the boundaries of which are marked with rope or tape or separated in an access-controlled area of the location.
- (l) "Executive director" means the executive director of the Michigan gaming control board under the authority granted in Executive Reorganization Order No. 2012-3, MCL 432.91.
- (m) "General public" means society as a whole or any considerable part of society.
- (n) "Gross profit" means total revenue less chip redemptions and prizes. This amount does not include the license fee.
- (o) "Gross revenue" means the monetary value received by the licensee for all fees charged to participate in the millionaire party before any deductions for prizes or any other expenses.
- (p) "Informal meeting" means a meeting conducted by the executive director, at his or her discretion, at which the executive director discusses the failure of the licensee to comply with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.
- (q) "Lawful purpose" means 1 or more of the authorized purposes stated in a qualified organization's written bylaws, constitution, charter, or articles of incorporation on file with the executive director.
- (r) "Lessor" means a person, or that person's agents, who rents a location to a licensee for the purpose of the licensee conducting a millionaire party.
- (s) "License" means only a millionaire party or supplier license that is issued by the executive director.
- (t) "Licensee" means a qualified organization issued a license to conduct millionaire party or an organization or persons licensed under section 4a(2) or (3) of the act. Licensee also means a supplier licensed under the act.
- (u) "Location owner" means the owner, or the owner's agents, who own the building, enclosure, part of a building or enclosure, or a distinct portion of real estate that is used for the purpose of conducting events licensed under the act.
- (v) "Millionaire party equipment" means any authorized item used to conduct authorized games at a millionaire party.
- (w) "Occasion" means the hours of the day for which a license is issued.
- (x) "Privately held corporation" means a corporation that does not trade its stock in a stock exchange or in over-the-counter transactions.
- (y) "Probation" means a license status requiring strict compliance with the act, these rules, directives, public policy of the state of Michigan, and specific conditions as established by the executive director.
- (z) "Probation violation" means failure to abide by any of the terms of probation.
- (aa) "Probationary period" means the time interval of probation.

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(bb) "Terms of probation" means the conditions established at the discretion of the executive director that shall be complied with during the probationary period.

(cc) "Violation notice" means a document issued by the executive director, at his or her discretion, to a licensee charging a violation of the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(dd) "Week" means a period of 7 days beginning with Sunday and ending with Saturday.

(ee) "Worker" means a person who assists or participates in the management, conduct, or operation of a millionaire party. At a licensed millionaire party event, a person employed by or an agent of a lessor, location owner, or licensed supplier is not considered a worker.

(2) A term defined in the act has the same meaning when used in these rules.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.102 Compliance with other laws, regulations, and ordinances.

Rule 102. A licensee shall comply with public policy of the state of Michigan and any other local, state, or federal law or regulation.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.103 Permanent dissolution; utilization of assets; report.

Rule 103. Upon permanent dissolution of a qualified organization, all assets, real property, and personal property shall be utilized for the lawful purposes as stated in the qualified organization's bylaws, constitution, charter, or articles of incorporation that are filed with the executive director as prescribed by R 432.201 and shall not be distributed to any private individual or shareholder. All remaining assets upon dissolution shall be distributed to the local government or another nonprofit organization as stated in the qualified organization's bylaws, constitution, charter, or articles of incorporation. The disbursement of remaining assets shall be reported to the executive director in writing.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.104 Restricted use of profits.

Rule 104. Profits from the millionaire party shall not be used for the benefit of any individual, member, or shareholder of the qualified organization except to directly further the lawful purposes of the qualified organization.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.105 Violation notice.

Rule 105 (1) The executive director may issue a violation notice to a licensee for failure to maintain compliance with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(2) The licensee shall respond to the violation notice in writing within the time period specified in the notice and shall inform the executive director what action has been taken to correct the violation cited. The response shall be signed by the principal officer of the qualified organization or the owner or top officer of the licensed supplier cited for the violation.

(3) The executive director may initiate further administrative action if a response to the notice is not received or the response does not resolve the violation.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.106 Informal meeting.

Rule 106. (1) The executive director may require the principal officer of the qualified organization or the owner or top officer of the licensed supplier to attend an informal meeting to discuss violations of the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation. The purpose of this meeting shall be to assist the licensee in achieving compliance with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(2) A licensee may agree to be placed on probation as a result of the meeting described in subrule (1) of this rule.

(3) The purpose of the meeting described in subrule (1) of this rule is to forestall the need to take further action, up to, and including, the conduct of a contested case hearing.

(4) The meeting described in subrule (1) of this rule is not required if the executive director determines that the violations of the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation warrants action prescribed by R 432.108 to R 432.110.

History: 2014 MR 9, Eff. May 14, 2014.

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R 432.107 Probation.

Rule 107. (1) The executive director may place a licensee on probation or may condition the renewal of a license with terms of probation when the licensee has violated the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(2) The continuation of the probationary license is conditioned upon the strict compliance with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(3) Failure of a licensee to comply with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation is a probation violation.

(4) The executive director may summarily suspend a probationary license if the licensee violates the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation as prescribed by R 432.110.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.108 License denial.

Rule 108. (1) If the executive director determines that an applicant, who does not hold a license for which the applicant is applying, is not in compliance with the act, these rules, terms of probation for another license, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation, then the executive director may refuse to issue a license to the applicant.

(2) The submission of a check in payment of a fee that is not paid by the financial institution on which it is drawn shall be grounds for immediate denial of an application for a license.

(3) The executive director may refuse to issue a license to a qualified organization to conduct a millionaire party if the executive director determines that a location owner or lessor of a location to be used for the conduct of a millionaire party is not in compliance with the requirements of the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(4) A denial under this rule may be appealed under the administrative procedures act.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.109 Suspension or revocation of license; refusal to renew license.

Rule 109. (1) If the executive director determines that a licensee, location owner, or lessor is not in compliance with the requirements of the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation, then the executive director may suspend or revoke, refuse to renew, or suspend the right to obtain a license of a qualified organization or supplier.

(2) The executive director may suspend or revoke a license, refuse to renew a license, or suspend the right to obtain a license in accordance with the administrative procedures act for any of the following reasons:

(a) Failure to ensure full accountability for all gaming assets including, but not limited to, cash, prizes, millionaire party chips or imitation money, and all funds derived from the millionaire party.

(b) The lack of honesty and integrity of the licensee, location owner, or lessor.

(c) The lack of veracity and accuracy concerning the information submitted on the application.

(d) The indebtedness of the licensee, location owner, or lessor to the federal, state, or local government.

(e) A pending lawsuit or bankruptcy proceeding that involves the licensee, location owner, or lessor and is related to the millionaire party.

(f) The current or past history of compliance of the licensee, location owner, lessor or any of its agents, or owners, shareholders of the privately held corporation, partners, officers, or agent of the licensee with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(g) Evidence that the licensee, location owner, or lessor possesses illegal gambling equipment, that illegal gambling equipment is on any of its premises or that illegal gambling has occurred at any of its premises.

(h) The submission of a check in payment of a fee that is not paid by the financial institution on which it is drawn.

(i) Hindering or obstructing an authorized representative of the executive director in the performance of official duties.

(j) The use or submission of false or misleading information by any of the following means:

(i) An application for a license or renewal of a license.

(ii) Any document that is submitted to the executive director.

(iii) All records completed in conjunction with the millionaire party.

(iv) Verbal statements to an authorized representative of the executive director by any owner, shareholder of the privately held corporation, partner, officer, or agent of the licensee, location owner, or lessor.

(k) Failure to submit complete and accurate financial statements.

(l) Failure or refusal to provide an authorized representative of the executive director access to the location.

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(m) Failure to promptly produce any book, record, or document as required by the act, these rules, terms of probation, or directives for review by an authorized representative of the executive director.

(n) Allowing any person who has been convicted of, becomes convicted of, has forfeited bond upon a charge of, or has pled guilty to any of the offenses in R 432. 203(f) to work in the operation or management of a millionaire party or to be an officer or agent of the qualified organization.

(o) Allowing any person who has been convicted of, becomes convicted of, has forfeited bond upon a charge of, or has pled guilty to any of the offenses in R 432. 203(f) to work in the operation or management of a licensed supplier, location, or lessor, or to be an owner, shareholder of the privately held corporation, partner, officer, or agent of the licensed supplier, location, or lessor.

(p) Failure to continuously operate as a qualified organization as defined by the act and as represented to the executive director by means of the information submitted to the executive director as required by R 432.201, or failure to continuously operate as an organization or persons issued a license under section 4a(2) or (3) of the act.

(q) For activities similar to those enumerated which, at the discretion of the executive director, merit enforcement action.

(3) If a license is suspended, then the executive director may determine that the licensee is ineligible to conduct any millionaire party during the period of suspension.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.110 Summary suspension proceedings.

Rule 110. (1) To advance the public policy of prohibition against all gambling activities not conducted in strict conformance with expressed legislative exceptions, including the regulatory framework established by the act, the executive director may summarily order the suspension of a license as provided by section 16(1) of the act and in accordance with section 92 of the administrative procedures act, upon a determination that any 1 or more of the following circumstances exist:

(a) The licensee has obtained the license by fraud, misrepresentation, or concealment.

(b) The decision to issue the license was a product of a material mistake of law or fact.

(c) The licensee, location owner, or lessor has engaged in an act, practice, or course of conduct that would operate as a fraud or deceit on a person or persons, or has employed a device, scheme, or artifice to defraud a person or persons.

(d) The licensee, location owner, or lessor has repeatedly violated, or repeatedly failed or refused to comply with, any of the provisions, requirements, limitations, or duties imposed by the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(e) The licensee, location owner, lessor, or any owner, shareholder of the privately held corporation, partner, officer, or agent of the licensee, location owner or lessor, has been charged with or convicted of a violation of the act.

(f) The licensee, location owner, or lessor has or there is reasonable cause to believe the licensee, location owner, or lessor has engaged in illegal gambling, or a fraud or larceny offense.

(g) That the immediate cessation of the millionaire party by the licensee is necessary for the protection or preservation of the welfare of the community within which these activities are being conducted, or for the protection or preservation of public policy of the state of Michigan, or any other local, state, or federal law or regulation respecting unlawful gaming activity.

(2) If the executive director summarily suspends a license, then the licensee shall be afforded a prompt hearing before the executive director on the question forming the basis of the suspension of the license.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.111 Compliance meeting.

Rule 111. (1) A compliance meeting notice shall be issued in accordance with section 92 of the administrative procedures act. The compliance meeting allows the licensee to show compliance before the conduct of a contested case hearing.

(2) If compliance is shown or an agreement regarding future action is reached at the compliance meeting, then the need for a contested case hearing may be negated.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.112 Contested case hearing.

Rule 112. (1) A contested case hearing notice shall be issued in accordance with section 71 of the administrative procedures act.

(2) The executive director may establish procedures for the conduct of contested case hearings, including the submission of evidence by written interrogatory, deposition, request for admissions, or by such other means established by the hearing officer.

(3) There shall be no discovery other than that allowed by the administrative procedures act.

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(4) When an appearance is made at a contested case hearing, it shall be made in person by the principal officer of the qualified organization; the owner, principal shareholder of the privately held corporation, partner, or top officer of the licensed supplier; or by counsel.

(5) The person or persons who have been served with a contested case hearing notice may file a written answer before the date set for the contested case hearing or may appear at the contested case hearing and present an oral statement on the charges contained in the contested case hearing notice. If written briefs or arguments are presented, then a copy shall be served upon the hearing officer at least 5 days before the date set for the contested case hearing.

(6) If the person or persons who have been previously served with a contested case hearing notice fail to appear at the contested case hearing, then the hearing officer may proceed with the contested case hearing and may, on the evidence presented, make a decision.

(7) A contested case hearing shall not be adjourned or continued except by the hearing officer. All motions and requests for an adjournment or a continuance shall be in writing. The motion or request shall state concisely the reasons why the requested relief is necessary.

(8) The parties to any contested case hearing may, by stipulation in writing filed with the hearing officer, agree upon the facts or any portion of the facts involved in the controversy. The stipulation shall be regarded and used as evidence in the contested case hearing. Parties are requested to agree upon the facts when practicable.

History: 2014 MR 9, Eff. May 14, 2014.

PART 2. GAMING LICENSING

R 432.201 Qualification requirements.

Rule 201. (1) Each applicant applying for a millionaire party license who has not previously qualified shall first submit qualification information as required by the executive director.

(2) Except as provided in the act, each applicant shall provide proof that its bylaws, constitution, articles of incorporation, or the bylaws or constitution of its parent organization, include a statement of dissolution. The statement of dissolution shall state that all assets of the qualifying organization remaining upon dissolution, after satisfying its debts, be distributed to the local government or another nonprofit organization.

(3) The executive director may require a previously qualified organization to submit updated qualification information to assure the organization's continued eligibility under the act.

(4) In addition to the requirements of the act, the executive director shall consider certain factors when determining if an applicant or licensee qualifies as a "branch," "lodge," or "chapter." These factors include, but are not limited to, the following:

(a) Charter or similar document issued by the national or state organization upon acceptance as a branch, lodge, or chapter.

(b) Conditions established by the national or state organization for the revocation or suspension of the charter or relationship.

(c) Dues or financial support submitted to the national or state organization by the branch, lodge, or chapter.

(d) Degree of control exerted by the national or state organization over the activities of the branch, lodge, or chapter.

(e) Oversight and control provided by the national or state organization over the financial affairs of the branch, lodge, or chapter, including the audit of financial records of the branch, lodge, or chapter.

(f) Standard bylaws adopted by the branch, lodge, or chapter or bylaws submitted to the national or state organization for approval.

(g) Appointed or elected officers of the branch, lodge, or chapter who are responsible for the activities of the branch, lodge, or chapter.

(h) Ability of the branch, lodge, or chapter to influence activities, normally demonstrated by voting privileges, at the state or national level.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.202 Applications.

Rule 202. (1) A qualified organization, unless ineligible under the act, may apply for a millionaire party license.

(2) A qualified organization shall submit an application for a millionaire party license on a form provided by or approved in writing by the executive director.

(3) In addition to the millionaire party license application, the applicant shall submit additional information as directed by the executive director.

(4) The millionaire party license application shall be accompanied by the appropriate fee.

(5) If a millionaire party license application is cancelled or denied, then the executive director may retain a portion of the original statutory fee submitted to cover processing costs.

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(6) An applicant shall disclose to the executive director whether any individual, officer, or agent of the applicant has ever been convicted or becomes convicted of, or forfeited bond upon a charge of, or pled guilty to any of the following offenses:

- (a) A felony.
- (b) A gambling offense.
- (c) Criminal fraud.
- (d) Forgery.
- (e) Larceny.
- (f) Filing a false report with a governmental agency.

(7) Any changes to the information provided on or attached to the millionaire party license application shall be immediately reported to the executive director in writing.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.203 Additional eligibility factors.

Rule 203. In addition to the requirements of the act, the executive director shall consider the following factors when reviewing a millionaire party license application:

- (a) The honesty and integrity of the applicant.
- (b) The veracity and accuracy of any information supplied to the executive director by the applicant.
- (c) The applicant's indebtedness to local, state, or federal government.
- (d) A pending lawsuit or bankruptcy proceeding involving the applicant.
- (e) The applicant's current or past history of compliance with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal law or regulation.
- (f) Criminal convictions of the applicant or any individual, officer, or agent of the applicant for any of the following offenses:
 - (i) A violation of the act.
 - (ii) A felony.
 - (iii) A gambling offense.
 - (iv) Criminal fraud.
 - (v) Forgery.
 - (vi) Larceny.
 - (vii) Filing a false report with a governmental agency.

(g) Beginning January 1, 2015, the executive director may consider whether the organization has raised sufficient funds in the previous calendar year independent and apart from any raised from gaming under the act. Raising funds unrelated to gaming under the act in the previous calendar year will satisfy this criteria automatically as follows: evidence of \$500.00 of unrelated funding for 1 license and an additional \$500.00 for each license thereafter. Satisfying this requirement does not entitle the organization to a millionaire party license.

(h) Any other information considered advisable by the executive director.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.204 Millionaire party license; terms and conditions.

Rule 204. (1) Upon the issuance of a millionaire party license, the qualified organization shall agree to all of the following terms and conditions:

- (a) To be bound by and comply with the act, these rules, terms of probation, directives, public policy of the state of Michigan, and any other local, state, and federal laws and regulations.
- (b) To not assign or transfer the millionaire party license.
- (c) To maintain current and accurate records of all operations in conjunction with millionaire parties in conformity with the act, these rules, terms of probation, and directives.
- (d) To conduct the millionaire party in accordance with the information submitted on the application approved by the executive director.
- (e) To conduct the millionaire party only during the hours and the date or dates stated on the license.
- (f) To immediately report to the executive director in writing any change in the information stated on or attached to the millionaire party license application.
- (g) To hold the executive director and the state harmless from any liability, including, but not limited to, taxes and legal expenses.

(2) A person shall not refuse to cooperate with, hinder, or obstruct in any way, an authorized representative of the executive director while the representative is in the performance of official duties.

History: 2014 MR 9, Eff. May 14, 2014.

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R 432.205 Changes to qualification information.

Rule 205. (1) A qualified organization shall immediately report to the executive director in writing any change to the organization's qualification documentation.

(2) A qualified organization shall immediately submit a copy of the appropriate amended document to the executive director if there is a change in any of the following:

- (a) Constitution.
- (b) Bylaws.
- (c) Articles of incorporation.
- (d) Any other qualification document previously submitted to the executive director.
- (e) Internal revenue service tax-exempt status.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.206 Request for millionaire party license changes; cancellations.

Rule 206. (1) To change the location, day, date, dates, or time of a millionaire party, a qualified organization shall submit a request to the executive director in writing not fewer than 20 days before the proposed change takes effect.

(2) If a millionaire party cannot be held on the date approved by the executive director because of inclement weather or other emergency conditions, then the qualified organization may submit a request to the executive director in writing for a new millionaire party date. The qualified organization must also notify the executive director immediately upon event cancellation.

(3) If the qualified organization chooses to cancel a millionaire party, it shall give the executive director written notice of the cancellation at least 10 days before the scheduled date of the event.

History: 2014 MR 9, Eff. May 14, 2014.

PART 3. MILLIONAIRE PARTY

R 432.301 Licensing requirements.

Rule 301. (1) A qualified organization applying for a millionaire party license shall meet the requirements of R 432.202.

(2) An organization applying for a license shall include with its application a description of the proposed location, the specific area of that location in which gaming will be conducted, and a description how that area will be demarcated. The demarcated area must be approved by the executive director before issuance of millionaire party event licenses.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.302 Licensing and approval.

Rule 302. (1) An application for a license under this act and these rules is a request by the applicant for the discretionary license. The license is a revocable privilege and is not a property right. No person including a qualified organization, supplier, lessor, or location owner shall have any expectation the executive director will issue a license.

(2) Subject to subrule (3) of this rule, the executive director may authorize up to 2 millionaire party event per location per day.

(3) The executive director may set the maximum number of days that a millionaire party can be held at a particular location. There shall not be more than 4 event days per week.

(4) The executive director may set a maximum number of licenses that will be issued to qualified organizations and may set a maximum number of days that a millionaire party license may be issued.

(5) The executive director may stop issuing licenses at any time or for any reason.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.303 Principal officer responsibilities.

Rule 303. (1) The principal officer of a qualified organization submitting an application shall be 18 years of age or older.

(2) The principal officer of the qualified organization shall be responsible for all of the following:

(a) Ensuring the qualified organization's full accountability for all gaming assets including, but not limited to, cash, prizes, imitation money or chips, and all funds derived from the millionaire party.

(b) Ensuring the millionaire party is conducted in accordance with the act, these rules, terms of probation, directives, public policy of the state of Michigan and any other local, state, and federal laws or regulations.

(c) Ensuring that all records related to the millionaire party are current and accurate.

(d) Reviewing all reports and correspondence from the executive director.

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(e) Signing and ensuring that the financial statement from the millionaire party is submitted to the executive director as prescribed by R 432.321.

(f) Responding in writing to violation notices as prescribed by R 432.105(2).

(g) Ensuring that all workers are qualified to work the millionaire party.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.304 Millionaire party chairperson; qualifications and duties.

Rule 304. (1) The officers of the qualified organization shall designate at least 1 chairperson to be in charge of and responsible for ensuring the millionaire party is conducted in accordance with the act, these rules, terms of probation, directives, public policy of the state of Michigan, and any other local, state, and federal laws.

(2) The chairperson shall be a worker who is a bona fide member of the qualified organization for at least 6 months and only serves as a millionaire party chairperson for 1 qualified organization in a calendar year unless otherwise approved by the executive director.

(3) The chairperson shall be listed on the license application.

(4) The chairperson shall be familiar with the act, these rules, terms of probation, and directives.

(5) The chairperson shall be present on the premises continuously during the occasion.

(6) The chairperson shall be readily identifiable to all millionaire party attendees by wearing a name badge with the word "chairperson" followed by the name of the licensee and the chairperson's name.

(7) The chairperson shall be in charge of the millionaire party, supervise and direct all workers, and be responsible for assuring the proper receipting, recording, and depositing of all money derived from the millionaire party.

(8) The chairperson shall attempt to resolve in accordance with the act, these rules, and directives, disputes that may occur during the conduct of the millionaire party.

(9) Any change in the chairperson or persons who are listed on the millionaire party license application must be immediately submitted to the executive director in writing. The notification shall be signed by the principal officer of the qualified organization.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.305 Minimum age.

Rule 305. (1) Persons under 18 years of age shall not be permitted to participate in the millionaire party as players and shall not be permitted to operate millionaire party games or assist in the conduct of the millionaire party.

(2) Persons under 18 years of age shall not be permitted to play with, operate, handle, collect, or distribute any kind of millionaire party equipment.

(3) Persons under 18 years of age shall not be permitted to sell or purchase raffle tickets, charity game tickets, or numeral game tickets.

(4) Persons under 18 years of age shall not be permitted in the demarcated area of a millionaire party when gaming is being conducted.

(5) At events where alcoholic beverages are served, persons in the demarcated area who are 18 years of age or older, but less than 21 years of age, shall be identified by wearing a mark indicating the qualified organization has verified his or her age and identification.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.306 Raffles; charity game tickets; numeral game tickets.

Rule 306. (1) Raffles held in conjunction with a millionaire party license shall be conducted as prescribed by the rules promulgated pursuant to the act.

(2) Charity game tickets may be sold at a millionaire party as prescribed by the rules promulgated pursuant to the act.

(3) Numeral game tickets may be sold at a millionaire party as prescribed by the rules promulgated pursuant to the act.

R 432.307 Equipment.

Rule 307. (1) Only authorized equipment may be used at a millionaire party.

(2) Authorized equipment used in the conduct of millionaire parties shall be maintained in good repair and sound working condition.

(3) The utilization of equipment and methods of play shall be such that each player is afforded an equal opportunity to win.

(4) The licensee may not obtain millionaire party equipment from the location owner or the lessor.

(5) Unless being used during a millionaire party, authorized equipment must be stored in an inoperable manner when not in use.

History: 2014 MR 9, Eff. May 14, 2014.

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R 432.308 Rules of the game.

Rule 308. The executive director shall approve each game and the rules of each game that may be played at a millionaire party. The executive director shall set the rules of the game to include, but not limited to, method of play, odds, types of wagers, bet limits, and pools. The executive director may withdraw approval of a game or change the rules of the game.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.309 Imitation money and chips.

Rule 309. (1) During the conduct of a millionaire party, only imitation money or chips shall be used by the participants. Imitation money or chips shall be used solely for wagering or redemption purposes.

(2) Imitation money or chips shall not be used for tipping or the purchase of food, beverages, raffle tickets, charity game tickets, numeral game tickets, or non-gaming items.

(3) Imitation money or chips shall only be sold by the qualified organization.

(4) Imitation money or chips shall not be sold by dealers.

(5) Imitation money or chips shall only be redeemed at authorized redemption areas.

(6) Only imitation money and chips that have received the executive director's prior approval may be used at a millionaire party.

(7) The executive director may set the maximum amount of chips or imitation money that a qualified organization may sell to an individual at a millionaire party.

(8) Not more than \$15,000.00 in imitation money or chips may be sold in 1 day of a millionaire party.

(9) Not more than \$15,000.00 in imitation money or chips shall be permitted in a demarcated area.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.310 Millionaire party conduct.

Rule 310. (1) A millionaire party licensee may conduct only those games approved by the executive director. All games shall be conducted pursuant to the rules set by the executive director.

(2) The qualified organization shall perform the duties concerning the millionaire party as directed by the executive director.

(3) Millionaire parties shall only be conducted during the hours and the date or dates stated on the license.

(4) The millionaire party license shall be on site and posted in a conspicuous place during the millionaire party occasion.

(5) A copy of the current license application and any changes shall be on site and available for review.

(6) The executive director shall determine the number of bona fide members of the qualified organization to staff the event but that number shall not be less than 3 at all times. One of the bona fide members shall be the millionaire party chairperson. A bona fide member acting as a dealer does not count towards the required number of persons staffing the event.

(7) If for any reason the number of bona fide members described in subrule (6) of this rule is fewer than the number set by the executive director, the qualified organization shall report this to the executive director immediately and may be required to cease conducting the licensed millionaire party.

(8) A qualified organization shall provide the names of its bona fide members who will be participating in the millionaire party to the executive director with its license application.

(9) All bona fide members of the qualified organization shall wear vests, buttons, or other distinctive apparel to define them as members of the qualified organization and not employees or agents of the location or licensed supplier.

(10) Unless permitted by the act, these rules, or by written authorization of the executive director, only bona fide members of the qualified organization holding the millionaire party license may perform any of the following duties:

(a) Counting, distributing, handling, selling, or redeeming chips.

(b) Receiving, handling, or counting cash.

(c) Collecting the house rake.

(d) Paying out cash prizes.

(e) Completing the millionaire party game records and financial statement.

(f) Ensuring only authorized persons are present in the demarcated area.

(g) Monitoring the games and verifying all games have been conducted in conformance with the rules of the game.

(h) Verifying age of the players.

(i) Any other duty authorized by the executive director.

(11) A bona fide member of the qualified organization shall not play millionaire party games at an event where he or she is working or assisting.

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(12) A bona fide member of the qualified organization shall not share in a prize, or purchase, play, or accept charity game tickets or numeral game tickets offered for sale by the licensee at any time during the day he or she is working or assisting.

(13) A bona fide member of the qualified organization shall not split a prize with a player or accept tips of any kind.

(14) Except for disputed prizes, all winners shall be determined and all prizes shall be awarded within the hours stated on the license.

(15) All winners of raffle prizes shall be determined and all prizes awarded as prescribed by the charitable gaming rules.

(16) A wager shall not be placed on an athletic event.

(17) A wager shall not be placed on a game, contest, or activity other than an approved game taking place at the location within the hours stated on the license.

(18) A location owner or lessor, a shareholder of a privately held corporate owned or leased location, partner, officer, agent, or employee of a location owner or lessor, or a person residing in the same household as a location owner or lessor, shareholder of a privately held corporate owned or leased location, partner, officer, agent, or employee of a location owner or lessor shall not do any of the following:

(a) Be an officer of a qualified organization conducting a millionaire party at the location in which he or she owns, leases, represents, or works.

(b) Participate as a player in any gaming event being conducted under the millionaire party license at the location in which he or she owns, leases, represents, or works.

(c) Share in a prize, purchase, play, or accept charity game tickets or numeral game tickets offered for sale by the licensee at any time during the day he or she is working or assisting.

(d) Split a prize with a player.

(e) Participate in any aspect of a millionaire party event, including but not limited to, providing dealers, equipment, or workers.

(19) The executive director may waive subrule 18 (a), (b), and (e) of this rule subject to all of the following conditions:

(i) A qualified organization is using a location it owns, rents, or leases on a continual basis for the regular use of its members.

(ii) The qualified organization is using that location to conduct its own licensed millionaire party events.

(iii) The waiver is granted for not more than 16 millionaire party events in a calendar year at that location.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.311 Hours of operation.

Rule 311. The executive director has sole discretion to set the permissible hours of the day during which a millionaire party may be conducted. The executive director may not permit a millionaire party to begin before 8:00 a.m. or continue past 2:00 a.m.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.312 Limitation on redemptions.

Rule 312. A licensee shall not redeem imitation money or chips having a total value exceeding the amount sold by the millionaire party licensee for that day. A millionaire party licensee shall not redeem imitation money or chips in an amount exceeding the limitations as prescribed by the act. This limitation does not include the value of prizes won through raffles, charity game tickets, or numeral games.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.313 Worker compensation.

Rule 313. (1) A qualified organization shall not compensate a worker who is a bona fide member at a millionaire party, except that it may give him or her 1 of the following, or both:

(a) Credit for tuition, dues, or similar item of value approved by the executive director.

(b) Food and beverages to consume while working.

(2) The names of the workers and any compensation the workers have received pursuant to subrule (1) of this rule shall be recorded on the workers service record for each day of the millionaire party or as directed in writing by the executive director.

(3) All compensation shall be reported on the financial statement as prescribed by R 432.321.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.314 Dealers.

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Rule 314. (1) A qualified organization is responsible for the actions of the dealers including compliance with the act, these rules, directives, and any other local, state, and federal laws and regulations.

(2) A qualified organization may have bona fide members of the qualified organization serve as dealers at a millionaire party or it may hire dealers. A dealer shall not be an employee of the location owner or lessor, unless that person is a bona fide member of the qualified organization and is dealing during an event at that organization's location.

(3) A qualified organization applying for a license shall include with its application a list of the dealers who will work at the proposed event. The qualified organization shall provide information to show the dealers have never been convicted of, or forfeited bond upon a charge of, or pled guilty to any of the following offenses:

- (a) A felony.
- (b) A gambling offense.
- (c) Criminal fraud.
- (d) Forgery.
- (e) Larceny.
- (f) Filing a false report with a governmental agency.

(4) Only those persons authorized by the executive director may serve as a dealer at the licensed millionaire party event.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.315 Game records; retention.

Rule 315. (1) Game records pertaining to the millionaire party shall be completed and maintained in a current and accurate manner in accordance with the act, these rules, terms of probation, and directives. A licensee may be required to complete game records on forms prescribed by the executive director.

(2) Game records shall include a copy of the current license application and any changes.

(3) Game records and all documents supporting entries made in the records shall be available and on site at the occasion and at other times to authorized representatives of the executive director for review.

(4) Game records and all documents and supporting entries made in the records shall be accessed, entered, amended, stored, and submitted by the qualified organization only.

(5) Game records and all documents supporting entries made in the records shall be kept for at least the current calendar year plus 3 years or as directed in writing by the executive director.

(6) An invoice showing the cost per item for all millionaire party equipment shall be available and on site at the occasion to authorized representatives of the executive director for review.

(7) Game records and all documents supporting entries made in the records may be removed by authorized representatives of the executive director for review.

(8) Game records may be maintained using a computer if they can not be remotely accessed and are maintained in accordance with the act, these rules, and directives.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.316 Accountability; lawful use of proceeds; reasonable expenditures; deposit of proceeds.

Rule 316. (1) The millionaire party licensee is accountable for all cash, prizes, imitation money or chips, raffle tickets, charity game tickets, and numeral game tickets.

(2) In accordance with the act, the entire net proceeds of the millionaire party shall be devoted exclusively to the lawful purposes of the qualified organization.

(3) To ensure that all proceeds are used for the lawful purposes of the qualified organization, each qualified organization shall maintain a separate checking account which shall be under its exclusive control. The organization shall only deposit its millionaire party proceeds in the account and shall only make expenditures as authorized under the act and these rules.

(4) The financial account into which proceeds from the millionaire party are deposited shall be open for review by authorized representatives of the executive director.

(5) The financial accounts into which proceeds from the millionaire party are transferred to shall be open for review by authorized representatives of the executive director.

(6) Each check written from the checking account under the qualified organization's exclusive control into which proceeds from the millionaire party are deposited shall meet all of the following requirements:

- (a) Be preprinted with the name of the licensee.
- (b) Be signed by an authorized person or persons.
- (c) Be made payable to a specific person, business, partnership, corporation, or account.
- (d) Not be made payable to cash or bearer and shall not be drawn in blank.
- (e) Contain a brief description of the expense on the memo line.

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(7) Electronic transfers of funds derived from the conduct of the millionaire party shall be done in accordance with directives issued by the executive director.

(8) Cancelled checks written from the checking account under the qualified organization's exclusive control into which proceeds from the millionaire party are deposited shall be returned on a monthly basis to the account holder. Copies of the checks are acceptable, if legible, and if originals can be made available upon request by the executive director.

(9) All monies derived from the conduct of the millionaire party shall be deposited into the checking account under the qualified organization's exclusive control within 2 business days of the millionaire party or as directed in writing by the executive director.

(10) Checks shall not be cashed out of the millionaire party start cash or gross revenue.

(11) Each expense that the millionaire party licensee pays concerning the millionaire party must be in compliance with all of the following:

(a) Incurred in connection with the conduct of the millionaire party.

(b) Necessary and reasonable.

(c) Itemized.

(d) Approved by the executive director in writing before the licensed millionaire party. The executive director may disapprove an expenditure for any reason.

(12) A qualified organization shall not accept any compensation in connection with a millionaire party unless expressly authorized by the act or these rules.

(13) The payment of expenses incurred in connection with the conduct of the licensed millionaire party event shall be necessary and reasonable, but shall not exceed 45 % of the event gross profits.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.317 Rent and rental location agreement.

Rule 317. (1) A qualified organization shall not rent a location for a millionaire party unless all the terms and conditions of rental, including the fee, are in a written agreement approved by the executive director.

(2) A qualified organization shall not pay a location owner or a lessor more than \$250.00 per day to rent a location for a millionaire party. The rental fee cannot include any consideration or commission from revenues raised from the millionaire party gaming.

(3) A qualified organization shall not enter into agreements with the location owner or lessor other than those addressed in the written rental agreement approved by the executive director.

(4) A location owner or lessor shall not make any payments to, or accept any payments from, a supplier for anything directly or indirectly related to a millionaire party.

(5) A location owner or lessor shall not make the lease or rental of its demarcated area dependent upon the use of a particular supplier or particular dealers and shall not vary the rental or lease fee that it charges based on an organization's use of a particular supplier or particular dealers.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.318 Security.

Rule 318. (1) The qualified organization shall ensure that access to the demarcated area is controlled.

(2) The qualified organization may hire security officers. Any security services the location provides will be included in the rental fee as approved by the executive director.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.319 Advertising.

Rule 319. (1) Expenditures by the millionaire party licensee for advertising the millionaire party shall be necessary and reasonable.

(2) A licensee may advertise a millionaire party using current and accurate information. The advertising shall include all of the following:

(a) Name of the licensee.

(b) License number.

(c) Purpose for which the net proceeds will be used.

(3) Advertising shall cease once the millionaire party license has expired.

(4) Advertising via the internet, printed matter, signs, or billboards shall be in the following format:

(a) Information in subrule (2) of this rule shall appear in the top half of the advertisement.

(b) Excluding location name, information in subrule (2) of this rule shall be prominently displayed in the same size font, or larger, as the largest font of any other information contained in the advertisement.

(5) Information in subrule (2) of this rule shall be continuously visible and readable in television advertising.

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(6) The lessor, location owner, or licensee shall not advertise the dates or times the location is open for the purpose of conducting a millionaire party or the games that will be played at that location unless all the information required in subrule (2) of this rule is contained in the advertising.

(7) The following items are not considered advertising:

(a) A message on an answering machine or voicemail by the lessor, location owner, or licensee at a location where a millionaire party will occur.

(b) Video, audio, or other means of communication that is broadcast solely within the interior of a location where the millionaire party occurs.

(c) Printed matter contained within the interior of a location where a millionaire party occurs and that is intended to be visible only from the interior of the location where the millionaire party will occur.

(d) An internet webpage that does not mention days, dates, times, specific games played, or program information.]

(e) A sign located on the property of a location where a millionaire party occurs that does not mention days, dates, times, specific games played, or game program information.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.320 Millionaire party financial records; retention.

Rule 320. All of the following financial records shall be available to authorized representatives of the executive director for review and shall be kept for at least the current calendar year plus 3 years or as directed in writing by the executive director:

(a) A copy of the financial statement as prescribed by R 432.321.

(b) Bank validated deposit slips for all proceeds from the millionaire party.

(c) Bank statements from the checking account where proceeds from the millionaire party were deposited.

(d) Cancelled checks or copies of checks, as prescribed by R 432.316(8), from the checking account under the qualified organization's exclusive control into which proceeds from the millionaire party are deposited.

(e) Invoices or receipts with the date, vendor's name, and a description of the item or service for all expenditures made from the checking account where proceeds from the millionaire party were deposited.

(f) Documents, including, but not limited to, invoices and receipts supporting the preapproved expenditures.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.321 Financial statement requirements.

Rule 321. (1) A millionaire party licensee shall submit a financial statement to the executive director on a form, provided by or approved in writing by the executive director, by the tenth day of the month following the month that the millionaire party was held.

(2) The financial statement shall be signed by the principal officer of the qualified organization certifying that the information on the financial statement is true, correct, and complete to the best of his or her knowledge.

History: 2014 MR 9, Eff. May 14, 2014.

PART 4. SUPPLIERS

R 432.401 Supplier license application.

Rule 401. (1) A written application for a supplier license shall be approved by the executive director before a person sells or rents authorized equipment to a millionaire party licensee.

(2) The supplier license application shall include additional information as directed by the executive director.

(3) The supplier license application shall be accompanied by the appropriate fee.

(4) An applicant shall disclose to the executive director whether any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as the applicant, or agent of the applicant has ever been convicted or becomes convicted of, or forfeited bond upon a charge of, or pled guilty to any of the following offenses:

(a) A felony.

(b) A gambling offense.

(c) Criminal fraud.

(d) Forgery.

(e) Larceny.

(f) Filing a false report with a governmental agency.

(5) Any changes to the information provided on the supplier license application shall be immediately reported to the executive director in writing.

History: 2014 MR 9, Eff. May 14, 2014.

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R 432.402 Additional eligibility factors.

Rule 402. In addition to the requirements of the act, the executive director shall consider all of the following factors when reviewing a supplier license application or renewal application:

- (a) The honesty and integrity of the applicant.
- (b) The veracity and accuracy of any information supplied to the executive director by the applicant.
- (c) The applicant's indebtedness to local, state, or federal government.
- (d) A pending lawsuit or bankruptcy proceeding involving the applicant or any owner, shareholder of the privately held corporation, partner, or officer of the applicant.
- (e) The current or past history of compliance of the applicant or any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as the applicant, or agent of the applicant with the act, these rules, terms of probation, directives, public policy of the state of Michigan, or any other local, state, or federal laws or regulations.
- (f) Criminal convictions of the applicant or any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as the applicant, or agent of the applicant for any of the following offenses:
 - (i) A violation of the act.
 - (ii) A felony.
 - (iii) A gambling offense.
 - (iv) Criminal fraud.
 - (v) Forgery.
 - (vi) Larceny.
 - (vii) Filing a false report with a governmental agency.
- (g) The forfeiture of a bond.
- (h) Any other information considered advisable by the executive director.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.403 Supplier license expiration; supplier license void on ownership change.

Rule 403. (1) A supplier license shall expire at midnight on September 30 and is renewable annually upon the submission of a renewal application, provided by or approved in writing by the executive director, unless summarily suspended, suspended, denied, or revoked by the executive director.

(2) If the ownership changes or any portion of ownership of the privately held corporation, partnership, or sole proprietorship acting as a licensed supplier changes, except for deletion of owners or changes in percentage of ownership, then the license issued to that privately held corporation, partnership, or sole proprietorship shall be void and returned to the executive director without delay.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.404 Supplier license terms and conditions.

Rule 404. (1) Upon the issuance of a supplier license, the licensed supplier agrees to all of the following terms and conditions:

- (a) To be bound by and comply with the act, these rules, terms of probation, directives, public policy of the state of Michigan, and any other local, state, and federal laws and regulations.
 - (b) To not assign or transfer the supplier license. A privately held corporation, partnership, or sole proprietorship acting as a licensed supplier shall not attempt to sell or transfer an interest in the business without the prior written approval of the executive director.
 - (c) To immediately report to the executive director in writing any change in the information stated on or attached to the supplier license application.
 - (d) To only accept checks from a licensee's account for the payment of equipment or dealers.
 - (e) To not reveal investigative information to any licensee.
 - (f) To hold the executive director and the state harmless from any liability, including, but not limited to, taxes and legal expenses.
- (2) The location at which the licensed supplier does business, including supplemental storage locations or at which an applicant or licensed supplier intends to do business or store equipment, shall be open to inspection by an authorized representative of the executive director during reasonable business hours.
- (3) A person shall not refuse to cooperate with, hinder, or obstruct in any way, an authorized representative of the executive director while the representative is performing official duties.
- (4) A licensed supplier shall not require any licensee to enter into an exclusive purchase agreement with that licensed supplier.
- (5) A licensed supplier may rent or sell authorized equipment to qualified organizations for a reasonable rate as approved by the executive director.

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(6) A licensed supplier may provide dealers to a qualified organization.

(7) A licensed supplier shall not make a payment to, or accept a payment from, either directly or indirectly, a location owner or lessor for anything related to a millionaire party.

(8) Notwithstanding R 432.314(2), if a licensed supplier provides the dealers, the licensed supplier shall be responsible for the actions of the dealers including compliance with the act, these rules, terms of probation, directives, public policy of the state of Michigan, and any other local, state, and federal laws and regulations.

(9) The executive director may deny, summarily suspend, suspend, revoke, or refuse to renew a supplier license as prescribed by R 432.108 to R 432.110.

(10) A person convicted of a criminal offense under the act or any other gambling offense is ineligible to participate in a supplier license as an owner, shareholder of a privately held corporation, partner, officer, agent, or employee for 5 years after the conviction becomes final.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.405 Equipment; sale and rental.

Rule 405. (1) Only equipment authorized in writing by the executive director and in sound working condition may be sold or rented to licensees.

(2) Unless being used during a millionaire party, gaming equipment shall be stored in an inoperable manner when not in use.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.406 Authorization to purchase and sell charity game tickets and sell approved numeral game tickets.

Rule 406. The issuance of a supplier license does not include the authorization to purchase and sell charity game tickets or sell approved numeral game tickets.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.407 Prohibitions.

Rule 407. (1) A licensed supplier or any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as a licensed supplier, agent, or employee of a licensed supplier shall not be involved with the millionaire party. This subrule does not apply to the dealers or delivery, repair, and the set up of the millionaire party equipment.

(2) A licensed supplier or any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as a licensed supplier, agent, or employee of a licensed supplier shall not do any of the following:

(a) Be an officer of a qualified organization conducting a millionaire party for which the supplier is providing equipment or services.

(b) Play millionaire party games at the location where he or she works or assists.

(c) Share in a prize, purchase, play, or accept charity game tickets or numeral game tickets offered for sale by the licensee at any time at the location where he or she is working or assisting.

(d) Split a prize with a player.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.408 Invoices for equipment.

Rule 408. (1) A licensed supplier shall record every sale, rental, return, dealer cost, or any other type of transfer of equipment to or from licensees by completing a sales invoice or credit memo.

(2) All invoices for equipment and dealers shall be sequentially numbered and issued in sequential order or as directed in writing by the executive director.

(3) An invoice for equipment and/or dealers supplied to a licensee shall be given to the licensee before the millionaire party.

(4) The invoice shall contain all of the following:

(a) The amount of each sale.

(b) All credits.

(c) All exchanges.

(d) All sales premiums.

(e) All rebates or discounts.

(f) The net amount of each sale.

(g) Any other information as directed in writing by the executive director.

(5) A licensed supplier shall retain all voided or spoiled invoices for equipment and/or dealers.

History: 2014 MR 9, Eff. May 14, 2014.

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R 432.409 Supplier records; retention.

Rule 409. (1) The licensed supplier shall maintain current and accurate records of all operations.

(2) The records and all documents supporting entries made in the records shall be available to the authorized representatives of the executive director for review.

(3) The records and all documents supporting entries made in the records shall be kept for at least the current calendar year plus 3 years or as directed in writing by the executive director.

(4) A licensed supplier shall report to the executive director, on a form provided by or approved in writing by the executive director, the number of and total amount paid to the licensed supplier for dealers and the type and total amount of sales and rentals of authorized equipment.

History: 2014 MR 9, Eff. May 14, 2014.

R 432.410 Advertising.

Rule 410. A licensed supplier shall not advertise a millionaire party.

History: 2014 MR 9, Eff. May 14, 2014.

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

CASINO INTEREST REGISTRATION

R 432.1001

Source: 1998-2000 AACS.

R 432.1002

Source: 1998-2000 AACS.

R 432.1003

Source: 1998-2000 AACS.

DEPARTMENT OF TREASURY

MICHIGAN GAMING CONTROL BOARD

CASINO GAMING

PART 1. DEFINITIONS

R 432.1101

Source: 1998-2000 AACS.

R 432.1102

Source: 1998-2000 AACS.

R 432.1103

Source: 1998-2000 AACS.

R 432.1104

Source: 1998-2000 AACS.

R 432.1105

Source: 1998-2000 AACS.

R 432.1106

Source: 1998-2000 AACS.

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R 432.1107
Source: 1998-2000 AACS.

R 432.1108
Source: 1998-2000 AACS.

R 432.1109
Source: 1998-2000 AACS.

PART 2. GENERAL PROVISIONS

R 432.1201
Source: 1998-2000 AACS.

R 432.1202
Source: 1998-2000 AACS.

R 432.1203
Source: 1998-2000 AACS.

R 432.1204
Source: 1998-2000 AACS.

R 432.1205
Source: 1998-2000 AACS.

R 432.1206
Source: 1998-2000 AACS.

R 432.1207
Source: 1998-2000 AACS.

R 432.1208
Source: 1998-2000 AACS.

R 432.1209
Source: 1998-2000 AACS.

R 432.1210
Source: 1998-2000 AACS.

R 432.1211
Source: 1998-2000 AACS.

R 432.1212
Source: 1998-2000 AACS.

R 432.1213
Source: 1998-2000 AACS.

R 432.1214
Source: 1998-2000 AACS.

R 432.1215
Source: 1998-2000 AACS.

R 432.1216
Source: 1998-2000 AACS.

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R 432.1217
Source: 1998-2000 AACS.

R 432.1218
Source: 1998-2000 AACS.

R 432.1219
Source: 1998-2000 AACS.

R 432.1220
Source: 1998-2000 AACS.

R 432.1221
Source: 1998-2000 AACS.

R 432.1222
Source: 1998-2000 AACS.

R 432.1223
Source: 1998-2000 AACS.

R 432.1224
Source: 1998-2000 AACS.

R 432.1225
Source: 1998-2000 AACS.

R 432.1226
Source: 1998-2000 AACS.

R 432.1227
Source: 1998-2000 AACS.

R 432.1228
Source: 1998-2000 AACS.

R 432.1229
Source: 1998-2000 AACS.

R 432.1230
Source: 1998-2000 AACS.

R 432.1231
Source: 1998-2000 AACS.

R 432.1232
Source: 1998-2000 AACS.

PART 3. LICENSES

R 432.1301
Source: 1998-2000 AACS.

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- R 432.1323**
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- R 432.1339**
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- R 432.1340**
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- R 432.1341**
Source: 1998-2000 AACS.

PART 4. PUBLIC OFFERING OF DEBT OR EQUITY FOR MICHIGAN CASINOS

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R 432.1401
Source: 2008 AACS.

R 432.1402
Source: 2008 AACS.

R 432.1403
Source: 2008 AACS.

R 432.1404
Source: 2008 AACS.

R 432.1405
Source: 2008 AACS.

R 432.1406
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R 432.1407
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PART 5. TRANSFER OF OWNERSHIP

R 432.1501
Source: 1998-2000 AACS.

R 432.1502
Source: 1998-2000 AACS.

R 432.1503
Source: 1998-2000 AACS.

R 432.1504
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R 432.1505
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R 432.1511
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PART 6. EXCLUSION OF PERSONS

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R 432.1601
Source: 1998-2000 AACS.

R 432.1602
Source: 1998-2000 AACS.

R 432.1603
Source: 1998-2000 AACS.

R 432.1604
Source: 1998-2000 AACS.

R 432.1605
Source: 1998-2000 AACS.

PART 7. DENIAL AND EXCLUSION HEARINGS

R 432.1701
Source: 1998-2000 AACS.

R 432.1702
Source: 1998-2000 AACS.

R 432.1703
Source: 1998-2000 AACS.

R 432.1704
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R 432.1714

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Source: 2008 AACS.

R 432.1715

Source: 2008 AACS.

PART 8. CONDUCT OF GAMING

R 432.1801

Source: 1998-2000 AACS.

R 432.1802

Source: 1998-2000 AACS.

R 432.1803

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R 432.1804

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R 432.1838
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R 432.1840
Source: 1998-2000 AACS.

R 432.1841
Source: 1998-2000 AACS.

R 432.1842
Source: 1998-2000 AACS.

R 432.1843
Source: 1998-2000 AACS.

PART 9. INTERNAL CONTROL PROCEDURES

R 432.1901
Source: 1998-2000 AACS.

R 432.1902
Source: 1998-2000 AACS.

R 432.1903
Source: 1998-2000 AACS.

R 432.1904
Source: 1998-2000 AACS.

R 432.1905
Source: 1998-2000 AACS.

R 432.1906
Source: 1998-2000 AACS.

R 432.1907
Source: 2008 AACS.

PART 10. SECURITY AND SURVEILLANCE

R 432.11001
Source: 1998-2000 AACS.

R 432.11002
Source: 1998-2000 AACS.

R 432.11003
Source: 1998-2000 AACS.

R 432.11004
Source: 1998-2000 AACS.

R 432.11005
Source: 1998-2000 AACS.

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R 432.11006
Source: 1998-2000 AACS.

R 432.11007
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R 432.11008
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R 432.11009
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R 432.11010
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R 432.11011
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R 432.11012
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R 432.11013
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R 432.11014
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R 432.11015
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R 432.11016
Source: 1998-2000 AACS.

R 432.11017
Source: 1998-2000 AACS.

R 432.11018
Source: 1998-2000 AACS.

PART 11. SEIZURE, FORFEITURE AND DISCIPLINARY HEARINGS

R 432.11101
Source: 1998-2000 AACS.

R 432.11102
Source: 1998-2000 AACS.

R 432.11103
Source: 1998-2000 AACS.

R 432.11104
Source: 1998-2000 AACS.

R 432.11105
Source: 1998-2000 AACS.

R 432.11106

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Source: 1998-2000 AACS.

R 432.11107

Source: 1998-2000 AACS.

R 432.11108

Source: 1998-2000 AACS.

R 432.11109

Source: 1998-2000 AACS.

PART 12. ACCOUNTING RECORDS AND PROCEDURES

R 432.11201

Source: 1998-2000 AACS.

R 432.11202

Source: 1998-2000 AACS.

R 432.11203

Source: 1998-2000 AACS.

R 432.11204

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R 432.11205

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R 432.11206

Source: 1998-2000 AACS.

R 432.11207

Source: 1998-2000 AACS.

R 432.11208

Source: 1998-2000 AACS.

R 432.11209

Source: 1998-2000 AACS.

PART 13. CREDIT

R 432.11301

Source: 1998-2000 AACS.

R 432.11302

Source: 1998-2000 AACS.

R 432.11303

Source: 1998-2000 AACS.

R 432.11304

Source: 1998-2000 AACS.

R 432.11305

Source: 1998-2000 AACS.

R 432.11306

Source: 1998-2000 AACS.

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R 432.11307
Source: 1998-2000 AACS.

R 432.11308
Source: 1998-2000 AACS.

R 432.11309
Source: 1998-2000 AACS.

R 432.11310
Source: 1998-2000 AACS.

R 432.11311
Source: 1998-2000 AACS.

R 432.11312
Source: 1998-2000 AACS.

PART 14. MOVEMENT OF GAMING EQUIPMENT

R 432.11401
Source: 1998-2000 AACS.

R 432.11402
Source: 1998-2000 AACS.

R 432.11403
Source: 1998-2000 AACS.

R 432.11404
Source: 1998-2000 AACS.

R 432.11405
Source: 1998-2000 AACS.

R 432.11406
Source: 1998-2000 AACS.

PART 15. DISPUTE PROCEDURES

R 432.11501
Source: 1998-2000 AACS.

R 432.11502
Source: 1998-2000 AACS.

R 432.11503
Source: 1998-2000 AACS.

DEPARTMENT OF TREASURY
BUREAU OF STATE LOTTERY
CHARITABLE GAMING DIVISION

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PART 1. GENERAL

R 432.21101 Definitions.

Rule 101. (1) As used in the act:

- (a) "Bona fide member" means a member, according to an organization's established membership criteria, who participates in the organization to further its lawful purposes.
 - (b) "Charitable purpose" means 1 or more of the following causes, deeds, or activities that are beneficial to the general public:
 - (i) Relief of poverty.
 - (ii) Advancement of education.
 - (iii) Advancement of religion.
 - (iv) Protection of health or relief from disease, suffering, or distress.
 - (v) Advancement of civic, governmental, or municipal purposes.
 - (vi) Protection of the environment and conservation of wildlife.
 - (vii) Defense of human rights and the elimination of prejudice and discrimination.
 - (viii) Any other purpose that the commissioner determines to be beneficial to the general public.
 - (c) "Day" means the standard 24-hour period, except when referring to the issuance of licenses, when it means the time period from 8 a.m. of 1 day to 2 a.m. of the following day.
 - (d) "Lawful purpose" means 1 or more of the authorized purposes stated in a qualified organization's written bylaws, constitution, charter, or articles of incorporation and is on file with the bureau.
 - (e) "Licensee" means a qualified organization issued a license to conduct a large bingo, small bingo, special bingo, large raffle, small raffle, annual charity game ticket, special charity game ticket, or numeral game, or an organization or persons licensed under section 4a(2) or 4a(3) of the act. Licensee also means a hall, supplier, or manufacturer licensed under the act.
 - (f) "Raffle" means an event for which raffle tickets are sold and at which a winner or winners are determined either by randomly selecting stubs from all the raffle tickets sold for an event or by an alternative method that is approved in writing by the bureau, and at which a preannounced prize is awarded.
 - (g) "Retail value" or "market value" means the price that a merchandise item can be normally found at a retail outlet for purchase. For merchandise items that are not normally sold through retail outlets, it is the price at which the item sells for in the secondary market or the price that a reasonable seller would ask and that a reasonable purchaser would pay for the merchandise item.
 - (h) "Single gathering" means 1 scheduled assembly or meeting with a specified beginning and ending time that is conducted or sponsored by the qualified organization. Single gathering does not include the regular operating hours of a club or similar facility and does not include a meeting conducted solely for the purpose of conducting a raffle.
- (2) As used in these rules:
- (a) "Act" means Traxler-McCauley-Law-Bowman Bingo Act, 1972 PA 382, MCL 432.101 to 432.120.
 - (b) "Administrative procedures act" means administrative procedure act of 1969, PA 306, MCL 24.201 to 24.328.
 - (c) "Bingo equipment" means any authorized item that is used to conduct bingo.
 - (d) "Compliance meeting" means a meeting as prescribed by the administrative procedures act, conducted by the bureau at which the licensee has an opportunity to show compliance with the act, these rules, terms of probation, directives of the bureau, public policy of the state of Michigan, or any other local, state, or federal law or regulation.
 - (e) "Compliance meeting notice" means the document issued by the bureau before the compliance meeting to inform a licensee of the date, time, and location of the compliance meeting.
 - (f) "Contested case hearing" means a formal hearing before a hearing officer conducted as prescribed by the administrative procedures act.
 - (g) "Contested case hearing notice" means the document issued by the bureau before the contested case hearing to inform a licensee of the date, time, and location of the contested case hearing.
 - (h) "Deal" means a package or packages of numeral game tickets that are imprinted with the same serial number.
 - (i) "General public" means society as a whole or any considerable part of society.
 - (j) "Gross revenue" means the monetary value received by the licensee for all fees charged to participate in the licensed gaming event before any deductions for prizes or any other expenses.
 - (k) "Informal meeting" means a meeting conducted by the bureau, at its discretion, at which the bureau discusses the failure of the licensee or lessor to comply with the act, these rules, terms of probation, directives of the bureau, public policy of the state of Michigan, or any other local, state, or federal law or regulation.
 - (l) "Lessor" means a person who rents a location to a licensee for the purpose of conducting a licensed gaming event, except a person who is licensed under R 432.22001 to R 432.22008.

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- (m) "License" means a valid large bingo, small bingo, special bingo, large raffle, small raffle, annual charity game ticket, special charity game ticket, numeral game, hall, supplier, or manufacturer license that is issued by the bureau.
 - (n) "Licensed gaming event" means a large bingo, small bingo, special bingo, large raffle, small raffle, annual charity game ticket, special charity game ticket, or numeral game licensed under the act.
 - (o) "Occasion" means the hours of the day for which a license is issued.
 - (p) "Privately held corporation" means a corporation that does not trade its stock in a stock exchange or in over-the-counter transactions.
 - (q) "Probation" means a license status requiring strict compliance with the act, these rules, directives of the bureau, public policy of the state of Michigan, and specific conditions as established by the commissioner.
 - (r) "Probation violation" means failure to abide by any of the terms of probation.
 - (s) "Probationary period" means the time interval of probation.
 - (t) "Terms of probation" means the conditions established by the commissioner that shall be complied with during the probationary period.
 - (u) "Violation notice" means a document issued by the bureau, to a licensee charging a violation of the act, these rules, terms of probation, directives of the bureau, public policy of the state of Michigan, or any other local, state, or federal law or regulation.
 - (v) "Week" means a period of 7 days beginning with Sunday and ending with Saturday.
 - (w) "Worker" means a person who assists or participates in the management, conduct, or operation of a licensed gaming event.
- (3) A term defined in the act has the same meaning when used in these rules.
History: 2000 AACS; 2003 AACS; 2011 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21102 Principal officer responsibilities.

Rule 102. The principal officer of a qualified organization shall be responsible for all of the following:

- (a) Ensuring that there is full accountability for all gaming assets including, but not limited to, cash, prizes, bingo cards, raffle tickets, charity game tickets, numeral game tickets, and all funds derived from the licensed gaming event.
 - (b) Ensuring that the licensed gaming event is conducted in accordance with the act, these rules, terms of probation, and directives of the bureau.
 - (c) Ensuring that all records related to the licensed gaming event are current and accurate.
 - (d) Reviewing all reports and correspondence from the bureau.
 - (e) Signing and ensuring that financial statements from the licensed gaming event are submitted to the bureau as prescribed by R 432.21335, R 432.21522, R 432.21624, and R 432.21721.
 - (f) Responding in writing to violation notices as prescribed by R 432.21106(2).
 - (g) Ensuring that all workers are qualified to work the licensed gaming event.
- History: 2000 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21103

Source: 1998-2000 AACS.

R 432.21104

Source: 1998-2000 AACS.

R 432.21105

Source: 1998-2000 AACS.

R 432.21106

Source: 1998-2000 AACS.

R 432.21107

Source: 1998-2000 AACS.

R 432.21108

Source: 1998-2000 AACS.

R 432.21109 License denial.

Rule 109. (1) If the bureau determines that an applicant, who does not hold a license for which the applicant is applying, is not in compliance with the act, these rules, terms of probation for another license, directives of the bureau, public policy of

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the state of Michigan, or any other local, state, or federal law or regulation, then the commissioner may refuse to issue a license to the applicant.

(2) The submission of a check in payment of a fee that is not paid by the financial institution on which it is drawn shall be grounds for immediate denial of an application for a license.

(3) If the bureau determines that a lessor of a location to be used for the conduct of a special bingo, large raffle, small raffle, special charity game ticket, or numeral game is not in compliance with the requirements of the act, these rules, terms of probation, directives of the bureau, public policy of the state of Michigan, or any other local, state, or federal law or regulation, then the commissioner may refuse to issue a license to a qualified organization applying to conduct the licensed gaming event at that lessor's facility.

(4) A denial under this rule may be appealed under section 631 of 1961 PA 236, MCL 600.631.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21110 Suspension or revocation of a license; refusal to renew license.

Rule 110. (1) If the commissioner determines that a licensee or lessor is not in compliance with the requirements of the act, these rules, terms of probation, directives of the bureau, public policy of the state of Michigan, or any other local, state, or federal law or regulation, then the commissioner may suspend or revoke the license, refuse to renew the license, or suspend the right to obtain a license.

(2) The commissioner may suspend or revoke a license, refuse to renew a license, or suspend the right to obtain a license in accordance with the administrative procedures act for any of the following reasons:

(a) Failure to ensure full accountability for all gaming assets including, but not limited to, cash, prizes, bingo cards, raffle tickets, charity game tickets, numeral game tickets, and all funds derived from the licensed gaming event.

(b) The lack of honesty and integrity of the licensee or lessor.

(c) The lack of veracity and accuracy concerning the information submitted on the application.

(d) The indebtedness of the licensee or lessor to the federal, state, or local government.

(e) A pending lawsuit or bankruptcy proceeding that involves the licensee or lessor and is related to the licensed gaming event.

(f) The current or past history of compliance of the licensee, lessor, or licensee or lessor's agent, or any owner, shareholder of the privately held corporation, partner, officer, or agent of the licensee with the act, these rules, terms of probation, directives of the bureau, public policy of the state of Michigan, or any other local, state, or federal law or regulation.

(g) Evidence that the licensee or lessor has illegal gambling equipment at the location or that illegal gambling has occurred at the location of the licensee or lessor or at the location of a licensed gaming event.

(h) The submission of a check in payment of a fee that is not paid by the financial institution on which it is drawn.

(i) Hindering or obstructing an authorized representative of the bureau in the performance of official duties.

(j) The use or submission of false or misleading information by any of the following means:

(i) An application for a license or renewal of a license.

(ii) Any document that is submitted to the bureau.

(iii) All records completed in conjunction with the licensed gaming event.

(iv) Verbal statements to an authorized representative of the bureau by any owner, shareholder of the privately held corporation, partner, officer, or agent of the licensee or lessor.

(k) Failure to submit complete and accurate financial statements as prescribed by R 432.21335, R 432.21522, R 432.21624, and R 432.21721.

(l) Failure or refusal to provide an authorized representative of the bureau access to the location of a licensed gaming event, licensed supplier, licensed manufacturer, or licensed hall.

(m) Failure to promptly produce any book, record, or document as required by the act, these rules, terms of probation, or directives of the bureau for review by an authorized representative of the bureau.

(n) Allowing any person who has been convicted of, becomes convicted of, has forfeited bond upon a charge of, or has pled guilty to any of the offenses in R 432.21205(f) to work in the operation or management of a licensed gaming event or to be an officer or agent of the qualified organization.

(o) Allowing any person who has been convicted of, becomes convicted of, has forfeited bond upon a charge of, or has pled guilty to any of the offenses in R 432.21802(f), R 432.21902(f), or R 432.22002(f) to work in the operation or management of a licensed supplier, licensed manufacturer, licensed hall, or lessor, or to be an owner, shareholder of the privately held corporation, partner, officer, or agent of the licensed supplier, licensed manufacturer, licensed hall, or lessor.

(p) Failure to continuously operate as a qualified organization as defined by the act and as represented to the bureau by means of the information submitted to the bureau as required by R 432.21202, or failure to continuously operate as an organization or person issued a license under section 4a(2) or 4a(3) of the act.

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- (q) For activities similar to those enumerated which, at the discretion of the commissioner, merit enforcement action.
- (3) If a license is suspended, then the commissioner may determine that the licensee is ineligible to conduct any licensed gaming event during the period of suspension.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21111

Source: 1998-2000 AACS.

R 432.21112

Source: 1998-2000 AACS.

R 432.21113

Source: 1998-2000 AACS.

R 432.21199

Source: 1998-2000 AACS.

PART 2. GAMING LICENSING

R 432.21201 Definitions.

Rule 201. (1) As used in this part, "bona fide," when referring to an organization, means a nonprofit organization that meets all of the requirements of the act and these rules and is organized and operated to accomplish the purposes stated in the act for that organization category and in the organization's bylaws, constitution, charter, or articles of incorporation.

(2) As used in this part, "gaming license," means a valid large bingo, small bingo, special bingo, large raffle, small raffle, annual charity game ticket, special charity game ticket, or numeral game license issued by the bureau.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21202

Source: 2003 AACS.

R 432.21203

Source: 1998-2000 AACS.

R 432.21204

Source: 2003 AACS.

R 432.21205

Source: 1998-2000 AACS.

R 432.21206

Source: 1998-2000 AACS.

R 432.21207

Source: 1998-2000 AACS.

R 432.21208 Request for gaming license changes; cancellations.

Rule 208. (1) To change the location, day, date, dates, or time of a licensed gaming event, a qualified organization shall submit a request to the bureau in writing not less than 20 days before the proposed change.

(2) If a special bingo, large raffle, small raffle, special charity game ticket, or numeral game cannot be held on the date approved by the bureau because of inclement weather or other emergency conditions, then the qualified organization may submit a request to the bureau in writing for a new licensed gaming event date.

(3) A qualified organization shall notify the bureau in writing not less than 10 days before the planned cancellation of a licensed gaming event.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

PART 3. BINGO

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- R 432.21301**
Source: 2003 AACS.
- R 432.21302**
Source: 1998-2000 AACS.
- R 432.21303**
Source: 1998-2000 AACS.
- R 432.21304**
Source: 1998-2000 AACS.
- R 432.21305**
Source: 2007 AACS.
- R 432.21306**
Source: 1998-2000 AACS.
- R 432.21307**
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- R 432.21308**
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- R 432.21309**
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- R 432.21314**
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- R 432.21316**
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- R 432.21317**
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- R 432.21318**
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- R 432.21319**
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Source: 1998-2000 AACS.

R 432.21321

Source: 2003 AACS.

R 432.21322

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R 432.21332

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R 432.21333

Source: 2010 AACS.

R 432.21334

Source: 2003 AACS.

R 432.21335

Source: 2007 AACS.

R 432.21336

Source: 2007 AACS.

PART 4. MILLIONAIRE PARTY

R 432.21401 Rescinded.

History: 2000 AACS; 2010 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21401a Rescinded.

History: 2010 AACS; 2014 MR 9, Eff. May 14, 2014.

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R 432.21402 Rescinded.

History: 2000 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21403 Rescinded.

History: 2000 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21404 Rescinded.

History: 2000 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21405 Rescinded.

History: 2000 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21406 Rescinded.

History: 2000 AACS; 2003 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21407 Rescinded.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21408 Rescinded.

History: 2000 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21409 Rescinded.

History: 2000 AACS; 2010 AACS; 2011 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21410 Rescinded.

History: 2000 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21411 Rescinded.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21412 Rescinded.

History: 2000 AACS; 2007 AACS; 2010 AACS; 2011 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21413 Rescinded.

History: 2000 AACS; 2003 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21414 Rescinded.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21415 Rescinded.

History: 2000 AACS; 2003 AACS; 2010 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21416 Rescinded.

History: 2000 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21417 Rescinded.

History: 2000 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21418 Rescinded.

History: 2000 AACS; 2007 AACS; 2010 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21419 Rescinded.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21420 Rescinded.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

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PART 5. RAFFLE

R 432.21501 Definitions.

Rule 501. As used in this part:

(1) "Combination raffle" means a series of licensed raffle drawings, comprised of either large and small raffle licenses or all large raffle licenses, conducted over multiple drawing dates at 1 location, using 1 or more raffle tickets.

(2) "In-house raffle" means a licensed raffle where the raffle tickets are only sold during the time of the licensed gaming event and sold only at the location listed on the license.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21502

Source: 1998-2000 AACS.

R 432.21503 Licensing requirements.

Rule 503. (1) A qualified organization applying for a raffle license shall meet the requirements of R 432.21204.

(2) All drawing locations shall be the same if a raffle license is issued for more than 1 date.

History: 2000 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21504

Source: 1998-2000 AACS.

R 432.21505

Source: 1998-2000 AACS.

R 432.21506

Source: 1998-2000 AACS.

R 432.21507

Source: 2003 AACS.

R 432.21508

Source: 1998-2000 AACS.

R 432.21509

Source: 1998-2000 AACS.

R 432.21510

Source: 2003 AACS.

R 432.21511

Source: 1998-2000 AACS.

R 432.21512

Source: 1998-2000 AACS.

R 432.21513

Source: 1998-2000 AACS.

R 432.21514

Source: 1998-2000 AACS.

R 432.21515

Source: 2003 AACS.

R 432.21516

Source: 2007 AACS.

R 432.21517

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Source: 2003 AACS.

R 432.21518

Source: 2003 AACS.

R 432.21519

Source: 2003 AACS.

R 432.21520

Source: 2010 AACS.

R 432.21521

Source: 2003 AACS.

R 432.21522

Source: 2003 AACS.

PART 6. CHARITY GAME

R 432.21601 Licensing requirements.

Rule 601. (1) A qualified organization applying for an annual charity game ticket or special charity game ticket license shall meet the requirements of R 432.21204.

(2) If a qualified organization wishes to sell charity game tickets in conjunction with a licensed large bingo, small bingo, special bingo, millionaire party, or large raffle to be conducted by the same qualified organization, an additional license is not required.

(3) All sales of charity game tickets under subrule (2) of this rule must be in compliance with these rules.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21602

Source: 1998-2000 AACS.

R 432.21603

Source: 2003 AACS.

R 432.21604

Source: 2003 AACS.

R 432.21605

Source: 2003 AACS.

R 432.21606

Source: 2003 AACS.

R 432.21607

Source: 2003 AACS.

R 432.21608

Source: 2003 AACS.

R 432.21609

Source: 2007 AACS.

R 432.21610

Source: 2003 AACS.

R 432.21611

Source: 2003 AACS.

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R 432.21612

Source: 2003 AACS.

R 432.21613

Source: 1998-2000 AACS.

R 432.21614

Source: 2003 AACS.

R 432.21615

Source: 1998-2000 AACS.

R 432.21616

Source: 2003 AACS.

R 432.21617 Worker compensation.

Rule 617. (1) The commissioner shall establish a service compensation schedule for workers.

(2) The commissioner may adjust the established service compensation schedule. If an adjustment is proposed, then the licensee shall be given 30 days to comment before the change is implemented.

(3) A worker shall not be compensated more than the amount established by the commissioner in the service compensation schedule.

(4) The amount established by the commissioner that may be paid to a worker is as follows:

(a) The chairperson or record keeper of an annual charity game ticket license shall be paid not more than \$100.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$200.00 for his or her services for each week of the licensed gaming event worked.

(b) The person who completes the quarterly financial statement shall be paid not more than \$20.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$50.00 for each quarterly financial statement submitted.

(c) The chairperson or record keeper of a special charity game ticket license shall be paid not more than \$20.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$100.00 for his or her services for each day of the licensed gaming event worked.

(d) All other workers shall be paid not more than \$15.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$50.00 for their services for each day of the licensed gaming event worked.

(5) Only 1 person may be paid as chairperson and only 1 person may be paid as record keeper per week of an annual charity game ticket license.

(6) A person may only be compensated for being 1 of the following per week of an annual charity game ticket license:

- (a) Chairperson.
- (b) Record keeper.
- (c) Worker.

(7) Only 1 person may be paid as chairperson and only 1 person may be paid as record keeper per day of a special charity game ticket license.

(8) A person may only be compensated for being 1 of the following per day of a special charity game ticket license:

- (a) Chairperson.
- (b) Record keeper.
- (c) Worker.

(9) Compensation to workers includes, but is not limited to, any of the following:

- (a) Cash or check.
- (b) Anything of value.
- (c) Credit towards dues, tuition, or any other items of value. Any credit given shall not exceed the limit per occasion as prescribed by this rule.

(10) In addition to the compensation as provided by subrule (9) of this rule, workers may also receive food and beverages consumed while working that do not exceed \$10.00 in retail value.

(11) Except for chairperson and record keeper compensation for an annual charity game ticket license, all compensation, other than credits, shall be paid on the day of the licensed gaming event.

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(12) The names of the workers and amounts paid, including any credits as provided by subrule (9)(c) of this rule, shall be recorded on the workers' service record for each day or week of the licensed gaming event or as directed in writing by the bureau.

(13) Any and all forms of worker compensation shall only be paid from the annual charity game ticket, special charity game ticket, or associated licensed gaming event proceeds or the financial account as prescribed by R 432.21330, R 432.21519, and R 432.21620.

(14) All compensation shall be reported on the financial statement for the annual charity game ticket, special charity game ticket, or associated licensed gaming event.

History: 2000 AACS; 2003 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21618

Source: 2003 AACS.

R 432.21619

Source: 2003 AACS.

R 432.21620

Source: 2003 AACS.

R 432.21621

Source: 2007 AACS.

R 432.21622

Source: 2007 AACS.

R 432.21623 Charity game ticket; financial records; retention.

Rule 623. All of the following financial records shall be available to authorized representatives of the bureau for review, and shall be kept for at least the current calendar year plus 3 years or as directed in writing by the bureau:

(a) A copy of the financial statement for the annual charity game ticket, special charity game ticket, or associated licensed gaming event as prescribed by R 432.21335, R 432.21522, or R 432.21624.

(b) Bank validated deposit slips for all charity game ticket proceeds.

(c) Bank statements from all financial accounts where charity game ticket proceeds were deposited or transferred.

(d) Cancelled checks or copies of checks, as prescribed by R 432.21620(7), from all financial accounts where charity game ticket proceeds were deposited or transferred.

(e) Invoices or receipts with the date, vendor's name, and a description of the item or service for all expenditures made from financial accounts where charity game ticket proceeds were deposited or transferred.

(f) Loans or donations of funds from persons shall only be permitted if documented in a written, witnessed document. A copy of the document and repayment schedule and any later changes to these documents shall be maintained with these financial records.

History: 2000 AACS; 2003 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21624

Source: 2003 AACS.

PART 7. NUMERAL GAME

R 432.21701 Licensing requirements.

Rule 701. (1) A qualified organization applying for a numeral game license shall meet the requirements of R 432.21204.

(2) If a qualified organization wishes to conduct a numeral game in conjunction with a licensed millionaire party or large raffle to be conducted by the same qualified organization, an additional license is not required.

(3) All sales of numeral game tickets under subrule (2) of this rule must be in compliance with these rules.

History: 2000 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21702

Source: 1998-2000 AACS.

R 432.21703

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Source: 1998-2000 AACS.

R 432.21704

Source: 1998-2000 AACS.

R 432.21705

Source: 1998-2000 AACS.

R 432.21706

Source: 1998-2000 AACS.

R 432.21707

Source: 1998-2000 AACS.

R 432.21708

Source: 1998-2000 AACS.

R 432.21709

Source: 1998-2000 AACS.

R 432.21710

Source: 2003 AACS.

R 432.21711

Source: 1998-2000 AACS.

R 432.21712

Source: 1998-2000 AACS.

R 432.21713

Source: 2003 AACS.

R 432.21714 Worker compensation.

Rule 714. (1) The commissioner shall establish a service compensation schedule for workers.

(2) The commissioner may adjust the established service compensation schedule. If an adjustment is proposed, then the licensee shall be given 30 days to comment before the change is implemented.

(3) A worker shall not be compensated more than the amount established by the commissioner in the service compensation schedule.

(4) The amount established by the commissioner that may be paid to a worker is as follows:

(a) The chairperson or record keeper shall be paid not more than \$20.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$50.00 for his or her services for each day of the licensed gaming event worked.

(b) All other workers shall be paid not more than \$15.00 as of the effective date of these rules and the amount may be adjusted by the service compensation schedule not to exceed \$30.00 for their services for each day of the licensed gaming event worked.

(5) Only 1 person may be paid as chairperson and only 1 person may be paid as record keeper per day of the licensed gaming event.

(6) A person may only be compensated for being 1 of the following per day:

- (a) Chairperson.
- (b) Record keeper.
- (c) Worker.

(7) Compensation to workers includes, but is not limited to, any of the following:

- (a) Cash or check.
- (b) Anything of value.
- (c) Credit towards dues, tuition, or any other items of value. Any credit given shall not exceed the limit per occasion as prescribed by this rule.

(8) In addition to the compensation as provided by subrule (7) of this rule, workers may also receive food and beverages consumed while working that do not exceed \$5.00 in retail value.

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- (9) All worker compensation, other than credits, shall be paid on the day of the licensed gaming event.
- (10) The names of the workers and amounts paid, including any credits as provided by subrule (7)(c) of this rule, shall be recorded on the workers' service record for each day of the licensed gaming event or as directed in writing by the bureau.
- (11) Any and all forms of worker compensation shall only be paid from the numeral game or associated licensed gaming event proceeds or the financial account as prescribed by R 432.21519, and R 432.21717.
- (12) All compensation shall be reported on the financial statement for the numeral game or associated licensed gaming event.
- History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21715
Source: 2003 AACS.

R 432.21716
Source: 2003 AACS.

R 432.21717
Source: 2003 AACS.

R 432.21718
Source: 1998-2000 AACS.

R 432.21719
Source: 1998-2000 AACS.

R 432.21720 Numeral game ticket financial records; retention.

Rule 720. All of the following financial records shall be available to authorized representatives of the bureau for review, and shall be kept for at least the current calendar year plus 3 years or as directed in writing by the bureau:

- (a) A copy of the financial statement for the numeral game or associated licensed gaming event as prescribed by R 432.21522 or R 432.21721.
- (b) Bank validated deposit slips for all numeral game ticket proceeds.
- (c) Bank statements from all financial accounts where numeral game ticket proceeds were deposited or transferred.
- (d) Cancelled checks or copies of checks, as prescribed by R 432.21717(7), from all financial accounts where numeral game ticket proceeds were deposited or transferred.
- (e) Invoices or receipts with the date, vendor's name, and a description of the item or service for all expenditures made from financial accounts where numeral game ticket proceeds were deposited or transferred.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21721
Source: 2003 AACS.

PART 8. SUPPLIER

R 432.21801 Supplier license application.

Rule 801. (1) A written application for a supplier license, on a form provided by or approved in writing by the bureau, shall be approved in writing by the bureau before a person sells, leases, or distributes authorized equipment, sells charity game tickets, or sells numeral game tickets to a licensee.

(2) The supplier license application shall include additional information as directed by the bureau.

(3) The supplier license application shall be accompanied by the appropriate fee.

(4) An applicant shall disclose to the bureau whether any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as the applicant, or agent of the applicant has ever been convicted or becomes convicted of, or forfeited bond upon a charge of, or plead guilty to any of the following offenses:

- (a) A felony.
- (b) A gambling offense.
- (c) Criminal fraud.
- (d) Forgery.
- (e) Larceny.
- (f) Filing a false report with a governmental agency.

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(5) Any changes to the information provided on the supplier license application shall be immediately reported to the bureau in writing.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21802

Source: 1998-2000 AACS.

R 432.21803

Source: 2003 AACS.

R 432.21804 Supplier license terms and conditions.

Rule 804. (1) Upon the issuance of a supplier license, the licensed supplier shall agree to all of the following terms and conditions:

- (a) To be bound by and comply with the act, these rules, terms of probation, directives of the bureau, public policy of the state of Michigan, and any other local, state, and federal laws and regulations.
 - (b) To not assign or transfer the supplier license. A privately held corporation, partnership, or sole proprietorship acting as a licensed supplier shall not attempt to sell or transfer an interest in the business without the prior written approval of the bureau.
 - (c) To immediately report to the bureau in writing any change in the information stated on or attached to the supplier license application.
 - (d) To remit payment for charity game tickets as directed in writing by the bureau.
 - (e) To remit numeral game ticket fees as required by the act and as directed in writing by the bureau.
 - (f) To only accept checks from a licensee's account for the payment of equipment, charity game tickets, or numeral game tickets.
 - (g) To not reveal investigative information to any licensee.
 - (h) To hold the bureau and the state harmless from any liability, including, but not limited to, taxes and legal expenses.
- (2) The location at which the licensed supplier does business, including supplemental storage locations or at which an applicant or licensed supplier intends to do business or store equipment, shall be open to inspection during reasonable business hours by an authorized representative of the bureau.
- (3) A person shall not refuse to cooperate with, hinder, or obstruct in any way, an authorized representative of the bureau while the representative is performing official duties.
- (4) A licensed supplier shall not require any licensee to enter into an exclusive purchase agreement with that licensed supplier.
- (5) The commissioner may deny, summarily suspend, suspend, revoke, or refuse to renew a supplier license as prescribed by R 432.21109 to R 432.21111.
- (6) A person convicted of a criminal offense under the act or any other gambling offense is ineligible to participate in a supplier license as an owner, shareholder of a privately held corporation, partner, officer, agent, or employee for a period of 1 year after the conviction becomes final.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21805 Equipment; sale and rental.

Rule 805. Only equipment authorized in writing by the bureau and in sound working condition may be sold, leased, or rented to licensees.

History: 2000 AACS; 2003 AACS; 2007 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21806 Authorization to purchase and sell charity game tickets and sell approved numeral game tickets.

Rule 806. (1) The issuance of a supplier license does not include the authorization to purchase and sell charity game tickets or sell approved numeral game tickets. Upon receipt of a completed application and performance bond, the commissioner may enter into a contract with the supplier authorizing the purchase and sale of charity game tickets or the sale of approved numeral game tickets.

(2) The amount of the performance bond shall be established by the commissioner in accordance with the act and the amount required may be modified with a 30-day written notice.

(3) A contract authorizing the purchase and sale of charity game tickets or the sale of approved numeral game tickets may be suspended or terminated with a 30-day written notice without affecting the supplier's right to sell, lease, or distribute authorized-equipment.

(4) A denial, termination, or suspension under this rule may be appealed under section 631 of 1961 PA 236, MCL 600.631.

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History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21807

Source: 2003 AACS.

R 432.21808

Source: 2003 AACS.

R 432.21809

Source: 2003 AACS.

R 432.21810

Source: 2003 AACS.

R 432.21811 Prohibitions.

Rule 811. (1) A licensed supplier or any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as a licensed supplier, agent, or employee of a licensed supplier shall not be involved with the management of a licensed gaming event. This subrule shall not apply to the delivery, repair, and set up of the equipment, the provision of training before the start of the licensed gaming event, or technical advice during the licensed gaming event.

(2) A person employed by or an agent of the licensed supplier shall not receive any compensation, food, or beverage.

(3) A licensed supplier or any owner, shareholder of the privately held corporation, partner, officer, person residing in the same household as a licensed supplier, agent, or employee of a licensed supplier shall not do any of the following:

(a) Be an officer of a qualified organization conducting a licensed gaming event for which the supplier is providing equipment or services.

(b) Share in a prize, purchase, play, or accept charity game tickets or numeral game tickets offered for sale by the licensee at any time at the location where he or she is working or assisting.

(c) Split a prize with a player.

History: 2000 AACS; 2003 AACS; 2007 AACS; 2010 AACS; 2011 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21812 Invoices for equipment, charity game tickets and numeral game tickets.

Rule 812. (1) A licensed supplier shall record every sale, lease, rental, return, or any other type of transfer of equipment, charity game tickets, and numeral game tickets to or from licensees by completing a sales invoice or credit memo.

(2) All invoices for equipment, charity game tickets, and numeral game tickets shall be sequentially numbered and issued in sequential order or as directed in writing by the bureau.

(3) Charity game ticket invoices and credit memos shall be accounted for as directed in writing by the bureau.

(4) Numeral game ticket invoices and credit memos shall be accounted for as directed in writing by the bureau.

(5) An invoice for all equipment, charity game tickets, and numeral game tickets supplied to a licensee shall be given to the licensee before the licensed gaming event.

(6) The invoice shall contain all of the following:

(a) The amount of each sale.

(b) All credits.

(c) All exchanges.

(d) All sales premiums.

(e) All rebates or discounts.

(f) The net amount of each sale.

(g) Any other information as directed in writing by the bureau.

(7) Invoices and case labels for disposable bingo cards shall be clearly and legibly identified with the color, type (for example, 3-on horizontal), and total number of sheets or total number of packets for each color invoiced or contained in the case.

(8) The bureau may require a licensed supplier to provide the bureau the serial numbers for all bingo cards sold to a licensee.

(9) The bureau may require a licensed supplier to place the serial numbers for all bingo cards sold to a licensee on the invoice required by subrule (6) of this rule.

(10) All voided or spoiled invoices for equipment, charity game tickets, and numeral game tickets shall be retained.

History: 2000 AACS; 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21813 Supplier records; retention.

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Rule 813. (1) The licensed supplier shall maintain current and accurate records of all operations in conjunction with the purchase, sale, or rental of equipment, the sale of charity game tickets, and the sale of numeral game tickets in conformity with the act, these rules, terms of probation, and directives of the bureau.

(2) The records and all documents supporting entries made in the records shall be available and on site to authorized representatives of the bureau for review.

(3) The records and all documents supporting entries made in the records shall be kept for at least the current calendar year plus 3 years or as directed in writing by the bureau.

(4) A licensed supplier shall report to the bureau, on a form provided by or approved in writing by the bureau, the type and total amount of sales and rentals of equipment as directed in writing by the bureau.

History: 2003 AACS; 2014 MR 9, Eff. May 14, 2014.

R 432.21814

Source: 2010 AACS.

PART 9. MANUFACTURER

R 432.21901

Source: 2003 AACS.

R 432.21902

Source: 1998-2000 AACS.

R 432.21903

Source: 1998-2000 AACS.

R 432.21904

Source: 2003 AACS.

R 432.21905

Source: 2003 AACS.

R 432.21906

Source: 2003 AACS.

R 432.21907

Source: 2003 AACS.

R 432.21908

Source: 2003 AACS.

R 432.21909

Source: 2003 AACS.

R 432.21910

Source: 2003 AACS.

R 432.21911

Source: 2003 AACS.

PART 10. HALL

R 432.22001

Source: 2003 AACS.

R 432.22002

Source: 1998-2000 AACS.

R 432.22003

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Source: 2003 AACS.

R 432.22004

Source: 2007 AACS.

R 432.22005

Source: 2007 AACS.

R 432.22006

Source: 2007 AACS.

R 432.22007

Source: 2010 AACS.

R 432.22008

Source: 2003 AACS.

**SPECIAL LICENSES FOR SALE OF ALCOHOLIC LIQUOR
AT RETAIL FOR CONSUMPTION ON PREMISES**

R 436.571

Source: 1998-2000 AACS.

R 436.572

Source: 1998-2000 AACS.

R 436.573

Source: 1998-2000 AACS.

R 436.574

Source: 1998-2000 AACS.

R 436.575

Source: 1998-2000 AACS.

R 436.578

Source: 1998-2000 AACS.

R 436.580

Source: 1998-2000 AACS.

R 436.581

Source: 1998-2000 AACS.

R 436.582

Source: 1998-2000 AACS.

GENERAL RULES

R 436.1001

Source: 2003 AACS.

R 436.1003

Source: 1980 AACS.

R 436.1005

Source: 2011 AACS.

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- R 436.1007**
Source: 1980 AACS.
- R 436.1009**
Source: 2011 AACS.
- R 436.1011**
Source: 2003 AACS.
- R 436.1013**
Source: 1980 AACS.
- R 436.1015**
Source: 1980 AACS.
- R 436.1017**
Source: 2011 AACS.
- R 436.1019**
Source: 1980 AACS.
- R 436.1021**
Source: 1980 AACS.
- R 436.1023**
Source: 1998-2000 AACS.
- R 436.1025**
Source: 1980 AACS.
- R 436.1027**
Source: 1980 AACS.
- R 436.1129**
Source: 2005 AACS.
- R 436.1031**
Source: 1980 AACS.
- R 436.1033**
Source: 2011 AACS.
- R 436.1135**
Source: 2005 AACS.
- R 436.1037**
Source: 2003 AACS.
- R 436.1039**
Source: 1980 AACS.
- R 436.1041**
Source: 2003 AACS.
- R 436.1043**
Source: 1980 AACS.
- R 436.1045**

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Source: 1998-2000 AACS.

R 436.1047

Source: 1980 AACS.

R 436.1049

Source: 2003 AACS.

R 436.1051

Source: 2003 AACS.

R 436.1053

Source: 1998-2000 AACS.

R 436.1055

Source: 1980 AACS.

R 436.1057

Source: 2004 AACS.

R 436.1059

Source: 1998-2000 AACS.

R 436.1060

Source: 2003 AACS.

R 436.1061

Source: 1980 AACS.

R 436.1062

Source: 1998-2000 AACS.

R 436.1063

Source: 1980 AACS.

LICENSING QUALIFICATIONS

R 436.1101

Source: 1997 AACS.

R 436.1103

Source: 1979 AC.

R 436.1105

Source: 2004 AACS.

R 436.1107

Source: 2010 AACS.

R 436.1109

Source: 2004 AACS.

R 436.1110

Source: 2004 AACS.

R 436.1111

Source: 1979 AC.

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R 436.1113
Source: 1998-2000 AACS.

R 436.1115
Source: 1998-2000 AACS.

R 436.1117
Source: 2004 AACS.

R 436.1119
Source: 1987 AACS.

R 436.1121
Source: 1998-2000 AACS.

R 436.1123
Source: 2004 AACS.

R 436.1125
Source: 1985 AACS.

R 436.1127
Source: 1979 AC.

R 436.1129
Source: 2004 AACS.

R 436.1131
Source: 1998-2000 AACS.

R 436.1133
Source: 2004 AACS.

R 436.1135
Source: 2004 AACS.

R 436.1137
Source: 1979 AC.

R 436.1139
Source: 1979 AC.

R 436.1141
Source: 1979 AC.

R 436.1142
Source: 1990 AACS.

R 436.1143
Source: 2004 AACS.

R 436.1145
Source: 1979 AC.

R 436.1147
Source: 1979 AC.

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R 436.1149
Source: 2004 AACS.

R 436.1151
Source: 1997 AACS.

SPECIAL PERMITS FOR HOSPITALS AND INSTITUTIONS

R 436.1251
Source: 1981 AACS.

ADVERTISING

R 436.1301
Source: 1997 AACS.

R 436.1303
Source: 1979 AC.

R 436.1305
Source: 1979 AC.

R 436.1307
Source: 1979 AC.

R 436.1309
Source: 1989 AACS.

R 436.1311
Source: 1979 AC.

R 436.1313
Source: 1998-2000 AACS.

R 436.1315
Source: 1989 AACS.

R 436.1317
Source: 1992 AACS.

R 436.1321 Contests and advertising articles.

Rule 21. (1) There shall not be advertising of alcoholic liquor connected with offering a prize or award on the completion of a contest, except upon prior written approval of the commission.

(2) Advertising material which does not contain the name of a retail licensee and does not have a secondary value, but explains the production, sale, or consumption of alcoholic liquor may be published and distributed in this state.

(3) Alcoholic liquor recipe literature which does not contain the name of a retail licensee may be published and distributed in this state.

(4) All gambling devices, including punch boards and games of any description used for advertising purposes, are prohibited.

(5) A manufacturer, an outstate seller of beer, an outstate seller of wine, or a wholesaler may sell novelty items bearing brand logo type, upon written order of the commission. These novelty items shall not be sold below their cost by the manufacturer, outstate seller of beer, outstate seller of wine, or wholesaler.

History: 1979 AC; 2015 MR 23, Eff. Dec. 5, 2014.

R 436.1323
Source: 1979 AC.

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- R 436.1325**
Source: 1979 AC.
- R 436.1327**
Source: 1997 AACS.
- R 436.1329**
Source: 1994 AACS.
- R 436.1331**
Source: 1979 AC.
- R 436.1333**
Source: 1998-2000 AACS.
- R 436.1335**
Source: 2013 AACS.
- R 436.1337**
Source: 1997 AACS.
- R 436.1339**
Source: 1979 AC.

ON-PREMISES LICENSES

- R 436.1401**
Source: 1980 AACS.
- R 436.1403**
Source: 1980 AACS.
- R 436.1405**
Source: 1998-2000 AACS.
- R 436.1407**
Source: 1998-2000 AACS.
- R 436.1409**
Source: 2009 AACS.
- R 436.1411**
Source: 2009 AACS.
- R 436.1413**
Source: 1980 AACS.
- R 436.1415**
Source: 1980 AACS.
- R 436.1417**
Source: 1980 AACS.
- R 436.1419**
Source: 1998-2000 AACS.
- R 436.1421**

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Source: 1980 AACS.

R 436.1423

Source: 1980 AACS.

R 436.1425

Source: 2012 AACS.

R 436.1427

Source: 1980 AACS.

R 436.1429

Source: 1998-2000 AACS.

R 436.1431

Source: 1980 AACS.

R 436.1433

Source: 1980 AACS.

R 436.1435

Source: 1998-2000 AACS.

R 436.1437

Source: 1998-2000 AACS.

R 436.1438

Source: 1985 AACS.

OFF-PREMISES LICENSES

R 436.1501

Source: 1980 AACS.

R 436.1503

Source: 1981 AACS.

R 436.1505

Source: 2003 AACS.

R 436.1507

Source: 1980 AACS.

R 436.1509

Source: 1998-2000 AACS.

R 436.1511

Source: 1998-2000 AACS.

R 436.1513

Source: 1980 AACS.

R 436.1515

Source: 1980 AACS.

R 436.1517

Source: 1980 AACS.

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- R 436.1519**
Source: 1980 AACS.
- R 436.1521**
Source: 1980 AACS.
- R 436.1523**
Source: 1998-2000 AACS.
- R 436.1525**
Source: 1980 AACS.
- R 436.1527**
Source: 2001 AACS.
- R 436.1529**
Source: 1980 AACS.
- R 436.1531**
Source: 1998-2000 AACS.
- R 436.1533**
Source: 2010 AACS.

BEER

- R 436.1601**
Source: 1989 AACS.
- R 436.1603**
Source: 1997 AACS.
- R 436.1605**
Source: 1989 AACS.
- R 436.1607**
Source: 1989 AACS.
- R 436.1609**
Source: 1989 AACS.
- R 436.1611**
Source: 1998-2000 AACS.
- R 436.1613**
Source: 1998-2000 AACS.
- R 436.1611**
Source: 2011 AACS.
- R 436.1617**
Source: 1989 AACS.
- R 436.1621**
Source: 1989 AACS.
- R 436.1623**
Source: 1997 AACS.

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- R 436.1625**
Source: 1979 AC.
- R 436.1627**
Source: 1979 AC.
- R 436.1629**
Source: 2010 AACS.
- R 436.1631**
Source: 1989 AACS.
- R 436.1632**
Source: 1989 AACS.
- R 436.1633**
Source: 1979 AC.
- R 436.1635**
Source: 1989 AACS.
- R 436.1641**
Source: 1989 AACS.
- R 436.1643**
Source: 1997 AACS.
- R 436.1645**
Source: 1979 AC.
- R 436.1651**
Source: 1998-2000 AACS.
- R 436.1659**
Source: 1979 AC.

WINES

- R 436.1701**
Source: 1997 AACS.
- R 436.1702**
Source: 1979 AC.
- R 436.1703**
Source: 1979 AC.
- R 436.1705**
Source: 1990 AACS.
- R 436.1707**
Source: 1979 AC.
- R 436.1708**
Source: 1998-2000 AACS.
- R 436.1711**
Source: 1979 AC.

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- R 436.1712**
Source: 1979 AC.
- R 436.1714**
Source: 1998-2000 AACS.
- R 436.1716**
Source: 1979 AC.
- R 436.1717**
Source: 1998-2000 AACS.
- R 436.1719**
Source: 2011 AACS.
- R 436.1720**
Source: 1989 AACS.
- R 436.1721**
Source: 1979 AC.
- R 436.1722**
Source: 1980 AACS.
- R 436.1723**
Source: 1997 AACS.
- R 436.1723a**
Source: 1989 AACS.
- R 436.1724**
Source: 1979 AC.
- R 436.1725**
Source: 1989 AACS.
- R 436.1726**
Source: 1983 AACS.
- R 436.1727**
Source: 1979 AC.
- R 436.1728**
Source: 1979 AC.
- R 436.1731**
Source: 1998-2000 AACS.
- R 436.1735**
Source: 1998-2000 AACS.
- R 436.1749**
Source: 1979 AC.

SPIRITS

- R 436.1801**
Source: 1979 AC.

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R 436.1802
Source: 1998-2000 AACS.

R 436.1803
Source: 1979 AC.

R 436.1805
Source: 1979 AC.

R 436.1807
Source: 1979 AC.

R 436.1809
Source: 1979 AC.

R 436.1811
Source: 1979 AC.

R 436.1813
Source: 1979 AC.

R 436.1815
Source: 1979 AC.

R 436.1817
Source: 1979 AC.

R 436.1819
Source: 1979 AC.

R 436.1821
Source: 1979 AC.

R 436.1823
Source: 1979 AC.

R 436.1825
Source: 2011 AACS.

R 436.1827
Source: 1998-2000 AACS.

R 436.1829
Source: 2011 AACS.

VENDOR REPRESENTATIVE AND SALESMEN

R 436.1851
Source: 1997 AACS.

R 436.1853
Source: 1998-2000 AACS.

R 436.1855
Source: 1979 AC.

R 436.1857
Source: 1979 AC.

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R 436.1859
Source: 1998-2000 AACS.

R 436.1861
Source: 1985 AACS.

R 436.1863
Source: 1979 AC.

R 436.1865
Source: 2010 AACS.

R 436.1869
Source: 1979 AC.

HEARING AND APPEAL PRACTICE

R 436.1901
Source: 2004 AACS.

R 436.1903
Source: 1979 AC.

R 436.1905
Source: 2004 AACS.

R 436.1907
Source: 2004 AACS.

R 436.1909
Source: 1988 AACS.

R 436.1910
Source: 2004 AACS.

R 436.1911
Source: 2004 AACS.

R 436.1913
Source: 2004 AACS.

R 436.1915
Source: 2004 AACS.

R 436.1917
Source: 2004 AACS.

R 436.1919
Source: 1979 AC.

R 436.1921
Source: 2004 AACS.

R 436.1923
Source: 2004 AACS.

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R 436.1925
Source: 2004 AACCS.

R 436.1927
Source: 1979 AC.

R 436.1929
Source: 1979 AC.

R 436.1931
Source: 2004 AACCS.

R 436.1933
Source: 1979 AC.

R 436.1935
Source: 1979 AC.

R 436.1951
Source: 2003 AACCS.

R 436.1953
Source: 2003 AACCS.

R 436.1955
Source: 2003 AACCS.

R 436.1957
Source: 1979 AC.

R 436.1959
Source: 2003 AACCS.

R 436.1961
Source: 1979 AC.

R 436.1963
Source: 2003 AACCS.

DECLARATORY RULINGS

R 436.1971
Source: 1979 AC.

R 436.1973
Source: 1979 AC.

R 436.1975
Source: 1979 AC.

FINANCIAL RESPONSIBILITY

R 436.2001
Source: 2003 AACCS.

R 436.2003
Source: 1988 AACCS.

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- R 436.2005**
Source: 1988 AACS.
- R 436.2007**
Source: 1988 AACS.
- R 436.2009**
Source: 1988 AACS.
- R 436.2011**
Source: 2003 AACS.
- R 436.2013**
Source: 1988 AACS.
- R 436.2015**
Source: 2003 AACS.
- R 436.2017**
Source: 2003 AACS.
- R 436.2019**
Source: 1988 AACS.
- R 436.2021**
Source: 1988 AACS.

DEPARTMENT OF STATE
BUREAU OF DRIVER AND VEHICLE RECORDS
EXPEDITING REGULAR SEARCH PROCESS

- R 440.1**
Source: 2002 AACS.
- R 440.2**
Source: 2002 AACS.
- R 440.3**
Source: 2002 AACS.
- R 440.4**
Source: 2002 AACS.
- R 440.5**
Source: 2002 AACS.
- R 440.6**
Source: 2002 AACS.

PART 1. GENERAL PROVISIONS

- R 440.101**
Source: 2002 AACS.
- R 440.102**
Source: 2002 AACS.

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R 440.103
Source: 2002 AACS.

R 440.104
Source: 2002 AACS.

R 440.105
Source: 2002 AACS.

R 440.106
Source: 2002 AACS.

R 440.107
Source: 2002 AACS.

PART 2. ACCEPTANCE AND REFUSAL OF DOCUMENTS

R 440.201
Source: 2002 AACS.

R 440.202
Source: 2002 AACS.

R 440.203
Source: 2002 AACS.

R 440.204
Source: 2002 AACS.

R 440.205
Source: 2002 AACS.

R 440.206
Source: 2002 AACS.

R 440.207
Source: 2002 AACS.

PART 3. UCC INFORMATION MANAGEMENT SYSTEM

R 440.301
Source: 2002 AACS.

R 440.302
Source: 2002 AACS.

R 440.303
Source: 2002 AACS.

R 440.304
Source: 2002 AACS.

R 440.305
Source: 2002 AACS.

R 440.306
Source: 2002 AACS.

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R 440.307
Source: 2002 AACS.

R 440.308
Source: 2002 AACS.

R 440.309
Source: 2002 AACS.

R 440.310
Source: 2002 AACS.

R 440.311
Source: 2002 AACS.

R 440.312
Source: 2002 AACS.

PART 4. FILING AND DATA ENTRY PROCEDURES

R 440.401
Source: 2002 AACS.

R 440.402
Source: 2002 AACS.

R 440.403
Source: 2002 AACS.

R 440.404
Source: 2002 AACS.

R 440.405
Source: 2002 AACS.

R 440.406
Source: 2002 AACS.

R 440.407
Source: 2002 AACS.

R 440.408
Source: 2002 AACS.

R 440.409
Source: 2002 AACS.

R 440.410
Source: 2002 AACS.

R 440.411
Source: 2002 AACS.

R 440.412
Source: 2002 AACS.

R 440.413
Source: 2002 AACS.

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R 440.414
Source: 2002 AACS.

R 440.415
Source: 2002 AACS.

R 440.416
Source: 2002 AACS.

PART 5. SEARCH REQUESTS AND REPORTS

R 440.501
Source: 2002 AACS.

R 440.502
Source: 2002 AACS.

R 440.503
Source: 2002 AACS.

R 440.504
Source: 2002 AACS.

R 440.505
Source: 2002 AACS.

R 440.506
Source: 2002 AACS.

R 440.508
Source: 2002 AACS.

R 440.509
Source: 2002 AACS.

R 440.510
Source: 2002 AACS.

SIZE CLASSIFICATION RULES

R 445.1
Source: 1979 AC.

R 445.3
Source: 1979 AC.

DEPARTMENT OF ATTORNEY GENERAL

CONSUMER PROTECTION AND CHARITABLE TRUSTS DIVISION

FRANCHISES

R 445.101
Source: 1979 AC.

R 445.201
Source: 1979 AC.

R 445.202
Source: 1979 AC.

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- R 445.203**
Source: 1979 AC.
- R 445.204**
Source: 1979 AC.
- R 445.205**
Source: 1979 AC.
- R 445.206**
Source: 1979 AC.
- R 445.207**
Source: 1979 AC.
- R 445.208**
Source: 1979 AC.
- R 445.209**
Source: 1979 AC.
- R 445.210**
Source: 1979 AC.
- R 445.211**
Source: 1979 AC.
- R 445.301**
Source: 1979 AC.
- R 445.302**
Source: 1979 AC.
- R 445.303**
Source: 1979 AC.
- R 445.304**
Source: 1979 AC.
- R 445.305**
Source: 1979 AC.
- R 445.401**
Source: 1979 AC.
- R 445.402**
Source: 1979 AC.
- R 445.403**
Source: 1979 AC.
- R 445.404**
Source: 1979 AC.
- R 445.405**
Source: 1979 AC.
- R 445.501**

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Source: 1979 AC.

R 445.502

Source: 1979 AC.

R 445.503

Source: 1979 AC.

R 445.504

Source: 1979 AC.

R 445.505

Source: 1979 AC.

R 445.506

Source: 1979 AC.

R 445.507

Source: 1979 AC.

R 445.508

Source: 1979 AC.

R 445.509

Source: 1979 AC.

R 445.510

Source: 1979 AC.

R 445.511

Source: 1979 AC.

R 445.512

Source: 1979 AC.

R 445.513

Source: 1979 AC.

R 445.514

Source: 1979 AC.

R 445.601

Source: 1979 AC.

R 445.602

Source: 1979 AC.

R 445.603

Source: 1979 AC.

R 445.604

Source: 1979 AC.

R 445.605

Source: 1979 AC.

R 445.606

Source: 1979 AC.

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R 445.607
Source: 1979 AC.

R 445.608
Source: 1979 AC.

R 445.701
Source: 1979 AC.

R 445.702
Source: 1979 AC.

R 445.703
Source: 1979 AC.

R 445.704
Source: 1979 AC.

R 445.705
Source: 1979 AC.

R 445.706
Source: 1979 AC.

R 445.707
Source: 1979 AC.

R 445.708
Source: 1979 AC.

R 445.709
Source: 1979 AC.

R 445.710
Source: 1979 AC.

R 445.801
Source: 1979 AC.

R 445.802
Source: 1979 AC.

R 445.803
Source: 1979 AC.

R 445.804
Source: 1979 AC.

R 445.901
Source: 1979 AC.

FINANCIAL INSTITUTIONS BUREAU

MORTGAGE AND HOME IMPROVEMENT LENDING PRACTICES

R 445.1001
Source: 1995 AACS.

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- R 445.1002**
Source: 1995 AACS.
- R 445.1003**
Source: 1997 AACS.
- R 445.1004**
Source: 1995 AACS.
- R 445.1005**
Source: 1995 AACS.
- R 445.1006**
Source: 1997 AACS.
- R 445.1007**
Source: 1997 AACS.
- R 445.1008**
Source: 1997 AACS.
- R 445.1009**
Source: 1997 AACS.
- R 445.1010**
Source: 1997 AACS.
- R 445.1011**
Source: 1995 AACS.
- R 445.1012**
Source: 1997 AACS.
- R 445.1013**
Source: 1997 AACS.
- R 445.1014**
Source: 1997 AACS.
- R 445.1015**
Source: 1997 AACS.
- R 445.1016**
Source: 1997 AACS.
- R 445.1017**
Source: 1997 AACS.
- R 445.1018**
Source: 1997 AACS.
- R 445.1019**
Source: 1997 AACS.
- R 445.1020**
Source: 1997 AACS.
- R 445.1021**
Source: 1997 AACS.

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- R 445.1022**
Source: 1995 AACS.
- R 445.1023**
Source: 1997 AACS.
- R 445.1024**
Source: 1995 AACS.
- R 445.1025**
Source: 1997 AACS.
- R 445.1026**
Source: 1997 AACS.
- R 445.1027**
Source: 1997 AACS.
- R 445.1028**
Source: 1997 AACS.
- R 445.1029**
Source: 1997 AACS.
- R 445.1030**
Source: 1995 AACS.
- R 445.1031**
Source: 1997 AACS.
- R 445.1032**
Source: 1997 AACS.
- R 445.1033**
Source: 1997 AACS.
- R 445.1034**
Source: 1997 AACS.
- R 445.1035**
Source: 1995 AACS.
- R 445.1036**
Source: 1995 AACS.
- R 445.1037**
Source: 1995 AACS.
- R 445.1038**
Source: 1997 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
MANUFACTURING DEVELOPMENT GROUP
EMPLOYEE-OWNED CORPORATION REVOLVING LOAN FUND

- R 450.801 Rescinded.**

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History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.802 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.803 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.804 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.805 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.806 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.807 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.808 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.809 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

R 450.810 Rescinded.

History: 1987 AACS; rescinded 2014 MR 13,, repeal Eff. April 29, 2002.

PART 2.

REGISTRATION OF BROKER-DEALERS, AGENTS AND INVESTMENT ADVISERS

R 451.601.1 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.601.2 Rescinded.

History: 1979 AC; 1981 AACS; 1991 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.601.3 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.601.4 Rescinded.

History: 1979 AC; 1980 AACS; 1982 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.602.1 Application for broker-dealer registration.

Rule 602.1. An application for broker-dealer registration shall contain the information specified in form BD. In the alternative, with the permission of the administrator, another form, with any necessary supplement, may be submitted.

History: 1979 AC; 1980 AACS.

R 451.602.2 Application for agent registration; notice of agent registration.

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Rule 602.2. (1) An application for agent registration shall contain the information specified in U-4. In the alternative, with the permission of the administrator, another form, with any necessary supplement, may be submitted. The fingerprint requirement in section 202(g) of the act is waived for an agent of a broker-dealer that is either registered with the Securities and Exchange Commission or a member of the National Association of Securities Dealers.

(2) A notice of agent termination shall contain the information specified in U-5. In the alternative, with the permission of the administrator, another form, with any necessary supplement, may be submitted.

History: 1979 AC; 1980 AACS; 1983 AACS.

R 451.602.3 Application for investment adviser registration.

Rule 602.3. An application for investment adviser registration shall contain the information specified in form MADV. In the alternative, with the permission of the administrator, another form, with any necessary supplement, may be submitted.

History: 1979 AC; 1980 AACS.

R 451.602.4 Fees; payment; filing.

Rule 602.4. (1) The annual fees required by section 202(b) of the act shall be paid during the month of December.

(2) Filing and annual fees for all agents may be filed on an agent's behalf by a broker-dealer or issuer with whom the agent is registered.

History: 1979 AC; 1980 AACS; 1982 AACS; 1991 AACS.

R 451.602.5 Rescinded.

History: 1979 AC; 1980 AACS; 1982 AACS; 1991 AACS.

R 451.602.5a Rescinded.

History: 1980 AACS; 1982 AACS.

R 451.602.6 Broker-dealer's net capital.

Rule 602.6. (1) A securities broker-dealer registered with the United States securities and exchange commission shall maintain net capital and ratio of aggregate indebtedness to net capital in accordance with rule 15c3-1, 17 C.F.R. S240.15c3-1 (1978) under the securities exchange act of 1934, 15 U.S.C. S78a et seq.

(2) A securities broker-dealer not registered with the United State securities and exchange commission shall have the net capital necessary to comply with the following conditions:

(a) The aggregate indebtedness, as that term is defined in rule 15c3-1, 17 C.F.R. S240.15c3-1 (1978) under the securities and exchange act of 1934, 15 U.S.C. S78a et seq. hereinafter termed "indebtedness" of a broker-dealer that has been registered with the administrator for at least 1 year shall not exceed 2,000% of its net capital, as that term is defined in rule 15c3-1 under the securities exchange act of 1934, hereinafter termed "net capital". The aggregate indebtedness of a broker-dealer that has been registered with the administrator for less than 1 year shall not exceed 1,000% of its net capital.

(b) Except as provided by subdivisions (c) and (d) of this subrule, a broker-dealer shall have and maintain net capital of not less than \$10,000.00.

(c) Notwithstanding the provisions of subdivision (b) of this subrule, a broker-dealer shall have and maintain net capital of not less than \$5,000.00. If the broker-dealer does not hold funds or securities for, or owe money or securities to, customers, and does not carry accounts of or for customers, except as provided for in paragraph (v) of this subdivision, and if the broker-dealer conducts business in accordance with 1 or more of the following conditions, and does not engage in any other securities activities:

(i) Introduces and forwards as a broker all transactions and accounts of customers to another broker or dealer who carries such accounts on a fully disclosed basis, and the introducing broker-dealer promptly forwards all of the funds and securities of customers received in connection with its activities as a broker-dealer.

(ii) Participates in underwritings on a "best efforts" or "all or none" basis in accordance with the provisions of rule 15c2-4(b)(2), 17 C.F.R. S240.15c2-4(b)(2) (1978) under the securities exchange act of 1934, and promptly forwards to an independent escrow agent customers' checks, drafts, notes, or other evidences of indebtedness received in connection therewith which shall be made payable to the escrow agent.

(iii) Promptly forwards subscriptions for securities to the issuer, underwriter, sponsor, or other distributor of such securities and receives checks, drafts, notes, or other evidences of indebtedness payable solely to the issuer, underwriter, sponsor, or other distributor who delivers the securities purchased directly to the subscriber.

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(iv) Effects an occasional transaction in securities for the broker-dealer's own investment account with or through another registered broker-dealer.

(v) Acts as broker or dealer with respect to the purchase, sale, and redemption of redeemable shares of registered investment companies, and promptly transmits all funds and delivers all securities received in connection with such activities.

(vi) Introduces and forwards all customer and all principal transactions with customers to another broker-dealer who carries such accounts on a fully disclosed basis, and promptly forwards all funds and securities received in connection with its activities as a broker-dealer, and does not otherwise hold securities or funds for, or owe money or securities to, customers, and does not otherwise carry proprietary accounts, except as provided in paragraph (iv) of this subdivision, or customer accounts, and the broker-dealer's activities as dealer are limited to holding firm orders of customers and in connection therewith does either of the following:

(A) In the case of a buy order, prior to executing the customer's orders, purchases as principal the same number of shares or purchases shares to accumulate the number of shares necessary to complete the order, which shall be cleared through another broker or dealer.

(B) In the case of a sell order, prior to executing the customer's order, sells as principal the same number of shares, or a portion thereof, which shall be cleared through another broker or dealer.

(vii) Effects, but does not clear, transactions in securities as a broker on registered national securities exchange for the account of another member of that exchange.

(d) Notwithstanding the provisions of subdivision (b) of this subrule, a broker-dealer shall have and maintain net capital of not less than \$2,500.00 if the broker-dealer engages in no other securities activities except those prescribed in this subdivision and meets all of the following conditions:

(i) The broker-dealer's transactions are limited to both of the following:

(A) The purchase, sale, and redemption of redeemable shares of registered investment companies, except that the broker-dealer may also effect an occasional transaction in other securities for its own investment account with or through another registered broker-dealer.

(B) The sale of securities for the account of a customer to obtain funds for immediate reinvestment in redeemable securities of registered investment companies.

(ii) The broker-dealer promptly transmits all funds and delivers all securities received in connection with its activities as a broker-dealer, and does not otherwise hold funds or securities for, or owe money or securities to, customers.

(3) A commodity issuer registered with the administrator and a broker-dealer registered with the administrator transacting business primarily in commodity contracts shall have the net capital and cash reserve necessary to comply with the following conditions:

(a) The aggregate indebtedness to all other persons of a registrant who has been registered for at least 1 year shall not exceed 1,500% of its net capital. The aggregate indebtedness to all other persons of a registrant who has been registered for less than 1 year shall not exceed 1,000% of its net capital.

(b) A commodity issuer and a broker-dealer shall have and maintain net capital of not less than \$25,000.00.

(c) A commodity issuer and a broker-dealer shall have and maintain a reserve of not less than \$10,000.00 in a checking or savings account in a bank or savings institution organized under the laws of the United States or of any state or in a certificate of deposit issued by a bank or savings institution so organized.

(4) The administrator, by order which may apply individually or to a class, may establish a lower net capital requirement, a lower cash reserve requirement, or a higher maximum ratio of aggregate indebtedness to net capital, either unconditionally or upon special terms or conditions, for a registrant who satisfies the administrator that because of the special nature of its business, its financial condition, and the safeguards that have been established for the protection of customers' funds, investors would not be adversely affected.

(5) A registrant not in compliance with the aggregate indebtedness, net capital, or cash reserve requirements shall cease soliciting new business and shall immediately notify the administrator in writing.

(6) For the purposes of this rule, and to insure uniform interpretation, the terms "aggregate indebtedness" and "net capital" shall have the respective meanings as defined in rule 15c3-1, 17 C.F.R. S240.15c3-1 (1978) under the securities exchange act of 1934. A copy of any pertinent subordination agreement shall be filed with the administrator within 10 days after the agreement has been entered into and shall meet the requirements of a "satisfactory subordination agreement" as that term is defined in rule 15c3-1, 17 C.F.R. S240.15c3-1 (1978).

History: 1979 AC; 1980 AACS.

R 451.602.7 Broker-dealers' bonds; surety.

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Rule 602.7. A broker-dealer whose net capital as defined by rule, regardless of whether or not he is exempt from that rule, does not exceed \$50,000.00 shall file with the administrator a surety bond in the amount of \$10,000.00 on a form provided by the administrator and shall maintain such bond in that amount at all times while registered as a broker-dealer. If a suit is brought to enforce any liability on the bond, the broker-dealer as principal shall promptly notify the administrator

thereof; and if the bond principal amount is reduced by any recovery against it, the bond shall be immediately restored to \$10,000.00. In addition to causes of action under section 410 of the act, the bond shall also be for the use and benefit of any persons who may have a cause of action in this state by reason of any embezzlement, defalcation or misappropriation of securities or funds by the principal, its agents and employees. The administrator may exempt a registered broker-dealer from this bond requirement or may vary its terms, only if justified and appropriate under special circumstances.

History: 1979 AC.

R 451.602.8 Broker-dealers' bonds; cash or securities.

Rule 602.8. In lieu of the bond required under R 451.602.7, a broker-dealer may make a deposit of \$10,000.00 or a deposit of securities having a market value of \$12,500.00 on the date of deposit which shall be restored to \$12,500.00 in the event of any recovery. Such deposit shall consist of securities which are the obligations of and are guaranteed as to both principal and interest by the government of the United States, the government of a state, or a municipality within the United States. The deposit of cash or securities shall be held in trust or in escrow with a state or national bank within Michigan, and subject to an agreement satisfactory to the administrator with the same coverage as is required in a surety bond under R 451.602.7.

History: 1979 AC.

R 451.602.9 Rescinded.

History: 1979 AC; 1997 AACS.

R 451.602.10 Rescinded.

History: 1979 AC; 1997 AACS.

R 451.602.11 Rescinded.

History: 1979 AC; 1997 AACS.

R 451.602.12 Rescinded.

History: 1979 AC; 1997 AACS.

R 451.602.13 Rescinded.

History: 1979 AC; 1997 AACS.

R 451.602.14 Rescinded.

History: 1979 AC; 1980 AACS; 1997 AACS.

R 451.603.1 Broker-dealers' records.

Rule 603.1. (1) A broker-dealer shall make and keep current the following books and records relating to his business:

(a) Blotters, or other records of original entry, containing an itemized daily record of all purchases and sales of securities, all receipts and deliveries of securities (including certificate numbers), all receipts and disbursements of cash, and all other debits and credits.

(b) Ledgers, or other records, reflecting all assets and liabilities, and income, expense, and capital accounts.

(c) Ledger accounts, or other records, itemizing separately as to each cash and margin account of every customer and of such member, broker, or dealer and the partners thereof, all purchases, sales, receipts, and deliveries of securities and commodities for that account and all other debits and credits of that account.

(d) Ledgers, or other records, reflecting the following:

(i) Securities in transfer.

(ii) Dividends and interest received.

(iii) Securities borrowed and securities loaned.

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(iv) Monies borrowed and monies loaned, together with a record of the collateral therefor and any substitutions in such collateral.

(v) Securities failed to receive and failed to deliver.

(e) A securities record or ledger reflecting separately for each security as of the clearance date of "long" or "short" positions, including securities in safekeeping, carried by each member, broker, or dealer for his account or for the account of his customers or partners, and showing the location of all securities long and the offsetting position to all securities short and, in all cases, the name or designation of the account in which each position is carried.

(f) A memorandum of each brokerage order, and of any other instruction, given or received for the purchase or sale of securities, whether executed or unexecuted.

(g) A memorandum of each purchase and sale of securities for the account of such member, broker, or dealer, showing the price and, to the extent feasible, the time of execution.

(h) Copies of confirmations of all purchases and sale of securities and copies of notices of all other debits and credits for securities, cash, and other items for the account of customers and partners of such member, broker, or dealer.

(2) A broker-dealer shall preserve, for not less than 6 years, all records required to be made pursuant to subdivisions (a), (b), (c), and (e) of subrule (1), and, for not less than 3 years, all records required to be made pursuant to subdivisions (d), (f), (g), and (h) of subrule (1).

(3) A registered commodities issuer and a broker-dealer transacting business primarily in commodity contracts shall make and keep true, accurate, and current the following books and records relating to its business:

(a) Journals, including cash receipts and disbursements records, and any other records of original entry forming the basis of entries in a ledger.

(b) General and auxiliary ledgers, or other comparable records, reflecting asset, liability, reserve, capital, income, and expense accounts.

(c) A memorandum of each order given by the registrant for the purchase or sale of any commodity contract, of any instruction received by the registrant from a client concerning the purchase, sale, receipt, or delivery of a particular commodity contract, and a memorandum of any modification or cancellation of any such order or instruction. The memoranda shall show the terms and conditions of the order, instruction, modification, or cancellation, shall identify the person connected with the registrant who recommended the transaction to the client and the person who placed the order, and shall show the account for which entered, the date of the entry, and the registrant by or through whom executed where appropriate. An order entered pursuant to the exercise of a power of attorney shall be so designated.

(d) All check books, bank statements, cancelled checks, and cash reconciliations of the registrant.

(e) All bills or statements, or copies thereof, paid or unpaid, relating to the business of the registrant.

(f) All trial balances, financial statements, and internal audit working papers relating to the business of the registrant

(g) A financial ledger record which shows separately for each customer all charges against and credits of a customer's account, including, but not limited to, funds or securities deposited, withdrawn, or transferred, and charges or credits resulting from losses or gains on closed transactions.

(h) A record of transactions which show separately for each account, including house accounts, all commodity contract transactions executed for the account, including the date, price, quantity, market, commodity, and, when applicable, the delivery date, option expiration date, or other relevant date.

(i) A record or journal which shows separately for each business day complete details of all commodity contract transactions executed on that day, including the date, price, quantity, market, commodity, future if applicable, and the person for whom the transaction was made.

(j) A record of all securities and property received from customers in lieu of money to margin, guarantee, or secure the commodity trades and contracts of the customers. The records shall show separately for each customer a description of the securities or property received, the name and address of the customer, the dates when the securities or property were received, the identity of the depositories or other places where the securities or property are segregated, the dates of deposits and withdrawals from the depositories, and the dates of return of the securities or property to the customer, or other disposition thereof, together with the facts and circumstances of the other disposition.

(k) Originals of all written communications received, and copies of all written communications sent, by the registrant relating to any recommendation made, or proposed to be made, and any advice given, or proposed to be given; any receipt, disbursement, or delivery of funds, commodity contracts, securities, or other property; the placing or execution of any order to purchase or sell any commodity contract; or market information or conditions that affect, or tend to affect, the price of a commodity. The registrant is not required to keep any unsolicited market letters and other similar communication of general public distribution not prepared by or for the registrant.

(l) A record, in permanent form, which shows for each customer the customer's full name, home address, home telephone number, business address, business telephone number, social security number, occupation, marital status,

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approximate age, approximate income, approximate net worth, investment objectives, other information concerning the customer's financial situation and needs, and the name and address of any other person guaranteeing the account.

(m) A file for each agent who is or has been employed by the registrant, copies of the agents' application for registration with the administrator, copies of all correspondence sent to or received from the administrator with respect to the agent, a record of disciplinary actions which have been taken against the agent by the registrant, and all administrative, civil, or criminal proceedings in which the agent has been named as a respondent or defendant in connection with commodity or securities activities.

(n) Minutes and other appropriate records with respect to meetings of the board of directors.

(o) A copy of each advertisement used, showing the dates and publications in which the advertisement appeared.

(p) A copy of each notice, circular, investment letter, bulletin, report, analysis, brochure, disclosure document, prospectus, form letter, or other sales literature circulated by the registrant.

(q) A file with a copy of each complaint letter received from customers, together with a copy of the response.

(r) A copy of every confirmation and every statement sent to a customer.

(s) A consolidation record of all commodity transactions outstanding, showing, as to each appropriate classification of each commodity, the position of the registrant and its aggregate liability to its customers.

(4) A registrant shall preserve, for not less than 6 years, all records required to be made pursuant to subdivisions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (q), (r), and (s) of subrule (3), and, for not less than 3 years, all records required to be made pursuant to subdivisions (o) and (p) of subrule (3).

History: 1979 AC.

R 451.603.2 Broker-dealers' confirmations.

Rule 603.2. A confirmation of each transaction for or with a customer shall be sent to the customer before the close of the next full business day after the transaction is made, unless unusual circumstances are present in which event it shall be sent as promptly as possible. The confirmation shall set forth with particularity all pertinent information including all charges and shall clearly show in what capacity the broker-dealer acted.

History: 1979 AC.

R 451.603.4 Rescinded.

History: 1979 AC; 1983 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.603.5 Investment adviser; books and records.

Rule 603.5. (1) An investment adviser shall make and keep current such books and records relating to the investment adviser's business as are required by the securities and exchange commission to be made and kept current by registered investment advisers under the investment advisers act of 1940, 15 U.S.C. S80b et seq., and such other books and records relating to the investment adviser's business as the administrator may reasonably require.

(2) An investment adviser, when acting as a finder, shall make and keep current such books and records relating to the investment adviser's business activity as a finder as are reasonably necessary to demonstrate compliance with section 102(c) of the act.

(3) An investment adviser, when acting solely as a finder and engaging in no other activities as an investment adviser, shall only be required to make and keep current such books and records as are required by subrule (2) of this rule.

History: 1980 AACS.

R 451.604.1 Failure to complete or withdraw application for registration.

Rule 604.1. If an applicant for registration as a broker-dealer, agent, or investment adviser fails to complete or withdraw an application within 90 days from the date of filing, the administrator may withdraw the application or commence proceedings to deny the application on the basis of section 204(a)(1)(A) of the act.

History: 1979 AC; 1980 AACS; 1983 AACS.

R 451.604.2 Unethical business practices by broker-dealer or agent.

Rule 604.2. Unethical business practices by a broker-dealer or agent within the purview of section 204(a)(1)(G) of the act, include, but are not limited to, the following:

(a) Failure to segregate and earmark customers' free securities or securities in safekeeping.

(b) In the offer of a commodity contract or security, failure to reveal the existence of a markup over cost charged by the seller.

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History: 1979 AC; 1980 AACS.

R 451.604.3 Examination of applicants.

Rule 604.3. (1) As a condition to obtaining registration, an applicant for registration as a broker-dealer which is a proprietorship and an applicant for registration as an agent shall take and pass a written examination testing the person's knowledge of the securities business, the act, and the rules thereunder. The test shall be evidence of the person's qualifications as to training and knowledge. This examination and the minimum passing grade may be varied for any class of applicants. The administrator shall waive this examination requirement in the case of applicants who were registered within the past 2 years or who have passed this examination within the past 2 years. The administrator may waive this examination requirement, in whole or in part, in the case of applicants who have passed a comparable examination within the past 2 years, applicants who meet certain standards of experience, or applicants whose activities will be so restricted as to make imposition of the examination requirements inappropriate.

(2) As a condition to obtaining a registration, an applicant for registration as a broker-dealer which is a proprietorship transacting business primarily in commodities and an applicant for registration as a commodities agent or commodities investment adviser shall take and pass a written examination testing the person's knowledge of the commodities business, the act, and the rules thereunder. The test shall be evidence of the person's qualifications as to training and knowledge. This examination and the minimum passing grade may be varied for any class of applicants. The administrator shall waive this examination requirement in the case of applicants who were registered within the past 2 years or who have passed this examination within the past 2 years. The administrator may waive this examination requirement, in whole or in part, in the case of applicants who have passed a comparable examination within the past 2 years, applicants who meet certain standards of experience, or applicants whose activities will be so restricted as to make imposition of the examination inappropriate.

History: 1979 AC; 1980 AACS.

R 451.604.4 Rescinded.

History: 1979 AC; 1997 AACS.

R 451.605.1 Rescinded.

History: 1979 AC; 1997 AACS.

R 451.605.2 Rescinded.

History: 1983 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

PART 3. REGISTRATION OF SECURITIES

R 451.702.1 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.703.1 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.703.2 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.704.1 Registration by qualification; prospectus.

Rule 704.1. In the case of a registration by qualification, unless the administrator in a specific instance permits otherwise, a prospectus prepared in accordance with prospectus instructions (form PI) and previously filed with the administrator shall be sent or given to each prospective purchaser within a reasonable time before a commitment to purchase is made. If the prospectus or any part thereof becomes misleading as to any material fact, or facts, or omits to state a material fact

necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, it shall be revised or supplemented, and the revision or supplementation shall be submitted to the administrator prior to use. A prospectus shall not be used if the administrator has informed the registrant of an objection thereto. A prospectus shall not be used without revision or supplementation for more than 13 months from its date.

History: 1979 AC.

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R 451.704.2 Registration by qualification; reports and investigations.

Rule 704.2. As a condition of registration by qualification, the administrator may require that a report by an accountant, engineer, appraiser or other professional person be filed, and may require that the estimated cost of such report be deposited in advance by the registrant in an escrow account. The administrator may also designate an employee to make an investigation of the books, records and affairs of any applicant for registration by qualification and may require the estimated cost thereof to be deposited in advance by the applicant in an escrow account. Unless waived by the administrator, a registrant by qualification shall submit a complete audit report of the issuer covering the last fiscal year, certified by independent or certified public accountants.

History: 1979 AC.

R 451.705.1 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.705.2 Rescinded.

History: 1979 AC; 1983 AACS.

R 451.705.3 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.705.4 Reports by registrants.

Rule 705.4. So long as a securities registration statement is effective a registrant shall file reports as required by order of the administrator.

History: 1979 AC.

R 451.705.5 Rescinded.

History: 1979 AC; 1991 AACS.

R 451.705.6 Distribution of preliminary prospectus.

Rule 705.6. In the case of the filing of a registration statement under section 304 of the act or a filing of a request for an exemption order under section 402 of the act pursuant to the provisions of section 307(b) of the act, all of the following requirements shall be complied with:

(a) The applicant shall provide the administrator with written notice of his intent to distribute a preliminary prospectus and any amendments thereof.

(b) Any preliminary prospectus distributed pursuant to section 307(b) of the act shall contain on its cover a legend in substantially the following form: "THIS PRELIMINARY PROSPECTUS AND THE INFORMATION CONTAINED THEREIN ARE SUBJECT TO COMPLETION OR AMENDMENT. THESE SECURITIES SHALL NOT BE SOLD NOR SHALL OFFERS TO BUY BE ACCEPTED PRIOR TO THE TIME THE PROSPECTUS IS DELIVERED IN FINAL FORM. UNDER NO CIRCUMSTANCES SHALL THIS PRELIMINARY PROSPECTUS CONSTITUTE AN OFFER TO SELL OR THE SOLICITATION OF AN OFFER TO BUY NOR SHALL THERE BE ANY SALE OF THESE SECURITIES IN ANY STATE IN WHICH SUCH OFFER, SOLICITATION, OR SALE IS UNLAWFUL PRIOR TO REGISTRATION OR QUALIFICATION UNDER THE SECURITIES LAWS OF ANY SUCH STATE."

(c) Recipients of a preliminary prospectus distributed pursuant to section 307(b) of the act shall have 48 hours after receipt of a final prospectus in which to rescind the purchase of the securities being offered and shall be notified in writing of such right at the time of receipt of a final prospectus.

(d) Recipients of a preliminary prospectus distributed pursuant to section 307(b) of the act shall be notified in writing at the time of receipt of a final prospectus that such final prospectus may materially differ from the preliminary prospectuses previously distributed.

History: 1980 AACS.

R 451.705.7 Rescinded.

History: 1983 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.706.1 Incomplete registration statements.

Rule 706.1. If a registrant fails to complete or withdraw a registration statement within 7 months from the date of filing, the administrator may commence proceedings to deny on the basis of section 306(a)(1) and 306(a)(2)(A) of the act.

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History: 1979 AC.

R 451.706.2 Debt securities and preferred stock; junior equity.

Rule 706.2. An offering of debt securities or preferred stock may be deemed to be on unfair terms within the meaning of section 306(a)(2)(E) of the act unless there are junior securities and surplus of an amount equal to at least 50% of the class of securities being offered. This requirement will be waived only when justified by the normal debt-capital ratios prevailing in the particular industry, the history of interest or dividend coverage, the participation in earnings and management, or the restricted nature of the offering.

History: 1979 AC.

R 451.706.3 Rescinded.

History: 1979 AC; 1980 AACS.

R 451.706.4 Contractuals; 30-day letter.

Rule 706.4. A securities registration statement covering mutual fund periodic payment plan certificates will be deemed to tend to work an imposition and be an offering upon unfair terms unless the registrant furnishes an undertaking to send or cause to be sent by first class mail to each purchaser, at the time the certificate is issued or prior thereto, (a) a separate printed statement showing the sales load, fees, deductions and other charges to be deducted from each installment payment, (b) a duplicate copy of any application or request letter signed by the purchaser at the time he applied for or agreed to purchase, and (c) a letter specifically calling attention to the statement of charges. The letter shall also advise the purchaser that if after making his initial payment, whether for 1 or more installments, he shall for any reason whatever elect to surrender his certificate for cancellation, he will be refunded the full amount paid in by him, if the written request for such cancellation is made within 30 days, or any longer period indicated, after the mailing of such letter, or after the mailing of the certificate when the letter advises the certificate will be mailed at a later date. In lieu of the foregoing, the administrator may accept a satisfactory alternative undertaking. The requirement of this rule is in addition to, and does not preclude the purchaser from pursuing, any remedy afforded by section 410 of the act.

History: 1979 AC.

R 451.706.5 Rescinded.

History: 1979 AC; 1983 AACS.

R 451.706.6 Rescinded.

History: 1979 AC; 1983 AACS.

R 451.706.7 Rescinded.

History: 1979 AC; 1983 AACS.

R 451.706.8 Warrants and stock purchase options.

Rule 706.8. (1) A registration statement covering an offering of capital stock involving warrants or stock purchase options to others than all the purchasers of securities will generally be regarded as not being in the public interest and as being objectionable under subparagraphs (E) and (F) of section 306(a)(2) of the act unless the requirements hereinafter set forth are met and justify the issuance of the warrants or stock options.

(2) Options to management in the nature of restricted or qualified stock options for incentive purposes will be considered justified if reasonable in number and method of exercise.

(3) Options to employees, or their nominees, pursuant to stock purchase plans or profit sharing plans will be considered justified if reasonable in number and method of exercise.

History: 1979 AC; 1983 AACS.

R 451.706.9--R 451.706.23 Rescinded.

History: 1979 AC; 1981 AACS.

R 451.706.24 Waiver of the affiliated broker-dealer prohibition contained in section 402(b)(9)(C) of the act.

Rule 706.24. Unless the administrator by order determines otherwise, the condition set forth in section 402(b)(9)(C) of the act, that a commission is not paid or given directly or indirectly for soliciting any prospective purchaser in this state,

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except to a broker-dealer who is not affiliated with the issuer or its affiliates, shall be waived as to a broker-dealer who has been continuously registered pursuant to this act for not less than 2 years.

History: 1981 AACs.

R 451.706.25 Rescinded.

History: 1981 AACs; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.706.26 Definitions; corporation equity securities registration.

Rule 706.26. (1) As used in this rule:

(a) "Accredited investors" means those investors defined in regulation D, 17 C.F.R. S230.501(a)(1) to (3) (1982).

(b) "Continuing commitment of key management" means either of the following:

(i) After completion of the offering, key management continues to have equity ownership in the issuer of 10% of the shares outstanding:

(ii) Key management either places in escrow for a term of 3 years all of the shares of stock of the issuer which are directly or indirectly owned by key management or key management places in escrow the number of shares in combination with the amount of investment identified in paragraph (i) of this subdivision which would equal 10% of the offering. The escrow required under this paragraph shall be, for a period of 3 years, with an independent escrow agent approved by the administrator. Shares will be released before the 3 years if the stock maintains a market price on the American or New York stock exchange or national association of securities dealers automated quotation (NASDAQ) equal to the offering price for 90 consecutive days or if the administrator so orders.

(c) "Developmental company" means a company making an initial public offering where there is either no established market value for the securities of the company or where the company has no significant earnings.

(d) "Firm underwriting" means that the underwriter or underwriters agree to purchase all of the securities being offered for their own account.

(e) "Key management" means those officers, directors, or employees of the issuer who the issuer holds out as essential to the continuing management of the company, and, therefore, their continued role in the management of the company is considered material to the investment.

(f) "Qualified underwriter" means a managing underwriter registered with the New York stock exchange or another underwriter determined by the administrator to be qualified upon consideration of factors such as the following:

(i) Number of underwriters involved.

(ii) Whether the underwriters are purchasing for their own account.

(iii) Size and experience of underwriter staff.

(iv) Independence of underwriter.

(v) Past history of underwriter.

(vi) Total size of offering.

(g) "Qualified venture capital company" means a person who satisfies 1 of the following provisions:

(i) Operates a small business investment company licensed under the small business investment act of 1958, as amended, 15 U.S.C. S631 et seq.

(ii) Has \$1,000,000.00 worth of assets, not more than 20% of which is invested in the securities of the issuer whose primary business is investing in developmental stage companies or "eligible small business companies," as defined in the regulations of the small business administration, and has not less than \$100,000.00 invested in the securities of the issuer.

(iii) Has \$5,000,000.00 worth of assets, not more than 20% of which is invested in the securities of the issuer, and the company has invested not less than \$100,000.00 in the securities of the issuer.

(2) In the registration of the equity securities of a corporation, if the following conditions are satisfied, and in the absence of unusual circumstances, the offering shall not be deemed to be on unfair terms; have unreasonable amounts of underwriters' and sellers' discounts, commissions, or other compensation; or have unreasonable amounts of promoter's compensation or participation:

(a) The offering is made through a firm underwriting by a qualified underwriter and all of the following requirements are satisfied:

(i) There is full and fair disclosure of dilution and promoter's compensation and participation. This condition is presumed to be satisfied if the securities being offered are reviewed and cleared by the securities and exchange commission.

(ii) The offering is made in compliance with the rules of fair practice of the national association of securities dealers (NASD).

(iii) The total amount of the offering is \$1,000,000.00 or more.

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(b) The offering is made through other than a firm underwriting by a qualified underwriter and satisfies all of the following conditions:

(i) There is full and fair disclosure of dilution and promoter's compensation and participation.

(ii) The offering is made in compliance with the rules of fair practice of the national association of securities dealers (NASD).

(iii) Investors satisfy any of the following requirements:

(A) Twenty-five percent or more of the offering is purchased by accredited investors and all other investors purchase on the same terms as those accredited investors.

(B) Both before and after the offering, 25% of the outstanding shares are owned by qualified venture capital companies.

(C) Any combination of subparagraphs (A) and (B) of this paragraph.

(c) The offering is made by a developmental company and neither subdivision (a) nor subdivision (b) of this subrule is applicable and all of the following conditions are satisfied:

(i) Provision is made for the continuing commitment of key management.

(ii) There is full and fair disclosure of dilution and promoter's compensation and participation.

(iii) The offering is made in compliance with the rules of fair practice of the national association of securities dealers (NASD).

(iv) Unless the securities are sold through a registered broker/dealer, the offering will be considered unacceptable under this rule if the class of equity securities offered to the public has no voting rights or has less than equal voting rights and no

preferential treatment as to dividends and liquidation is provided or the differentiation is not otherwise justified.

(v) The initial offering price to the public is not less than \$5.00 per share.

History: 1983 AACS.

PART 4. GENERAL PROVISIONS

R 451.801.1 Rescinded.

History: 1979 AC; 1980 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.801.2 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.801.3 Persons excluded from definition of "agent."

Rule 801.3. A person, when representing an issuer, broker-dealer, or any other person in effecting transactions in certificates of interest; participation in oil, gas, or mining titles or leases; payments out of production under such titles or leases; or in other securities involving oil, gas, or mining ventures exempted by section 402(b)(9)(D)(1)(ii) of the act, whether or not any commission is paid or given for soliciting any person in this state, shall be excluded from the definition of "agent" contained in section 401(b) of the act.

History: 1980 AACS.

R 451.801.4 Persons excluded from definition of "broker-dealer."

Rule 801.4. (1) A person, when effecting transactions in certificates of interest; participation in oil, gas, or mining titles or leases; payments out of production under such titles or leases; or in other securities involving oil, gas, or mining ventures exempted by section 402(b)(9)(D)(1)(ii) of the act, shall be excluded from the definition of "broker-dealer" contained in section 401(c) of the act.

(2) The definition of the word "broker-dealer" shall exclude those individuals excluded by order of the administrator from the definition of "agent," unless the order expressly states otherwise.

History: 1980 AACS; 1981 AACS.

R 451.801.5 Rescinded.

History: 1983 AACS; 1991 AACS.

R 451.802.1 Rescinded.

History: 1979 AC; 1980 AACS; 1991 AACS.

R 451.802.2 Recognized securities manuals.

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Rule 802.2. The administrator recognizes the following securities manuals under section 402(b)(2)(A) of the act:

Moody's industrial manual
Moody's transportation manual
Moody's public utility manual
Moody's bank and finance manual
Moody's municipal and government manual
Moody's OTC industrial manual
Standard and Poor's corporation records
Best's life insurance reports
Best's insurance reports (fire and casualty)
History: 1979 AC; 1980 AACS.

R 451.802.3 Rescinded.

History: 1979 AC; 1980 AACS.

R 451.803.1 Rescinded.

History: 1979 AC; 1980 AACS.

R 451.803.2 Rescinded.

History: 1980 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.803.3 "Consulting fee" defined; offering circular; delivery; rescission of agreement.

Rule 803.3 (1) As used in section 402(a)(8) of the act, the term "consulting fee" means any payment or oral or written promise or contract to pay which is provided to any person in return for advice or assistance rendered, or to be rendered, to a nonprofit person in connection with the offer or sale of a security. The term shall not include advice or assistance rendered by the following licensed or otherwise regulated persons so long as performance of these services is solely incidental to the practice of his or her profession: attorneys, certified public accountants, or officers or employees of a financial institution whose securities are exempt pursuant to section 402(a)(3), (4), or (5) of the act.

(2) Any person designated by section 402(a)(8) of the act as being required to file an offering circular shall, 10 days before the offer or sale of the security, file with the administrator the offering circular. Offers and sale of the securities shall not be made subsequent to an order by the administrator disallowing the exemption.

(3) The offering shall be made upon such conditions and with information and provisions in the offering circular as may be determined by the administrator so that the offering does not work or tend to work a fraud, deception, or imposition and so that the offering is not made on unfair terms.

(4) The offering circular shall be delivered to each purchaser not less than 48 hours before the sale to the purchaser.

(5) As an alternative to subrule (4) of this rule, the issuer may elect, upon clear written disclosure, to provide a period of not less than 48 hours subsequent to delivery of the offering circular and confirmation in which the purchaser may rescind the agreement without prejudice.

History: 1980 AACS.

R 451.803.4 Rescinded.

History: 1980 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.803.5 Intra-industry exemption for persons engaged in oil, gas, and mineral business.

Rule 803.5. (1) Pursuant to section 402(b)(9)(D)(1)(ii) of the act, sales of certificates of interest; participation in oil, gas, or mining titles or leases; payments out of production under such titles or leases; or of other securities relating to oil, gas, or mining ventures may be made to any number of either of the following:

(a) Persons who are engaged on a full-time basis in the business of exploring for, or the producing, transporting, or refining of, oil, gas, or other minerals; buying, selling, and trading of oil, gas, or mining titles or leases; payments out of production under such titles or leases; or in any combination of the foregoing businesses and who have not less than 3 years of experience in any such business or combination thereof.

(b) Corporations or any subsidiaries of such corporations, any of the stock of which is listed on the New York stock exchange or the American stock exchange, that are engaged in any business specified in subdivision (a) of this subrule, or combination thereof, as a principal line of business.

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(2) As used in this rule, "engaged on a full-time basis," when applied in relation to the business of exploring for, or the producing, transporting, or refining of, oil, gas, or other minerals; buying, selling, and trading oil, gas, or mining titles or leases; payments out of production under such titles or leases; or any combination of the foregoing businesses shall mean that the person is engaged in such business as his or her principal business activity and, in the case of an individual, that the person is engaged in any such business in a management capacity and either maintains an office for the conduct of such business or is employed by a person maintaining such office.

(3) For the purpose of this rule, a person shall be deemed to have had 3 years of experience in the business of exploring for, or the producing, transporting, or refining of, oil, gas, or other minerals; buying, selling, and trading oil, gas, or mining titles or leases; or payments out of production under such titles or leases, if such person was engaged in any such business, or combination thereof, on a full-time basis during the period in question. However, a corporation, partnership, association, or other business entity that was engaged in any such business on a full-time basis during the period in question shall nonetheless be deemed to have had 3 years of experience in any such business or combination thereof, if such entity had at least 1 officer or partner, or person of similar status, who was engaged in any such business, or combination thereof, on a full-time basis during the period in question.

(4) The numerical limitation on sales provided for in section 402(b)(9)(D)(1)(ii) of the act shall not be applicable to sales in compliance with this rule. Sales may be made hereunder to an unlimited number of purchasers described in subrule (1) of this rule without affecting the availability of the exemption provided for in section 402(b)(9)(D)(1)(ii) of the act.

(5) Any compensation paid to full-time salaried employees effecting sales which are in compliance with this rule shall not be deemed to be a commission under sections 401(b) and 402(b)(9)(C) of the act.

History: 1980 AACs.

R 451.803.6 Rescinded.

History: 1980 AACs; 1984 AACs.

R 451.803.7 Rescinded.

History: 1983 AACs; 1991 AACs; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.803.8 Multijurisdictional disclosure system offerings.

Rule 803.8. (1) This rule shall apply to the registration by coordination pursuant to the provisions of section 303 of the act in Michigan of securities that are registered with the securities and exchange commission in accordance with the multijurisdictional disclosure system adopted in securities and exchange commission release no. 33-6902, 56 F.R. 30036 (July 1, 1991).

(2) Pursuant to section 303(d) of the act, the 20-day registration statement and 10 day amendment filing requirements set forth in section 303(c)(2) of the act shall be reduced to 7 days for a class of offering for which a registration statement has been filed with the administrator on a form designated as form F-7, F-8, F-9, or F-10 by the securities and exchange commission.

(3) Under the grant of authority to the administrator in section 412(c) of the act, the administrator has determined that financial statements which have been prepared in accordance with Canadian generally accepted accounting principles, consistently applied, may be contained in a registration statement which has been filed with the administrator pursuant to the provisions of section 303 of the act and which has been designated as form F-7, F-8, F-9, or F-10 by the securities and exchange commission if 1 of the following provisions is satisfied:

(a) The securities that are the subject of a registration statement designated as form F-7 by the securities and exchange commission are offered for cash upon the exercise of rights granted to existing security holders.

(b) The securities that are the subject of a registration statement designated as form F-8 by the securities and exchange commission are securities to be issued in an exchange offer, merger, or other business combination.

(c) The securities that are the subject of the registration statement designated as form F-9 by the securities and exchange commission are either nonconvertible preferred stock or nonconvertible debt and which shall be rated in 1 of the 4 highest rating categories by 1 or more nationally recognized statistical rating organizations. Preferred stock and debt securities that are not convertible for at least 1 year from the date of effectiveness of the registration statement will be deemed to meet the requirement of this subdivision.

(d) The securities that are the subject of a registration statement designated as form F-10 by the securities and exchange commission are offered and sold pursuant to a prospectus in which the securities and exchange commission has not required a reconciliation to United States generally accepted accounting principles with respect to the financial information presented therein.

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History: 1993 AACS.

R 451.803.9 Rescinded.

History: 1993 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.803.10 Exempt securities listed or approved for listing on the Chicago board options exchange.

Rule 803.10. A security that is listed or approved for listing upon notice of issuance on the Chicago board options exchange and any other security of the same issuer that is of senior or substantially equal rank, a security called for by subscription rights or warrants so listed or approved, or a warrant or right to purchase or subscribe to any of these securities shall be exempt from sections 301 and 403 of the act. The administrator may, after giving notice of hearing to all interested parties, provide an opportunity for hearing, written findings of fact and conclusions of law, and a right to judicial appeal, do any of the following:

- (a) Deny or revoke this exemption by order for a specific issue of securities.
- (b) Deny this exemption by rule or order to a category of securities when necessary in the public interest and for the protection of investors.
- (c) Decertify the exchange by order if the administrator determines that the exchange's requirements are so changed, or insufficiently applied that the public interest and protection of investors contemplated by the requirements is no longer afforded.

History: 1993 AACS.

R 451.803.11 Small corporate offering registration.

Rule 803.11. (1) This rule offers an optional method of registration pursuant to the provisions of section 304 of the act for corporations issuing securities that are exempt from registration with the federal exemption, regulation D, 17 C.F.R. S230.504, adopted in securities and exchange commission release no. 33-6389, 47 F.R. 11251 (March 16, 1982), and as amended in release nos. 33-6758, 53 F.R. 7866 (March 10, 1988), and 33-6825, 54 F.R. 11369 (March 20, 1989), or pursuant to the provisions of section 3(a)(11) of the securities act of 1933, 15 U.S.C. S77c(a)(11). Issuers eligible for this method of registration shall use a registration form approved by the administrator as the disclosure document for the offering. This method of registration shall be known as SCOR registration.

(2) Both of the following provisions apply to SCOR applications:

(a) Applications shall be in compliance with the provisions of this rule; however, the provisions of this rule may be modified or waived by the administrator.

(b) Where individual characteristics of specific offerings warrant modification from the provisions of this rule, they will be accommodated, insofar as possible, while still being consistent with the spirit of this rule.

(3) All of the following provisions apply to the availability of SCOR registration:

(a) SCOR registration is intended to allow small corporations to conduct limited offerings of securities. SCOR registration uses a simplified offering format designed to provide adequate disclosure to investors concerning the issuer, the securities offered, and the offering itself. Certain issuers may not be able to make adequate disclosure using the SCOR registration format and will, therefore, be unable to utilize SCOR registration. SCOR registration shall not be utilized by the following issuers and programs unless written permission is obtained from the administrator based upon a showing that adequate disclosure can be made to investors using the SCOR registration format:

(i) Holding companies, companies that have a principal purpose of owning stock in, or supervising the management of, other companies.

(ii) Portfolio companies, such as real estate investment trusts.

(iii) Issuers with complex capital structures.

(iv) Commodity pools.

(v) Equipment leasing programs.

(vi) Real estate programs.

(b) SCOR registration is available only to the issuer of the securities and not to any affiliate of that issuer or to any other person for resale of the issuer's securities. In addition, each of the following requirements shall be met:

(i) The issuer shall be a corporation that is organized under the laws of one of the states or possessions of the United States.

(ii) The issuer shall not engage in petroleum exploration or production or mining or other extractive industries.

(iii) The offering is not a blind pool or other offering for which the specific business to be engaged in or property to be acquired by the issuer cannot be specified.

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(iv) The offering price for common stock; the exercise price if the securities offered are options, warrants, or rights for common stock; and the conversion price if the securities are convertible into common stock shall be equal to or more than \$5.00 per share.

(v) The aggregate offering price of the securities offered, within or outside this state, is not more than \$1,000,000.00, less the aggregate offering price of all securities sold within the 12 months before the start of and during the offering of the securities under federal exemption, regulation D, 17 C.F.R. 230.504, adopted in securities and exchange commission release no. 33-6389, 47 F.R. 11251 (March 16, 1982), and as amended in release nos. 33-6758, 53 F.R. 7866 (March 10, 1988), and 33-6825, 54 F.R. 11369 (March 20, 1989), in reliance on any exemption pursuant to the provisions of section 3(a)(11) and (b) of the securities act of 1933, 15 U.S.C. S77c(a)(11) and (b) or in violation of section 5(a) of the securities act of 1933, 15 U.S.C. S77e(a).

(c) SCOR registration is not available to investment companies that are subject to the investment company act of 1940, 15 U.S.C. S80(a) et seq., nor is it available to issuers that are subject to the reporting requirements of section 13 or section 15(d) of the securities exchange act of 1934, 15 U.S.C. SS78m and 78o(d).

(d) SCOR is available for registration of debt offerings only if the issuer can demonstrate a reasonable ability to service its debt.

(4) SCOR registration shall not be available for the securities of any issuer if any of the following provisions applies to that issuer or any of its officers, directors, 10% stockholders, promoters, or any selling agents of the securities to be offered or any officer, director, or partner of such selling agent:

(a) The individual has filed a registration statement that is the subject of a currently effective registration stop order entered pursuant to any federal or state securities law within 5 years before the filing of the SCOR registration application.

(b) The individual has been convicted, within 5 years before the filing of the SCOR registration application, of any felony or misdemeanor in connection with the offer, purchase, or sale of any security or any felony involving fraud or deceit, including any of the following:

(i) Forgery.

(ii) Embezzlement.

(iii) Obtaining money under false pretenses.

(iv) Larceny.

(v) Conspiracy to defraud.

(c) The individual is currently subject to any state administrative enforcement order or judgment entered by any state securities administrator or the securities and exchange commission within 5 years before the filing of the SCOR registration application or is subject to any federal or state administrative enforcement order or judgment in which fraud or deceit, including making untrue statements of material facts or omitting to state material facts, was found and the order or judgment was entered within 5 years before the filing of the SCOR registration application.

(d) The individual is subject to any federal or state administrative enforcement order or judgment that prohibits, denies, or revokes the use of any exemption for registration in connection with the offer, purchase, or sale of securities.

(e) The individual is currently subject to any order, judgment, or decree of any court of competent jurisdiction temporarily or preliminarily, or permanently restraining or enjoining such party from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security or involving the making of any false filing with any state or with the securities and exchange commission entered within 5 years before the filing of the SCOR registration application. However, the prohibition of this paragraph and paragraphs (a), (b) and (c) of this subdivision shall not apply if the person who is subject to the disqualification is duly licensed or registered to conduct securities-related business in the state in which the administrative order or judgment was entered against the person or if the broker-dealer who employs the person is licensed or registered in this state and the form BD that is filed in this state discloses the order, conviction, judgment, or decree relating to the person. A person who is disqualified pursuant to the provisions of this subdivision shall not act in any capacity other than that for which the person is licensed or registered. Any disqualification pursuant to the provisions of this subdivision is automatically waived if the state securities administrator or other state or federal agency that created the basis for disqualification determines, upon a showing of good cause, that it is not necessary under the circumstances that the exemption be denied.

(5) By filing for SCOR registration in this state, the registrant agrees with the administrator that the registrant will not split its common stock or declare a stock dividend for 2 years after the effectiveness of the registration without the prior written approval of the administrator.

(6) In addition to filing a properly completed form and filing fee required pursuant to the provisions of section 305(b) of the act, an applicant for SCOR registration shall file all of the following exhibits with the administrator:

(a) The form of selling agency agreement.

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- (b) The issuer's articles of incorporation or other charter documents and all amendments thereto.
 - (c) The issuer's bylaws, as amended to date.
 - (d) Copies of any resolutions by directors setting forth terms and provisions of capital stock to be issued.
 - (e) Any indenture, form of note, or other contractual provision containing terms of notes or other debt or of options, warrants, or rights to be offered.
 - (f) A specimen of the security to be offered, including any legend restricting resale.
 - (g) Consent to service of process accompanied by an appropriate corporate resolution.
 - (h) Copies of all advertising or other material that is directed, or to be furnished to investors in the offering.
 - (i) The form of escrow agreement for escrow of proceeds.
 - (j) Consent to inclusion in disclosure document of accountant's report.
 - (k) Consent to inclusion in disclosure document of tax advisor's opinion or description of tax consequences.
 - (l) Consent to inclusion in disclosure document of any evaluation of litigation or administrative action by counsel.
 - (m) The form of any subscription agreement for the purchase of securities in the offering.
 - (n) An opinion of an attorney who is licensed to practice in a state or territory of the United States that the securities to be sold in the offering have been duly authorized and, when issued upon payment of the offering price, will be legally and validly issued, fully paid and nonassessable, and binding on the issuer in accordance with their terms.
 - (o) A schedule of residence street addresses of officers, directors, and principal stockholders.
 - (p) Additional information as the administrator requires by rule or order.
- History: 1993 AACS.

R 451.812.1 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.812.2 Rescinded.

History: 1980 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.813.1 Rescinded.

History: 1980 AACS; 1991 AACS.

R 451.814.1 Rescinded.

History: 1979 AC; 2014 MR 15, Eff. Aug. 1, 2014.

R 451.817.1 Rescission.

Rule 817.1. Rules 1 to 30, 101 to 120, and 201 to 208 of the corporation and securities commission pertaining to securities, being R 451.1 to R 451.30, R 451.101 to R 451.120, and R 451.201 to R 451.208 of the Michigan Administrative Code, and appearing on pages 5501 to 5514 of the 1954 volume of the Code and the amendments and additions thereto appearing on page 133 of the 1955 Supplement to the Code, pages 739 to 741 of the 1957 Supplement to the Code, and page 2911 of the 1963 Supplement to the Code, are rescinded.

History: 1979 AC.

R 451.818.1 Rescinded.

History: 1982 AACS; 2014 MR 15, Eff. Aug. 1, 2014.

DEBT MANAGEMENT

R 451.1221

Source: 1979 AC.

R 451.1222

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Source: 1985 AACS.

R 451.1223

Source: 1979 AC.

R 451.1224

Source: 1997 AACS.

R 451.1225

Source: 1979 AC.

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Source: 1979 AC.

R 451.1227

Source: 1979 AC.

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R 451.1232

Source: 1979 AC.

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R 451.1234

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R 451.1244
Source: 1979 AC.

R 451.1245
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R 451.1246
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R 451.1901
Source: 2006 AACS.

R 451.1902
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R 451.1903
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R 451.1904
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R 451.1905
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R 451.1907
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R 451.1908
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Source: 1983 AACS.

R 451.2102
Source: 1983 AACS.

R 451.2103
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Source: 1983 AACS.

R 451.2202
Source: 1983 AACS.

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R 451.2203
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PART 3. INTERPRETATIVE OPINIONS AND DECLARATORY RULINGS

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R 451.2302
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R 451.2303
Source: 2001 AACS.

R 451.2304
Source: 2001 AACS.

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R 451.2401
Source: 1983 AACS.

R 451.2402
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R 451.2403
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R 451.2404
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R 451.2405
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R 451.2406
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R 451.2408
Source: 1983 AACS.

PART 5. COMMENCEMENT OF PROCEEDINGS AND CONTESTED CASES

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R 451.2502
Source: 1983 AACS.

R 451.2503
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R 451.2602

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R 451.3304

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R 456.124
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- R 456.167**
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- R 456.191**
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- R 456.194**
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- R 456.195**
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- R 456.196**
Source: 1979 AC.

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- R 460.2**
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- R 460.3**
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- R 460.4**
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- R 460.5**
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- R 460.101**
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R 460.115

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PART 8. PROCEDURES FOR SHUTOFF AND RESTORATION OF SERVICE

R 460.136
Source: 2007 AACS.

R 460.137
Source: 2007 AACS.

R 460.138
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R 460.139

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Source: 2007 AACS.

R 460.140

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R 460.141

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R 460.142

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R 460.143

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R 460.144

Source: 2007 AACS.

PART 9. ENERGY ASSISTANCE AND SHUTOFF PROTECTION PROGRAMS

R 460.145

Source: 2007 AACS.

R 460.146

Source: 2007 AACS.

R 460.147

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R 460.148

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R 460.149

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R 460.150

Source: 2007 AACS.

PART 10. DISPUTED CLAIM, HEARING AND SETTLEMENT AGREEMENT

R 460.151

Source: 2007 AACS.

R 460.152

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R 460.153

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R 460.154

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R 460.155

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R 460.156

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R 460.157

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PART 11. COMMISSION APPEAL PROCEDURES

R 460.158
Source: 2007 AACS.

R 460.159
Source: 2007 AACS.

R 460.160
Source: 2007 AACS.

R 460.161
Source: 2007 AACS.

R 460.162
Source: 2007 AACS.

R 460.163
Source: 2007 AACS.

R 460.164
Source: 2007 AACS.

R 460.165
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R 460.166
Source: 2007 AACS.

R 460.167
Source: 2007 AACS.

R 460.168
Source: 2007 AACS.

R 460.169
Source: 2007 AACS.

MERGERS AND ACQUISITIONS

R 460.301
Source: 2011 AACS.

R 460.302
Source: 2011 AACS.

R 460.303
Source: 2011 AACS.

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ELECTRIC INTERCONNECTION STANDARDS

R 460.481
Source: 2009 AACS.

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- R 460.482**
Source: 2009 AACS.
- R 460.483**
Source: 2009 AACS.
- R 460.484**
Source: 2009 AACS.
- R 460.485**
Source: 2009 AACS.
- R 460.486**
Source: 2009 AACS.
- R 460.487**
Source: 2009 AACS.
- R 460.488**
Source: 2009 AACS.
- R 460.489**
Source: 2009 AACS.

ELECTRICAL SERVICE

- R 460.511**
Source: 1979 AC.
- R 460.512**
Source: 1979 AC.
- R 460.513**
Source: 1979 AC.
- R 460.514**
Source: 1979 AC.
- R 460.515**
Source: 1979 AC.
- R 460.516**
Source: 1979 AC.
- R 460.517**
Source: 1979 AC.
- R 460.518**
Source: 1979 AC.
- R 460.519**
Source: 1979 AC.

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ELECTRIC INTERCONNECTION AND NET METERING STANDARDS

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PART 1. GENERAL PROVISIONS

R 460.601a
Source: 2009 AACS.

R 460.601b
Source: 2009 AACS.

R 460.602
Source: 2009 AACS.

R 460.604
Source: 2009 AACS.

R 460.606
Source: 2009 AACS.

R 460.608
Source: 2009 AACS.

R 460.610
Source: 2009 AACS.

R 460.612
Source: 2009 AACS.

PART 2. INTERCONNECTION STANDARDS

R 460.615
Source: 2009 AACS.

R 460.618
Source: 2009 AACS.

R 460.620
Source: 2009 AACS.

R 460.622
Source: 2009 AACS.

R 460.624
Source: 2009 AACS.

R 460.626
Source: 2009 AACS.

R 460.628
Source: 2009 AACS.

PART 3. NET METERING STANDARDS

R 460.640
Source: 2009 AACS.

R 460.642
Source: 2009 AACS.

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R 460.644
Source: 2009 AACS.

R 460.646
Source: 2009 AACS.

R 460.648
Source: 2009 AACS.

R 460.650
Source: 2009 AACS.

R 460.652
Source: 2009 AACS.

R 460.654
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R 460.656
Source: 2009 AACS.

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**SERVICE QUALITY AND RELIABILITY STANDARDS
FOR ELECTRIC DISTRIBUTION SYSTEMS**

PART 1. GENERAL PROVISIONS

R 460.701
Source: 2004 AACS.

R 460.702
Source: 2004 AACS.

R 460.703
Source: 2004 AACS.

PART 2. UNACCEPTABLE LEVELS OF PERFORMANCE

R 460.721
Source: 2004 AACS.

R 460.722
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R 460.723
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R 460.724
Source: 2004 AACS.

PART 3. RECORDS AND REPORTS

R 460.731

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Source: 2004 AACS.

R 460.732

Source: 2004 AACS.

R 460.733

Source: 2004 AACS.

R 460.734

Source: 2004 AACS.

PART 4. FINANCIAL INCENTIVES AND PENALTIES

R 460.741

Source: 2004 AACS.

R 460.742

Source: 2004 AACS.

R 460.743

Source: 2004 AACS.

R 460.744

Source: 2004 AACS.

R 460.745

Source: 2004 AACS.

R 460.746

Source: 2004 AACS.

R 460.747

Source: 2004 AACS.

R 460.748

Source: 2004 AACS.

PART 5. WAIVERS AND EXCEPTIONS

R 460.751

Source: 2004 AACS.

R 460.752

Source: 2004 AACS.

**ELECTRICAL SUPPLY AND COMMUNICATION LINES
AND ASSOCIATED EQUIPMENT**

R 460.811

Source: 1988 AACS.

R 460.812

Source: 1988 AACS.

R 460.813

Source: 2013 AACS.

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R 460.814
Source: 1988 AACs.

R 460.815
Source: 1988 AACs.

PRODUCTION AND TRANSMISSION OF NATURAL GAS

R 460.851
Source: 1979 AC.

R 460.852
Source: 1979 AC.

R 460.853
Source: 1979 AC.

R 460.854
Source: 1979 AC.

R 460.855
Source: 1979 AC.

R 460.856
Source: 1979 AC.

R 460.857
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R 460.859
Source: 1979 AC.

R 460.860
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R 460.861
Source: 1979 AC.

R 460.862
Source: 1979 AC.

R 460.863
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R 460.864
Source: 1979 AC.

R 460.865
Source: 1979 AC.

R 460.866
Source: 1979 AC.

R 460.867
Source: 1979 AC.

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R 460.868
Source: 1979 AC.

R 460.869
Source: 1979 AC.

R 460.870
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R 460.871
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R 460.872
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R 460.873
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R 460.874
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R 460.875
Source: 1979 AC.

RAILROADS

R 460.1451
Source: 1979 AC.

R 460.1452
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R 460.1453
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R 460.1454
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R 460.1455
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R 460.1456
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R 460.1457
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R 460.1458
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R 460.1459
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SANITATION AND SHELTER FOR RAILROAD EMPLOYEES

R 460.1461
Source: 1979 AC.

R 460.1462
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- R 460.1463**
Source: 1979 AC.
- R 460.1464**
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- R 460.1465**
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- R 460.1466**
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- R 460.1467**
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- R 460.1468**
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- R 460.1469**
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- R 460.1470**
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- R 460.1471**
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- R 460.1472**
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- R 460.1473**
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- R 460.1474**
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- R 460.1475**
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- R 460.1476**
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- R 460.1477**
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- R 460.1478**
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- R 460.1479**
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- R 460.1480**
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- R 460.1481**
Source: 1979 AC.

STANDARDIZATION OF ELECTRICALLY OPERATED HALF-ROADWAY GATES

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R 460.1491
Source: 2011 AACS.

R 460.1492
Source: 2011 AACS.

R 460.1493
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R 460.1499
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R 460.1500
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TRACK MOTOR CAR

R 460.1511
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R 460.1512
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R 460.1513
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R 460.1514
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INSPECTION OF TRACKS UPON WHICH PASSENGER TRAINS OPERATED

R 460.1521
Source: 2011 AACS.

R 460.1522
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R 460.1523
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R 460.1524
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R 460.1525
Source: 2011 AACS.

BILLING PRACTICES APPLICABLE TO NON-RESIDENTIAL ELECTRIC AND GAS CUSTOMERS

PART 1. GENERAL PROVISIONS

R 460.1601
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R 460.1602
Source: 2008 AACS.

R 460.1603
Source: 2008 AACS.

R 460.1604
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R 460.1605
Source: 2008 AACS.

PART 2. APPLICATION FOR SERVICE

R 460.1606
Source: 2008 AACS.

PART 3. GENERAL CUSTOMER DEPOSIT CONDITIONS

R 460.1607
Source: 2008 AACS.

**PART 4. METER READING, ESTIMATED BILLS, BILLING ADJUSTMENTS, VOLUNTARY TERMINATION,
AND METER RELOCATION**

R 460.1608
Source: 2008 AACS.

R 460.1609
Source: 2008 AACS.

R 460.1610
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R 460.1611
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PART 5. BILLING AND PAYMENTS

R 460.1612
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R 460.1613
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R 460.1614
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R 460.1615
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PART 6. CUSTOMER RELATIONS AND UTILITY PROCEDURES

R 460.1618
Source: 2008 AACS.

R 460.1619
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R 460.1620
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R 460.1621
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R 460.1622
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R 460.1623
Source: 2008 AACS.

PART 7. SHUTOFFS AND RESTORATION

R 460.1624
Source: 2008 AACS.

R 460.1625
Source: 2008 AACS.

R 460.1626
Source: 2008 AACS.

PART 8. DISPUTED CLAIMS, HEARINGS AND SETTLEMENT AGREEMENTS

R 460.1628
Source: 2008 AACS.

R 460.1629
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R 460.1630
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R 460.1631
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Source: 2008 AACS.

R 460.1634

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R 460.1638

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R 460.1639

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R 460.1640

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FILING PROCEDURES FOR ELECTRIC, WATER, STEAM, AND GAS UTILITIES

PART 1. GENERAL PROVISIONS

R 460.2011

Source: 2007 AACS.

R 460.2012

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R 460.2013

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PART 2. RATE BOOK

R 460.2021

Source: 2007 AACS.

R 460.2022

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R 460.2023

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R 460.2024

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PART 3. SPECIAL CONTRACTS

R 460.2031

Source: 2007 AACS.

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R 460.2071

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Source: 2008 AACS.

R 460.2072

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R 460.2074

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R 460.2083

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R 460.2086

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CONSUMER STANDARDS AND BILLING PRACTICES
ELECTRIC AND GAS RESIDENTIAL SERVICE

R 460.2101

Source: 2007 AACS.

R 460.2102

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R 460.2103

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R 460.2105
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R 460.2111
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R 460.2112
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R 460.2113
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R 460.2114
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R 460.2161

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R 460.2162
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R 460.2163
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R 460.2164
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R 460.2165
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R 460.2166
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R 460.2167
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R 460.2168
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R 460.2169
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R 460.2171
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R 460.2174
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R 460.2181
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R 460.2182
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R 460.2188
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R 460.2192
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R 460.2199
Source: 2007 AACS.

TECHNICAL STANDARDS FOR GAS SERVICE

PART 1. GENERAL PROVISIONS

R 460.2301
Source: 1993 AACS.

R 460.2302
Source: 1993 AACS.

R 460.2303
Source: 1979 AC.

PART 2. RECORDS, REPORTS, AND OTHER INFORMATION

R 460.2321
Source: 1993 AACS.

R 460.2322
Source: 1979 AC.

R 460.2323
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PART 3. SERVICE REQUIREMENTS

R 460.2331
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R 460.2332
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R 460.2333
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R 460.2334
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R 460.2335
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PART 4. ENGINEERING

R 460.2341
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R 460.2342
Source: 1993 AACS.

R 460.2343
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PART 5. INSPECTION OF METERS

R 460.2351
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R 460.2352
Source: 1993 AACS.

R 460.2353
Source: 1979 AC.

R 460.2354
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R 460.2355
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R 460.2356
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R 460.2357
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R 460.2358
Source: 1979 AC.

PART 6. BILL ADJUSTMENT; METER ACCURACY

R 460.2361
Source: 1993 AACS.

R 460.2362
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R 460.2363
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R 460.2364
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R 460.2365
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PART 7. SHUTOFF OF SERVICE

R 460.2371
Source: 1993 AACS.

R 460.2372
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R 460.2373
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R 460.2374
Source: 1993 AACS.

PART 8. GAS QUALITY

R 460.2381
Source: 1993 AACS.

R 460.2382
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RESIDENTIAL CONSERVATION PROGRAM STANDARDS

R 460.2401
Source: 1979 AC.

R 460.2402
Source: 1979 AC.

R 460.2403
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R 460.2404
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R 460.2405
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R 460.2408
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R 460.2411
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PRESERVATION OF RECORDS OF ELECTRIC, GAS, AND WATER UTILITIES

R 460.2501
Source: 1998-2000 AACS.

R 460.2502
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R 460.2503
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R 460.2504
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Source: 1998-2000 AACS.

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R 460.2581
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PUBLIC SERVICE COMMISSION

UNCOLLECTIBLES ALLOWANCE RECOVERY FUNDS

PART 1. GENERAL PROVISIONS

R 460.2601
Source: 2013 AACS.

R 460.2602
Source: 2013 AACS.

PART 2. UNCOLLECTIBLES ALLOWANCE RECOVERY FUND

R 460.2621
Source: 2013 AACS.

R 460.2622
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R 460.2623
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R 460.2624
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RULES AND REGULATIONS GOVERNING ANIMAL CONTACT CURRENT MITIGATION

R 460.2701
Source: 2007 AACS.

R 460.2702
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R 460.2703
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R 460.2704
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R 460.2705
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R 460.2707
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SERVICES SUPPLIED BY ELECTRIC UTILITIES

PART 1. GENERAL PROVISIONS

R 460.3101
Source: 1996 AACS.

R 460.3102
Source: 2008 AACS.

R 460.3103
Source: 1983 AACS.

PART 2. RECORDS AND REPORTS

R 460.3201
Source: 1996 AACS.

R 460.3202
Source: 1983 AACS.

R 460.3203
Source: 1996 AACS.

R 460.3204
Source: 2008 AACS.

PART 3. METER REQUIREMENTS

R 460.3301
Source: 1996 AACS.

R 460.3302
Source: 1997 AACS.

R 460.3303
Source: 1996 AACS.

R 460.3304
Source: 1996 AACS.

R 460.3305
Source: 1996 AACS.

R 460.3306
Source: 2008 AACS.

R 460.3307
Source: 1997 AACS.

R 460.3308
Source: 2008 AACS.

R 460.3309
Source: 2008 AACS.

PART 4. EXTENSION OF SERVICE

R 460.3401
Source: 2008 AACS.

R 460.3402
Source: 2008 AACS.

R 460.3403
Source: 2008 AACS.

R 460.3404
Source: 2008 AACS.

R 460.3405
Source: 1997 AACS.

R 460.3406
Source: 2008 AACS.

R 460.3407
Source: 2008 AACS.

R 460.3408
Source: 1996 AACS.

R 460.3409
Source: 1996 AACS.

R 460.3410

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Source: 1996 AACS.

R 460.3411

Source: 1996 AACS.

PART 5. CONSTRUCTION, OPERATIONS, AND MAINTENANCE

R 460.3501

Source: 1983 AACS.

R 460.3502

Source: 1996 AACS.

R 460.3503

Source: 1996 AACS.

R 460.3504

Source: 1996 AACS.

R 460.3505

Source: 1996 AACS.

PART 6. METERING EQUIPMENT INSPECTIONS AND TESTS

R 460.3601

Source: 1983 AACS.

R 460.3602

Source: 2008 AACS.

R 460.3603

Source: 1983 AACS.

R 460.3604

Source: 1995 AACS.

R 460.3605

R 460.3606 Source: 2008 AACS.

Source: 1983 AACS.

R 460.3607

Source: 2008 AACS.

R 460.3608

Source: 1983 AACS.

R 460.3609

Source: 2008 AACS.

R 460.3610

Source: 2008 AACS.

R 460.3611

Source: 1995 AACS.

R 460.3612

R 460.3613

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Source: 2008 AACS.

R 460.3614
Source: 1983 AACS.

R 460.3615
Source: 1983 AACS.

R 460.3616
Source: 1983 AACS.

R 460.3617
Source: 1995 AACS.

R 460.3618
Source: 1983 AACS.

PART 7. STANDARDS OF QUALITY OF SERVICES

R 460.3701
Source: 1996 AACS.

R 460.3702
Source: 1996 AACS.

R 460.3703
Source: 1996 AACS.

R 460.3704
Source: 1996 AACS.

R 460.3705
Source: 1996 AACS.

PART 8. SAFETY

R 460.3801
Source: 1983 AACS.

R 460.3802
Source: 1996 AACS.

R 460.3803
Source: 1996 AACS.

R 460.3804
Source: 1996 AACS.

PART 9. COMMERCIAL AND INDUSTRIAL STANDARDS AND BILLING PRACTICES

R 460.3901
Source: 2008 AACS.

R 460.3902
Source: 2008 AACS.

R 460.3903
Source: 2008 AACS.

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R 460.3904
Source: 2008 AACS.

R 460.3905
Source: 2008 AACS.

R 460.3906
Source: 2008 AACS.

R 460.3907
Source: 2008 AACS.

R 460.3908
Source: 2008 AACS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR ELECTRIC UTILITIES**

R 460.9001
Source: 2011 AACS.

R 460.9002
Source: 2011 AACS.

R 460.9003
Source: 2011 AACS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR ELECTRIC UTILITIES**

R 460.9019
Source: 1997 AACS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR GAS UTILITIES**

R 460.9021
Source: 2011 AACS.

R 460.9022
Source: 2011 AACS.

**UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR
AND NONMAJOR GAS UTILITIES**

R 460.9039
Source: 1988 AACS.

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PUBLIC SERVICE COMMISSION

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A AND B WATER UTILITIES

R 460.9081

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Source: 1998-2000 AACS.

R 460.9099

Source: 1998-2000 AACS.

SERVICES SUPPLIED BY WATER UTILITIES

R 460.13101

Source: 2005 AACS.

R 460.13102

Source: 2005 AACS.

R 460.13103

Source: 2005 AACS.

R 460.13104

Source: 2005 AACS.

R 460.13105

Source: 2005 AACS.

R 460.13106

Source: 2005 AACS.

R 460.13107

Source: 2005 AACS.

200. RECORDS AND REPORTS

R 460.13201

Source: 2005 AACS.

R 460.13202

Source: 2005 AACS.

R 460.13203

Source: 2005 AACS.

R 460.13204

Source: 2005 AACS.

R 460.13205

Source: 2005 AACS.

R 460.13206

Source: 2005 AACS.

R 460.13207

Source: 2005 AACS.

300. GENERAL REQUIREMENTS

R 460.13301

Source: 2005 AACS.

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R 460.13302
Source: 2005 AACS.

R 460.13303
Source: 2005 AACS.

R 460.13304
Source: 2005 AACS.

R 460.13305
Source: 2005 AACS.

R 460.13306
Source: 2005 AACS.

400. CUSTOMER RELATIONS

R 460.13401
Source: 2005 AACS.

R 460.13402
Source: 2005 AACS.

R 460.13403
Source: 2005 AACS.

R 460.13404
Source: 2005 AACS.

R 460.13405
Source: 2005 AACS.

R 460.13406
Source: 2005 AACS.

R 460.13407
Source: 2005 AACS.

R 460.13408
Source: 2005 AACS.

R 460.13409
Source: 2005 AACS.

R 460.13410
Source: 2005 AACS.

500. ENGINEERING

R 460.13501
Source: 2005 AACS.

R 460.13502
Source: 2005 AACS.

600. METER INSPECITONS AND TESTS

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R 460.13601
Source: 2005 AACS.

R 460.13602
Source: 2005 AACS.

R 460.13603
Source: 2005 AACS.

R 460.13604
Source: 2005 AACS.

R 460.13605
Source: 2005 AACS.

R 460.13606
Source: 2005 AACS.

700. STANDARDS OF QUALITY OF SERVICES

R 460.13701
Source: 2005 AACS.

R 460.13702
Source: 2005 AACS.

R 460.13703
Source: 2005 AACS.

R 460.13704
Source: 2005 AACS.

R 460.13705
Source: 2005 AACS.

R 460.13706
Source: 2005 AACS.

R 460.13707
Source: 2005 AACS.

MICHIGAN GAS SAFETY CODE

PART 1. GENERAL PROVISIONS

R 460.14001
Source: 1998-2000 AACS.

R 460.14003
Source: 1998-2000 AACS.

R 460.14004
Source: 1998-2000 AACS.

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R 460.14005
Source: 1998-2000 AACS.

R 460.14006
Source: 1998-2000 AACS.

R 460.14008
Source: 1998-2000 AACS.

R 460.14009
Source: 1998-2000 AACS.

R 460.14011
Source: 1998-2000 AACS.

R 460.14012
Source: 1998-2000 AACS.

R 460.14013
Source: 1998-2000 AACS.

R 460.14015
Source: 1998-2000 AACS.

R 460.14017
Source: 1998-2000 AACS.

R 460.14018
Source: 1998-2000 AACS.

**PART 2. ANNUAL REPORTS, INCIDENT REPORTS, AND SAFETY-RELATED CONDITION
REPORTS**

R 460.14021
Source: 1998-2000 AACS.

R 460.14025
Source: 1998-2000 AACS.

R 460.14026
Source: 1998-2000 AACS.

R 460.14027
Source: 1998-2000 AACS.

R 460.14029
Source: 1998-2000 AACS.

R 460.14031
Source: 1998-2000 AACS.

R 460.14033
Source: 1998-2000 AACS.

R 460.14035
Source: 1998-2000 AACS.

R 460.14037

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Source: 1998-2000 AACS.

R 460.14038

Source: 1998-2000 AACS.

R 460.14039

Source: 1998-2000 AACS.

R 460.14040

Source: 1998-2000 AACS.

PART 3. SAFETY STANDARDS

R 460.14041

Source: 1998-2000 AACS.

R 460.14045

Source: 1998-2000 AACS.

R 460.14047

Source: 1998-2000 AACS.

R 460.14049

Source: 1998-2000 AACS.

R 460.14051

Source: 1998-2000 AACS.

R 460.14053

Source: 1998-2000 AACS.

R 460.14054

Source: 1998-2000 AACS.

R 460.14057

Source: 1998-2000 AACS.

R 460.14059

Source: 1998-2000 AACS.

PART 4. MATERIALS

R 460.14061

Source: 1998-2000 AACS.

R 460.14063

Source: 1998-2000 AACS.

R 460.14064

Source: 1998-2000 AACS.

R 460.14065

Source: 1998-2000 AACS.

R 460.14069

Source: 1998-2000 AACS.

R 460.14073

Source: 1998-2000 AACS.

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R 460.14075
Source: 1998-2000 AACS.

PART 5. PIPE DESIGN

R 460.14101
Source: 1998-2000 AACS.

R 460.14103
Source: 1998-2000 AACS.

R 460.14105
Source: 1998-2000 AACS.

R 460.14107
Source: 1998-2000 AACS.

R 460.14109
Source: 1998-2000 AACS.

R 460.14111
Source: 1998-2000 AACS.

R 460.14113
Source: 1998-2000 AACS.

R 460.14115
Source: 1998-2000 AACS.

R 460.14117
Source: 1998-2000 AACS.

R 460.14119
Source: 1998-2000 AACS.

R 460.14121
Source: 1998-2000 AACS.

R 460.14123
Source: 1998-2000 AACS.

R 460.14125
Source: 1998-2000 AACS.

PART 6. PIPELINE COMPONENTS DESIGN

R 460.14141
Source: 1998-2000 AACS.

R 460.14143
Source: 1998-2000 AACS.

R 460.14144
Source: 1998-2000 AACS.

R 460.14145
Source: 1998-2000 AACS.

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- R 460.14147**
Source: 1998-2000 AACS.
- R 460.14149**
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- R 460.14150**
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- R 460.14151**
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- R 460.14153**
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- R 460.14155**
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- R 460.14157**
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- R 460.14159**
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- R 460.14161**
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- R 460.14163**
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- R 460.14165**
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- R 460.14167**
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- R 460.14169**
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- R 460.14171**
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- R 460.14173**
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- R 460.14174**
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- R 460.14175**
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- R 460.14177**
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- R 460.14179**
Source: 1998-2000 AACS.

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R 460.14181
Source: 1998-2000 AACS.

R 460.14183
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R 460.14185
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R 460.14187
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R 460.14189
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R 460.14191
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R 460.14193
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R 460.14195
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R 460.14197
Source: 1998-2000 AACS.

R 460.14199
Source: 1998-2000 AACS.

R 460.14201
Source: 1998-2000 AACS.

R 460.14203
Source: 1998-2000 AACS.

PART 7. WELDING STEEL IN PIPELINES

R 460.14221
Source: 1998-2000 AACS.

R 460.14223
Source: 1998-2000 AACS.

R 460.14225
Source: 1998-2000 AACS.

R 460.14227
Source: 1998-2000 AACS.

R 460.14229
Source: 1998-2000 AACS.

R 460.14230
Source: 1998-2000 AACS.

R 460.14231
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R 460.14233
Source: 1998-2000 AACS.

R 460.14235
Source: 1998-2000 AACS.

R 460.14237
Source: 1998-2000 AACS.

R 460.14239
Source: 1998-2000 AACS.

R 460.14241
Source: 1998-2000 AACS.

R 460.14243
Source: 1998-2000 AACS.

R 460.14245
Source: 1998-2000 AACS.

PART 8. JOINING OF MATERIALS OTHER THAN BY WELDING

R 460.14271
Source: 1998-2000 AACS.

R 460.14273
Source: 1998-2000 AACS.

R 460.14275
Source: 1998-2000 AACS.

R 460.14277
Source: 1998-2000 AACS.

R 460.14279
Source: 1998-2000 AACS.

R 460.14281
Source: 1998-2000 AACS.

R 460.14283
Source: 1998-2000 AACS.

R 461.14285
Source: 1998-2000 AACS.

R 460.14287
Source: 1998-2000 AACS.

PART 9. GENERAL CONSTRUCTION REQUIREMENTS FOR TRANSMISSION LINES AND MAINS

R 460.14301
Source: 1998-2000 AACS.

R 460.14303
Source: 1998-2000 AACS.

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R 460.14305
Source: 1998-2000 AACS.

R 460.14307
Source: 1998-2000 AACS.

R 460.14309
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R 460.14311
Source: 1998-2000 AACS.

R 460.14313
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R 460.14317
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R 460.14319
Source: 1998-2000 AACS.

R 460.14321
Source: 1998-2000 AACS.

R 460.14323
Source: 1998-2000 AACS.

R 460.14325
Source: 1998-2000 AACS.

R 460.14327
Source: 1998-2000 AACS.

PART 10. CUSTOMER METERS; SERVICE REGULATORS; SERVICE LINES

R 460.14351
Source: 1998-2000 AACS.

R 460.14353
Source: 1998-2000 AACS.

R 460.14355
Source: 1998-2000 AACS.

R 460.14357
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R 460.14359
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R 460.14361
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R 460.14363
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R 460.14365

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R 460.14367

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R 460.14369

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R 460.14375

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R 460.14377

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R 460.14379

Source: 1998-2000 AACS.

PART 11. CORROSION CONTROL

R 460.14451

Source: 1998-2000 AACS.

R 460.14452

Source: 1998-2000 AACS.

R 460.14453

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R 460.14454

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R 460.14457

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R 460.14459

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R 460.14461

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R 460.14463

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R 460.14465

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R 460.14467

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R 460.14469

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Source: 1998-2000 AACCS.

R 460.14471

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R 460.14472

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R 460.14473

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R 460.14475

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R 460.14477

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R 460.14479

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R 460.14481

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R 460.14483

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R 460.14485

Source: 1998-2000 AACCS.

R 460.14487

Source: 1998-2000 AACCS.

R 460.14489

Source: 1998-2000 AACCS.

PART 12. TEST REQUIREMENTS

R 460.14501

Source: 1998-2000 AACCS.

R 460.14503

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R 460.14505

Source: 1998-2000 AACCS.

R 460.14507

Source: 1998-2000 AACCS.

R 460.14509

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R 460.14511

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R 460.14513

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R 460.14515

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Source: 1998-2000 AACS.

R 460.14517

Source: 1998-2000 AACS.

PART 13. UPDATING

R 460.14551

Source: 1998-2000 AACS.

R 460.14553

Source: 1998-2000 AACS.

R 460.14555

Source: 1998-2000 AACS.

R 460.14557

Source: 1998-2000 AACS.

PART 14. OPERATIONS

R 460.14601

Source: 1998-2000 AACS.

R 460.14603

Source: 1998-2000 AACS.

R 460.14605

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R 460.14606

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R 460.14607

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R 460.14609

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R 460.14621
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R 460.14623
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R 460.14625
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R 460.14627
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R 460.14629
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R 460.14630
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PART 15. MAINTENANCE

R 460.14701
Source: 1998-2000 AACS.

R 460.14703
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R 460.14705
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R 460.14706
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R 460.14707
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R 460.14709
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Source: 1998-2000 AACS.

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R 460.14731

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R 460.14735

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R 460.14736

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R 460.14737

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R 460.14739

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R 460.14741

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R 460.14743

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R 460.14745

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R 460.14747

Source: 1998-2000 AACS.

R 460.14749

Source: 1998-2000 AACS.

R 460.14751

Source: 1998-2000 AACS.

R 460.14753

Source: 1998-2000 AACS.

R 460.14755

Source: 1998-2000 AACS.

PART 16. RECORDS AND REPORTS

R 460.14801

Source: 1998-2000 AACS.

R 460.14803

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Source: 1998-2000 AACS.

R 460.14805

Source: 1998-2000 AACS.

PART 19. APPENDIXES AND RESCISSION

R 460.14901

Source: 1998-2000 AACS.

R 460.14902

Source: 1998-2000 AACS.

R 460.14903

Source: 1998-2000 AACS.

R 460.14904

Source: 1998-2000 AACS.

R 460.14905

Source: 1998-2000 AACS.

R 460.14906

Source: 1998-2000 AACS.

R 460.14909

Source: 1998-2000 AACS.

R 460.14910

Source: 1998-2000 AACS.

R 460.14911

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R 460.14912

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R 460.14921

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R 460.14922

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R 460.14923

Source: 1998-2000 AACS.

R 460.14924

Source: 1998-2000 AACS.

R 460.14931

Source: 1998-2000 AACS.

R 460.14941

Source: 1998-2000 AACS.

R 460.14959

Source: 1998-2000 AACS.

R 460.14961

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Source: 1998-2000 AACS.

R 460.14965

Source: 1998-2000 AACS.

R 460.14966

Source: 1998-2000 AACS.

R 460.14967

Source: 1998-2000 AACS.

R 460.14999

Source: 1998-2000 AACS.

DEPARTMENT OF STATE POLICE
MOTOR CARRIER DIVISION
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PART 1. GENERAL PROVISIONS

R 460.16101

Source: 1997 AACS.

R 460.16105

Source: 1997 AACS.

R 460.16110

Source: 1997 AACS.

R 460.16112

Source: 1997 AACS.

R 460.16114

Source: 1997 AACS.

R 460.16115

Source: 1997 AACS.

R 460.16120

Source: 1997 AACS.

PART 2. QUALIFICATIONS OF DRIVERS

R 460.16201

Source: 1997 AACS.

R 460.16202

Source: 1997 AACS.

R 460.16203

Source: 1997 AACS.

R 460.16204

Source: 1997 AACS.

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QUALIFICATION AND DISQUALIFICATION OF DRIVERS

R 460.16205
Source: 1997 AACS.

R 460.16205a
Source: 1997 AACS.

R 460.16206
Source: 1997 AACS.

R 460.16207
Source: 1997 AACS.

R 460.16208
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R 460.16209
Source: 1997 AACS.

R 460.16210
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R 460.16211
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R 460.16212
Source: 1997 AACS.

R 460.16213
Source: 1997 AACS.

R 460.16214
Source: 1997 AACS.

R 460.16215
Source: 1997 AACS.

R 460.16216
Source: 1997 AACS.

R 460.16217
Source: 1997 AACS.

R 460.16218
Source: 1997 AACS.

R 460.16218a
Source: 1997 AACS.

R 460.16218b
Source: 1997 AACS.

FILES AND RECORDS

R 460.16219
Source: 1997 AACS.

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R 460.16220
Source: 1997 AACS.

R 460.16221
Source: 1997 AACS.

R 460.16222
Source: 1997 AACS.

R 460.16223
Source: 1997 AACS.

PART 3. DRIVING OF MOTOR VEHICLES

R 460.16301
Source: 1997 AACS.

R 460.16302
Source: 1997 AACS.

R 460.16303
Source: 1997 AACS.

R 460.16304
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R 460.16305
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R 460.16306
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R 460.16307
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R 460.16308
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R 460.16309
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R 460.16310
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R 460.16311
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R 460.16312
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R 460.16313
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R 460.16314
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R 460.16315
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R 460.16316
Source: 1997 AACS.

R 460.16317
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R 460.16318
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R 460.16319
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R 460.16320
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R 460.16321
Source: 1997 AACS.

R 460.16322
Source: 1997 AACS.

R 460.16323
Source: 1997 AACS.

R 460.16324
Source: 1997 AACS.

USE OF LIGHTED LAMPS AND REFLECTORS

R 460.16325
Source: 1997 AACS.

R 460.16326
Source: 1997 AACS.

R 460.16327
Source: 1997 AACS.

R 460.16328
Source: 1997 AACS.

R 460.16329
Source: 1997 AACS.

R 460.16330
Source: 1997 AACS.

R 460.16331
Source: 1997 AACS.

R 460.16332
Source: 1997 AACS.

R 460.16333
Source: 1997 AACS.

R 460.16334
Source: 1997 AACS.

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R 460.16335
Source: 1997 AACS.

R 460.16335a
Source: 1997 AACS.

R 460.16336
Source: 1997 AACS.

R 460.16337
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R 460.16338
Source: 1997 AACS.

PART 4. PARTS AND ACCESSORIES FOR SAFE OPERATION

R 460.16401
Source: 1997 AACS.

R 460.16402
Source: 1997 AACS.

R 460.16403
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R 460.16404
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R 460.16405
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R 460.16406
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R 460.16410
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R 460.16412
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R 460.16413
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R 460.16414
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- R 460.16415**
Source: 1997 AACS.
- R 460.16416**
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- R 460.16417**
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- R 460.16418**
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- R 460.16419**
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- R 460.16420**
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- R 460.16421**
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- R 460.16422**
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- R 460.16423**
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- R 460.16424**
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- R 460.16425**
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- R 460.16426**
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- R 460.16427**
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- R 460.16428**
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- R 460.16429**
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- R 460.16430**
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- R 460.16431**
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- R 460.16432**
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- R 460.16433**
Source: 1997 AACS.

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R 460.16434
Source: 1997 AACS.

R 460.16435
Source: 1997 AACS.

R 460.16436
Source: 1997 AACS.

GLAZING AND WINDOW CONSTRUCTION

R 460.16437
Source: 1997 AACS.

R 460.16438
Source: 1997 AACS.

R 460.16439
Source: 1997 AACS.

R 460.16440
Source: 1997 AACS.

R 460.16441
Source: 1997 AACS.

R 460.16442
Source: 1997 AACS.

R 460.16443
Source: 1997 AACS.

MISCELLANEOUS PARTS AND ACCESSORIES

R 460.16444
Source: 1997 AACS.

R 460.16445
Source: 1997 AACS.

R 460.16446
Source: 1997 AACS.

R 460.16447
Source: 1997 AACS.

R 460.16448
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R 460.16449
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R 460.16450
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R 460.16451
Source: 1997 AACS.

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R 460.16452
Source: 1997 AACS.

R 460.16453
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R 460.16454
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R 460.16455
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R 460.16457
Source: 1997 AACS.

R 460.16458
Source: 1997 AACS.

EMERGENCY EQUIPMENT

R 460.16459
Source: 1997 AACS.

PROTECTION AGAINST SHIFTING OR FALLING CARGO

R 460.16460
Source: 1997 AACS.

R 460.16461
Source: 1997 AACS.

R 460.16462
Source: 1997 AACS.

R 460.16463
Source: 1997 AACS.

PART 5. NOTIFICATION, REPORTING, AND RECORDING OF ACCIDENTS

R 460.16501
Source: 1997 AACS.

R 460.16510
Source: 1997 AACS.

R 460.16515
Source: 1997 AACS.

R 460.16520
Source: 1997 AACS.

R 460.16525
Source: 1997 AACS.

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R 460.16530
Source: 1997 AACS.

PART 6. HOURS OF SERVICE OF DRIVERS

R 460.16601
Source: 1997 AACS.

R 460.16605
Source: 1997 AACS.

R 460.16610
Source: 1997 AACS.

R 460.16615
Source: 1997 AACS.

R 460.16620
Source: 1997 AACS.

R 460.16625
Source: 1997 AACS.

R 460.16630
Source: 1997 AACS.

R 460.16635
Source: 1997 AACS.

R 460.16640
Source: 1997 AACS.

R 460.16645
Source: 1997 AACS.

PART 7. INSPECTION AND MAINTENANCE

R 460.16701
Source: 1997 AACS.

R 460.16705
Source: 1997 AACS.

R 460.16710
Source: 1997 AACS.

R 460.16715
Source: 1997 AACS.

R 460.16720
Source: 1997 AACS.

R 460.16725
Source: 1997 AACS.

R 460.16730
Source: 1997 AACS.

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R 460.16735
Source: 1997 AACS.

R 460.16740
Source: 1997 AACS.

PART 8. TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES

R 460.16801
Source: 1997 AACS.

R 460.16810
Source: 1997 AACS.

R 460.16815
Source: 1997 AACS.

R 460.16820
Source: 1997 AACS.

R 460.16825
Source: 1997 AACS.

R 460.16830
Source: 1997 AACS.

R 460.16835
Source: 1997 AACS.

R 460.16840
Source: 1997 AACS.

R 460.16845
Source: 1997 AACS.

R 460.16850
Source: 1997 AACS.

R 460.16855
Source: 1997 AACS.

R 460.16860
Source: 1997 AACS.

R 460.16865
Source: 1997 AACS.

R 460.16870
Source: 1997 AACS.

PART 9. APPENDIX A

R 460.16901
Source: 1997 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
PUBLIC SERVICE COMMISSION

PRACTICE AND PROCEDURE BEFORE THE COMMISSION

PART 1. GENERAL PROVISIONS

- R 460.17101**
Source: 1992 AACS.
- R 460.17103**
Source: 1992 AACS.
- R 460.17105**
Source: 1992 AACS.
- R 460.17107**
Source: 1992 AACS.
- R 460.17109**
Source: 1992 AACS.
- R 460.17111**
Source: 1992 AACS.
- R 460.17113**
Source: 1992 AACS.
- R 460.17115**
Source: 1992 AACS.
- R 460.17117**
Source: 1992 AACS.

PART 2. INTERVENTIONS

- R 460.17201**
Source: 1992 AACS.
- R 460.17203**
Source: 1992 AACS.
- R 460.17205**
Source: 1992 AACS.
- R 460.17207**
Source: 1992 AACS.
- R 460.17209**
Source: 1992 AACS.

PART 3. HEARINGS

- R 460.17301**
Source: 1992 AACS.
- R 460.17303**
Source: 1992 AACS.
- R 460.17305**
Source: 1992 AACS.

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- R 460.17307**
Source: 1992 AACS.
- R 460.17309**
Source: 1997 AACS.
- R 460.17311**
Source: 1992 AACS.
- R 460.17313**
Source: 1992 AACS.
- R 460.17315**
Source: 1992 AACS.
- R 460.17317**
Source: 1997 AACS.
- R 460.17319**
Source: 1997 AACS.
- R 460.17321**
Source: 1992 AACS.
- R 460.17323**
Source: 1992 AACS.
- R 460.17325**
Source: 1992 AACS.
- R 460.17327**
Source: 1992 AACS.
- R 460.17329**
Source: 1992 AACS.
- R 460.17331**
Source: 1992 AACS.
- R 460.17333**
Source: 1992 AACS.
- R 460.17335**
Source: 1992 AACS.
- R 460.17337**
Source: 1992 AACS.
- R 460.17339**
Source: 1992 AACS.
- R 460.17341**
Source: 1992 AACS.

PART 4. REOPENINGS AND REHEARINGS

- R 460.17401**
Source: 1992 AACS.

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R 460.17403
Source: 1992 AACS.

R 460.17405
Source: 1992 AACS.

PART 5. COMPLAINTS

R 460.17501
Source: 1997 AACS.

R 460.17503
Source: 1992 AACS.

R 460.17505
Source: 1992 AACS.

R 460.17507
Source: 1992 AACS.

R 460.17509
Source: 1992 AACS.

R 460.17511
Source: 1992 AACS.

R 460.17513
Source: 1992 AACS.

R 460.17515
Source: 1992 AACS.

PART 6. SPECIFIC PROCEEDINGS

R 460.17601
Source: 1997 AACS.

R 460.17603
Source: 1997 AACS.

R 460.17605
Source: 1997 AACS.

R 460.17607
Source: 1997 AACS.

PART 7. DECLARATORY RULINGS

R 460.17701
Source: 1992 AACS.

MOTOR CARRIERS

PART 1. GENERAL PROVISIONS

R 460.18101
Source: 1988 AACS.

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R 460.18105
Source: 1984 AACS.

R 460.18106
Source: 1988 AACS.

R 460.18199
Source: 1984 AACS.

PART 2. APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

R 460.18201
Source: 1988 AACS.

R 460.18202
Source: 1988 AACS.

R 460.18203
Source: 1988 AACS.

R 460.18204
Source: 1984 AACS.

R 460.18205
Source: 1984 AACS.

R 460.18206
Source: 1984 AACS.

R 460.18207
Source: 1997 AACS.

R 460.18208
Source: 1984 AACS.

R 460.18209
Source: 1984 AACS.

R 460.18212
Source: 1984 AACS.

PART 3. MODIFIED PROCEDURE

R 460.18301
Source: 1984 AACS.

R 460.18302
Source: 1984 AACS.

R 460.18303
Source: 1988 AACS.

R 460.18304
Source: 1984 AACS.

R 460.18307
Source: 1984 AACS.

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R 460.18308
Source: 1984 AACS.

PART 4. CERTIFICATES AND PERMITS

R 460.18401
Source: 1984 AACS.

R 460.18402
Source: 1984 AACS.

R 460.18403
Source: 1988 AACS.

R 460.18404
Source: 1984 AACS.

R 460.18405
Source: 1984 AACS.

R 460.18406
Source: 1984 AACS.

R 460.18407
Source: 1984 AACS.

R 460.18408
Source: 1988 AACS.

R 460.18409
Source: 1988 AACS.

R 460.18410
Source: 1984 AACS.

R 460.18411
Source: 1984 AACS.

R 460.18412
Source: 1984 AACS.

R 460.18413
Source: 1988 AACS.

PART 5. IDENTIFICATION OF VEHICLE

R 460.18501
Source: 1984 AACS.

R 460.18502
Source: 1984 AACS.

R 460.18503
Source: 1988 AACS.

R 460.18504
Source: 1984 AACS.

R 460.18505
Source: 1988 AACS.

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PART 6. TRANSFER OF AUTHORITY

- R 460.18601**
Source: 1984 AACS.
- R 460.18602**
Source: 1984 AACS.
- R 460.18603**
Source: 1984 AACS.
- R 460.18604**
Source: 1984 AACS.
- R 460.18605**
Source: 1984 AACS.
- R 460.18606**
Source: 1984 AACS.
- R 460.18607**
Source: 1984 AACS.
- R 460.18609**
Source: 1984 AACS.
- R 460.18610**
Source: 1988 AACS.
- R 460.18611**
Source: 1988 AACS.

PART 7. SHIPPING DOCUMENTS AND PAYMENT OF FREIGHT CHARGES

- R 460.18701**
Source: 1988 AACS.
- R 460.18703**
Source: 1988 AACS.
- R 460.18705**
Source: 1988 AACS.
- R 460.18706**
Source: 1988 AACS.
- R 460.18707**
Source: 1984 AACS.
- R 460.18708**
Source: 1988 AACS.
- R 460.18710**
Source: 1984 AACS.
- R 460.18711**
Source: 1984 AACS.

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PART 8. ACCOUNTING AND REPORTING PROCEDURES

R 460.18801
Source: 1988 AACS.

R 460.18802
Source: 1988 AACS.

PART 9. EMERGENCY-TEMPORARY AND TEMPORARY AUTHORITY

R 460.18901
Source: 1984 AACS.

R 460.18902
Source: 1984 AACS.

R 460.18903
Source: 1984 AACS.

R 460.18904
Source: 1984 AACS.

R 460.18906
Source: 1984 AACS.

R 460.18907
Source: 1988 AACS.

R 460.18909
Source: 1984 AACS.

R 460.18910
Source: 1984 AACS.

R 460.18911
Source: 1984 AACS.

R 460.18912
Source: 1984 AACS.

PART 10. COLLECTIVE RATE MAKING BETWEEN OR AMONG CARRIERS

R 460.19001
Source: 1984 AACS.

R 460.19002
Source: 1984 AACS.

R 460.19003
Source: 1984 AACS.

R 460.19004
Source: 1984 AACS.

R 460.19005
Source: 1984 AACS.

R 460.19006

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Source: 1984 AACS.

R 460.19007

Source: 1984 AACS.

R 460.19008

Source: 1984 AACS.

R 460.19009

Source: 1984 AACS.

R 460.19010

Source: 1984 AACS.

R 460.19011

Source: 1984 AACS.

R 460.19012

Source: 1984 AACS.

R 460.19013

Source: 1984 AACS.

R 460.19014

Source: 1984 AACS.

R 460.19016

Source: 1984 AACS.

R 460.19018

Source: 1984 AACS.

R 460.19019

Source: 1988 AACS.

R 460.19020

Source: 1984 AACS.

R 460.19021

Source: 1984 AACS.

R 460.19022

Source: 1984 AACS.

PART 11. INSURANCE

R 460.19101

Source: 1984 AACS.

R 460.19102

Source: 1988 AACS.

R 460.19103

Source: 1984 AACS.

R 460.19104

Source: 1988 AACS.

R 460.19105

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Source: 1988 AACS.

R 460.19106

Source: 1984 AACS.

PART 12. RATES AND TARIFFS

R 460.19201

Source: 1984 AACS.

R 460.19202

Source: 1984 AACS.

R 460.19203

Source: 1988 AACS.

R 460.19204

Source: 1984 AACS.

RATE JUSTIFICATION

R 460.19205

Source: 1984 AACS.

R 460.19206

Source: 1988 AACS.

R 460.19207

Source: 1984 AACS.

R 460.19209

Source: 1984 AACS.

R 460.19210

Source: 1984 AACS.

R 460.19211

Source: 1988 AACS.

R 460.19212

Source: 1984 AACS.

R 460.19213

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R 460.19214

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R 460.19215

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R 460.19216

Source: 1984 AACS.

R 460.19217

Source: 1988 AACS.

R 460.19218

Source: 1984 AACS.

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- R 460.19219**
Source: 1984 AACS.
- R 460.19220**
Source: 1984 AACS.
- R 460.19221**
Source: 1984 AACS.
- R 460.19222**
Source: 1984 AACS.
- R 460.19223**
Source: 1984 AACS.
- R 460.19224**
Source: 1984 AACS.
- R 460.19225**
Source: 1984 AACS.
- R 460.19226**
Source: 1984 AACS.
- R 460.19227**
Source: 1984 AACS.
- R 460.19228**
Source: 1984 AACS.

TARIFF COMPILATION

- R 460.19229**
Source: 1984 AACS.
- R 460.19230**
Source: 1984 AACS.
- R 460.19231**
Source: 1984 AACS.
- R 460.19232**
Source: 1984 AACS.
- R 460.19233**
Source: 1984 AACS.
- R 460.19234**
Source: 1988 AACS.
- R 460.19235**
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- R 460.19236**
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- R 460.19237**
Source: 1984 AACS.

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- R 460.19238**
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- R 460.19239**
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- R 460.19240**
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- R 460.19241**
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- R 460.19242**
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- R 460.19243**
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- R 460.19244**
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- R 460.19245**
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- R 460.19246**
Source: 1988 AACS.
- R 460.19247**
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- R 460.19248**
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- R 460.19249**
Source: 1984 AACS.
- R 460.19250**
Source: 1988 AACS.
- R 460.19251**
Source: 1984 AACS.
- R 460.19252**
Source: 1984 AACS.
- R 460.19253**
Source: 1984 AACS.

PART 13. FORMS

- R 460.19301**
Source: 1988 AACS.

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
PUBLIC SERVICE COMMISSION
GAS SAFETY

PART 1. GENERAL PROVISIONS

R 460.20101 Applicability of rules.

Rule 101. (1) These rules apply to the design, fabrication, installation, inspection, testing, and safety aspects of the operation and maintenance of gas pipeline facilities used in the transportation of gas.

(2) These rules do not apply to either of the following:

(a) The onshore gathering of gas under either of the following conditions:

(i) Through a pipeline that operates at less than 0 psig.

(ii) Through a pipeline that is not a regulated onshore gathering line as determined by 49 C.F.R. § 192.8.

(b) Any pipeline system that transports only petroleum gas or petroleum gas and air mixtures under either of the following circumstances:

(i) The pipeline has fewer than 10 customers and no portion of the system is located in a public place.

(ii) The pipeline has only 1 customer.

(3) The work performed within the scope of these rules shall meet or exceed all of the safety standards in these rules.

History: 1998-2000 AACCS; 2009 AACCS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20102

Source: 1998-2000 AACCS.

R 460.20103

Source: 1998-2000 AACCS.

R 460.20104

Source: 1998-2000 AACCS.

PART 2. SAFETY STANDARDS AND TESTING REQUIREMENTS

R 460.20201

Source: 2003 AACCS.

R 460.20202

Source: 1998-2000 AACCS.

PART 3. ADDITIONAL MINIMUM SAFETY STANDARDS

R 460.20301

Source: 1998-2000 AACCS.

R 460.20302

Source: 2009 AACCS.

R 460.20303

Source: 1998-2000 AACCS.

R 460.20304 Welding procedures.

Rule 304. In addition to the requirements contained in 49 C.F.R. §192.225, which is adopted by reference in R 460.20606, an operator shall ensure that a welding procedure meets all of the following requirements:

(a) Is qualified under either section IX of the ASME boiler and pressure vessel code, which is adopted by reference in R 460.20604, or section 5 of API standard 1104, which is adopted by reference in R 460.20603, whichever is appropriate to the function of the weld.

(b) Is qualified under appendix B of API standard 1104, which is adopted by reference in R 460.20603, for pipelines operating at greater than 60 psig.

(c) A copy of the welding procedure being followed is on the jobsite when welding is performed.

History: 1998-2000 AACCS; 2009 AACCS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20305

Source: 1998-2000 AACCS.

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R 460.20306

Source: 2010 AACS.

R 460.20307

Source: 1998-2000 AACS.

R 460.20308

Source: 1998-2000 AACS.

R 460.20309

Source: 2009 AACS.

R 460.20310

Source: 1998-2000 AACS.

R 460.20311

Source: 1998-2000 AACS.

R 460.20312

Source: 1998-2000 AACS.

R 460.20313

Source: 1998-2000 AACS.

R 460.20314

Source: 1998-2000 AACS.

R 460.20315 Leaks occurring during uprating; repairs and monitoring required.

Rule 315. (1) In addition to the requirements contained in 49 C.F.R. §192.553, which is adopted by reference in R 460.20606, if the new and higher maximum allowable operating pressure will be more than 10 psig, then an operator shall expose and repair and monitor a leak that is detected during the uprating operation.

(2) An operator shall file a complete copy of the written plan described in 49 C.F.R. §192.553(c), which is adopted by reference in R 460.20606, with the commission not less than 30 calendar days before commencement of a project.

History: 1998-2000 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20316

Source: 1998-2000 AACS.

R 460.20317

Source: 1998-2000 AACS.

R 460.20318 Gas leak investigation; establishment of service; customer leak complaint records.

Rule 318. (1) An operator shall conduct an investigation of every gas leak report received as soon as possible. If the investigation reveals a hazardous situation, then the operator shall take immediate action to evacuate, repair, or isolate the facilities involved to reduce any danger to the public.

(2) A distribution utility shall not establish gas service to an applicant until the utility has made a leakage test, using gas at utilization pressure, to ensure that the applicant's fuel line is gastight and has made a determination that gas odor is detectible, where applicable. If fuel lines are not present upon completion of meter installation, the operator shall comply with all of the following:

(a) A valve shall be installed on the outlet piping of the meter. This valve shall be in the closed position.

(b) The valve shall be tagged with contact information of the distribution utility and notice that the fuel line installation must comply with applicable fuel piping codes.

(c) A mechanical device or fitting that will prevent the flow of gas shall be installed at the outlet piping.

(3) An operator shall keep records of all customer leak complaints and the disposition of the complaints.

History: 1998-2000 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20319 Filing of operation and maintenance manual with commission required.

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Rule 319. In addition to the requirements contained in 49 C.F.R. §192.605, which is adopted by reference in R 460.20606, an operator shall file the operation and maintenance manual required by 49 C.F.R. §192.605 with the commission in paper or electronic form. The operation and maintenance manual shall include procedures that address both the federal rules and the rules contained in the Michigan gas safety standards. An operator shall file a change in the operation and maintenance manual with the commission within 90 calendar days after the change is made. An operator shall identify the specific changes.

History: 1998-2000 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20320

Source: 2009 AACS.

R 460.20321

Source: 2009 AACS.

R 460.20322

Source: 1998-2000 AACS.

R 460.20323

Source: 1998-2000 AACS.

R 460.20324

Source: 1998-2000 AACS.

R 460.20325

Source: 1998-2000 AACS.

R 460.20326

Source: 2009 AACS.

R 460.20327 Distribution system; leakage surveys and procedures.

Rule 327. In addition to the requirements contained in 49 C.F.R. §192.723, which is adopted by reference in R 460.20606, all of the following requirements apply:

(a) A gas leak located by a survey that, due to its location or relative magnitude, constitutes a hazard or potential hazard to the public or to buildings shall receive immediate corrective action. Immediate corrective action shall consist of an immediate effort to protect life and property and continuous remedial action thereafter until the condition is no longer hazardous.

(b) An operator shall schedule a gas leak which does not constitute an immediate hazard to the public or to buildings, but which requires scheduled repair within the operator's maintenance manual, for repair within 1 year.

(c) An operator shall ensure that a gas leak which is located by a survey, other than a leak covered by subdivision (a) or (b) of this rule, is subjected to regular surveillance at intervals not exceeding 15 months, but at least once each calendar year.

History: 1998-2000 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20328

Source: 1998-2000 AACS.

R 460.20329

Source: 1998-2000 AACS.

R 460.20330

Source: 1998-2000 AACS.

R 460.20331

Source: 1998-2000 AACS.

R 460.20332 Discontinuation of inactive service lines.

Rule 332. (1) In addition to complying with the requirements contained in 49 C.F.R. § 192.727, which is adopted by reference in R 460.20606, an operator, within 9 months of October 15, 2014, shall discontinue gas service for any inactive service line with components located inside a structure pursuant to the methods specified in either of the following regulations:

(i) In accordance with 49 C.F.R. § 192.727(d)(1) and (d)(2).

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(ii) In accordance with 49 C.F.R. § 192.727(d)(3) by physically disconnecting the service line outside the building.
(2) As used in subrule (1) of this rule, “inactive service line” means a service line where there has been no customer of record for a continuous 24-month period and gas service to the premises has not been discontinued.

History: 2015 MR 24, Eff. Dec. 23, 2014.

PART 4. SOUR GAS PIPELINES

R 460.20401
Source: 2003 AACS.

R 460.20402
Source: 2010 AACS.

R 460.20403
Source: 2003 AACS.

R 460.20404
Source: 2003 AACS.

R 460.20405
Source: 2010 AACS.

R 460.20406
Source: 2003 AACS.

R 460.20407
Source: 2010 AACS.

R 460.20408
Source: 2010 AACS.

R 460.20409
Source: 2003 AACS.

R 460.20410
Source: 2003 AACS.

R 460.20411
Source: 2003 AACS.

R 460.20412
Source: 2003 AACS.

R 460.20413
Source: 2003 AACS.

R 460.20414
Source: 2003 AACS.

R 460.20415
Source: 2003 AACS.

R 460.20416
Source: 2003 AACS.

R 460.20417
Source: 2003 AACS.

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R 460.20418

Source: 2003 AACS.

R 460.20419 Sour gas pipeline operating and maintenance manual; contents.

Rule 419. The manual required by 49 C.F.R. §192.605, which is adopted by reference in R 460.20606 and which shall be filed with the commission and updated as specified in R 460.20319, shall address all hazards inherent with the transportation of sour gas and shall contain plans and procedures to minimize the health risk to the operator's employees and the general public during normal operating conditions.

History: 2003 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20420 Safety procedures for abnormal operating conditions.

Rule 420. The manual required by 49 C.F.R. §192.605, which is adopted by reference in R 460.20606 and which shall be filed with the commission and updated as specified in R 460.20319, shall also address the hazards inherent with the transportation of sour gas and shall include plans and procedures to minimize the health risk to the operator's employees and the general public during abnormal operating conditions.

History: 2003 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20421

Source: 2003 AACS.

R 460.20422

Source: 2003 AACS.

R 460.20423

Source: 2003 AACS.

R 460.20424

Source: 2003 AACS.

R 460.20425

Source: 2009 AACS.

R 460.20426

Source: 2003 AACS.

R 460.20427

Source: 2003 AACS.

R 460.20428

Source: 2003 AACS.

R 460.20429

Source: 2003 AACS.

R 460.20430

Source: 2009 AACS.

R 460.20431

Source: 2003 AACS.

PART 5.RECORDS AND REPORTS

R 460.20501

Source: 1998-2000 AACS.

R 460.20502

Source: 2010 AACS.

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

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

- (a) An incident that is reportable pursuant to 49 C.F.R. §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 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 subdivisions (a), (b), (c), or (d) of this subrule. This subdivision is not subject to the penalty provisions of section 11 of 1969 PA 165, MCL 483.161.
 - (f) An event resulting in an unintentional estimated gas loss of 1 million cubic feet or more.
- (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.

History: 1998-2000 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20504

Source: 1998-2000 AACS.

PART 6. ADOPTION OF STANDARDS

R 460.20601

Source: 2003 AACS.

R 460.20602

Source: 2010 AACS.

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, 2007, including errata 1 (2007) and errata 2 (2008)), at a cost as of the time of adoption of these rules of \$295.00.

History: 1998-2000 AACS; 2003 AACS; 2009 AACS; 2010 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20604 American society of mechanical engineers standard; adoption by reference.

Rule 604. The following American society of mechanical engineers standard is adopted by reference in these rules and is available at the price listed:

ASME boiler and pressure vessel code, section IX, titled “Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators” (2007 edition, July 1, 2007), at a cost as of the time of adoption of these rules of \$440.00.

History: 1998-2000 AACS; 2003 AACS; 2009 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

R 460.20605 National association of corrosion engineers international standard; adoption by reference.

Rule 605. The following national association of corrosion engineers international standard is adopted by reference in these rules and is available at the price listed:

NACE MR0175/ISO 15156, 2009, titled “Petroleum and natural gas industries - materials for use in H₂S-containing environments in oil and gas production” at a cost as of the time of adoption of these rules of \$242.00.

History: 1998-2000 AACS; 2003 AACS; 2009 AACS; 2010 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

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 printing office via the internet at <http://bookstore.gpo.gov> at a cost at the time of adoption of these rules at the price listed. The standard is also available for public inspection and distribution at the

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price listed from the Michigan Public Service Commission, 7109 W. Saginaw Highway, Lansing, MI 48917: 49 C.F.R. part 40 entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs," (2009 edition), at a cost as of the time of adoption of these rules of \$60.00.

(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 printing office via the internet at <http://bookstore.gpo.gov> at a cost at the time of adoption of these rules of \$23.00 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 C.F.R. part 191 entitled "Transportation of Natural and Other Gas by Pipeline: Annual Reports, Incident Reports, and Safety-related Condition Reports," (2014 edition or 2013 edition and all additional final rule changes through October 1, 2014).

(b) 49 C.F.R. part 192 entitled "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards," (2014 edition or 2013 edition and all additional final rule changes through October 1, 2014).

(c) 49 C.F.R. part 199 entitled "Drug and Alcohol Testing," (2014 edition or 2013 edition and all additional final rule changes through October 1, 2014).

History: 1998-2000 AACS; 2001 AACS; 2003 AACS; 2006 AACS; 2009 AACS; 2010 AACS; 2015 MR 24, Eff. Dec. 23, 2014.

DEPARTMENT OF TRANSPORTATION

BUREAU OF URBAN AND PUBLIC TRANSPORTATION

STATE RAIL LINE DIVESTITURE

R 474.51

Source: 1998-2000 AACS.

R 474.52

Source: 1998-2000 AACS.

R 474.53

Source: 1998-2000 AACS.

R 474.54

Source: 1998-2000 AACS.

R 474.55

Source: 1998-2000 AACS.

R 474.56

Source: 1998-2000 AACS.

R 474.57

Source: 1998-2000 AACS.

R 474.58

Source: 1998-2000 AACS.

R 474.59

Source: 1998-2000 AACS.

MOTOR BUS TRANSPORTATION

R 474.101

Source: 1985 AACS.

R 474.102

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Source: 1985 AACS.

R 474.103

Source: 1985 AACS.

R 474.104

Source: 1985 AACS.

R 474.105

Source: 1985 AACS.

R 474.106

Source: 1985 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
PUBLIC SERVICE COMMISSION
TELECOMMUNICATION SERVICES

PART 1. GENERAL PROVISIONS

R 484.1

Source: 2005 AACS.

R 484.2

Source: 2005 AACS.

PART 2. RECORDS AND REPORTS

R 484.21

Source: 2005 AACS.

R 484.22

Source: 2005 AACS.

R 484.23

Source: 2005 AACS.

R 484.24

Source: 2005 AACS.

PART 3. CUSTOMER RELATIONS

R 484.31

Source: 2005 AACS.

R 484.32

Source: 2005 AACS.

R 484.33

Source: 2005 AACS.

R 484.34

Source: 2005 AACS.

PART 4. ENGINEERING

R 484.41

Source: 2005 AACS.

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R 484.42
Source: 2005 AACS.

R 484.43
Source: 2005 AACS.

R 484.44
Source: 2005 AACS.

PART 5. MAINTENANCE

R 484.51
Source: 2005 AACS.

R 484.52
Source: 2005 AACS.

R 484.53
Source: 2005 AACS.

R 484.54
Source: 2005 AACS.

PART 6. QUALITY OF SERVICE

R 484.61
Source: 2005 AACS.

R 484.62
Source: 2005 AACS.

R 484.63
Source: 2005 AACS.

R 484.64
Source: 2005 AACS.

R 484.65
Source: 2005 AACS.

R 484.66
Source: 2005 AACS.

R 484.67
Source: 2005 AACS.

UNBUNDLED NETWORK ELEMENT AND LOCAL INTERCONNECTION SERVICES

PART 1. GENERAL PROVISIONS

R 484.71
Source: 2013 AACS.

R 484.72
Source: 2013 AACS.

R 484.73
Source: 2013 AACS.

**PART 2. PROVISION OF UNBUNDLED NETWORK ELEMENTS
AND LOCAL INTERCONNECTION**

R 484.74
Source: 2013 AACS.

R 484.75
Source: 2013 AACS.

BASIC LOCAL EXCHANGE SERVICE CUSTOMER MIGRATION

PART 1. GENERAL PROVISIONS

R 484.81
Source: 2013 AACS.

R 484.82
Source: 2013 AACS.

R 484.83
Source: 2013 AACS.

R 484.84
Source: 2013 AACS.

PART 2. TRANSFER OF END USER BY PROVIDERS

R 484.85
Source: 2013 AACS.

R 484.86
Source: 2013 AACS.

R 484.87
Source: 2013 AACS.

R 484.88
Source: 2013 AACS.

PART 3. REMEDIES, WAIVER, AND GENERAL EXEMPTIONS

R 484.89
Source: 2013 AACS.

R 484.90
Source: 2013 AACS.

OPERATOR SERVICE PROVIDERS

R 484.101
Source: 1996 AACS.

R 484.102
Source: 1996 AACS.

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- R 484.103**
Source: 1996 AACS.
- R 484.104**
Source: 1996 AACS.
- R 484.105**
Source: 1996 AACS.
- R 484.106**
Source: 1996 AACS.
- R 484.107**
Source: 1996 AACS.
- R 484.108**
Source: 1996 AACS.
- R 484.109**
Source: 1996 AACS.
- R 484.110**
Source: 1996 AACS.
- R 484.111**
Source: 1996 AACS.
- R 484.112**
Source: 1996 AACS.

PAYPHONE SERVICE

- R 484.151**
Source: 1996 AACS.
- R 484.152**
Source: 1996 AACS.
- R 484.153**
Source: 1996 AACS.
- R 484.154**
Source: 1996 AACS.
- R 484.155**
Source: 1996 AACS.
- R 484.156**
Source: 1996 AACS.
- R 484.157**
Source: 1996 AACS.
- R 484.158**
Source: 1996 AACS.

PRIVACY STANDARDS FOR TELECOMMUNICATION SERVICES

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R 484.201
Source: 2011 AACS.

R 484.202
Source: 2011 AACS.

R 484.203
Source: 2011 AACS.

R 484.204
Source: 2011 AACS.

R 484.205
Source: 2011 AACS.

R 484.206
Source: 2011 AACS.

R 484.207
Source: 2011 AACS.

R 484.208
Source: 2011 AACS.

BILLING STANDARDS FOR BASIC RESIDENTIAL TELECOMMUNICATION SERVICE

PART 1. GENERAL PROVISIONS

R 484.301
Source: 2011 AACS.

R 484.302
Source: 2011 AACS.

R 484.303
Source: 1996 AACS.

PART 2. PROHIBITED ACTIVITIES

R 484.321
Source: 2011 AACS.

R 484.322
Source: 2011 AACS.

PART 3. BILLING AND PAYMENT STANDARDS

R 484.331
Source: 2011 AACS.

R 484.332
Source: 2011 AACS.

R 484.333
Source: 2011 AACS.

R 484.334
Source: 2011 AACS.

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R 484.335
Source: 2011 AACS.

R 484.336
Source: 2011 AACS.

R 484.337
Source: 2011 AACS.

PART 4. SECURITY DEPOSITS, SERVICE OBLIGATIONS, AND PREPAYMENT OF SERVICES

R 484.341
Source: 2011 AACS.

R 484.342
Source: 2011 AACS.

PART 5. CUSTOMER ACCESS TO INFORMATION

R 484.351
Source: 2011 AACS.

R 484.352
Source: 2011 AACS.

R 484.353
Source: 2011 AACS.

PART 6. INVESTIGATIONS AND INFORMAL COMPLAINT PROCEDURES

R 484.361
Source: 2011 AACS.

R 484.362
Source: 2011 AACS.

PART 7. FORMAL COMPLAINTS

R 484.371
Source: 2011 AACS.

R 484.372
Source: 2011 AACS.

R 484.373
Source: 2011 AACS.

PART 8. SHUTOFF OF SERVICE

R 484.381
Source: 2011 AACS.

R 484.382
Source: 2011 AACS.

R 484.383

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Source: 2011 AACS.

R 484.384

Source: 2011 AACS.

R 484.385

Source: 2011 AACS.

R 484.386

Source: 2011 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

PUBLIC SERVICE COMMISSION

TELECOMMUNICATION SERVICES

PART 1. GENERAL PROVISIONS

R 484.401

Source: 2005 AACS.

R 484.402

Source: 2005 AACS.

PART 2. RECORDS, REPORTS, AND TARIFFS

R 484.421

Source: 2005 AACS.

R 484.422

Source: 2005 AACS.

R 484.423

Source: 2005 AACS.

R 484.424

Source: 2005 AACS.

R 484.425

Source: 2005 AACS.

PART 3. CUSTOMER RELATIONS

R 484.431

Source: 2005 AACS.

R 484.434

Source: 2005 AACS.

R 484.435

Source: 2005 AACS.

R 484.438

Source: 2005 AACS.

R 484.439

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Source: 2005 AACS.

R 484.440

Source: 2005 AACS.

R 484.440a

Source: 2005 AACS.

R 484.440b

Source: 2005 AACS.

R 484.440c

Source: 2005 AACS.

PART 4. ENGINEERING AND PLANNING

R 484.441

Source: 2005 AACS.

R 484.442

Source: 2005 AACS.

R 484.443

Source: 2005 AACS.

R 484.444

Source: 2005 AACS.

R 484.445

Source: 2005 AACS.

R 484.446

Source: 2005 AACS.

PART 5. REPAIR AND INSTALLATION

R 484.451

Source: 2005 AACS.

R 484.452

Source: 2005 AACS.

R 484.453

Source: 2005 AACS.

R 484.454

Source: 2005 AACS.

R 484.455

Source: 2005 AACS.

R 484.456

Source: 2005 AACS.

R 484.457

Source: 2005 AACS.

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R 484.458
Source: 2005 AACS.

R 484.459
Source: 2005 AACS.

PART 6. MONITORING

R 484.460
Source: 2005 AACS.

R 484.461
Source: 2005 AACS.

PART 7. WAIVERS AND EXCEPTIONS

R 484.471
Source: 2005 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

DIRECTOR'S OFFICE

MICHIGAN CHILDREN'S PROTECTION REGISTRY RULES

R 484.501
Source: 2005 AACS.

R 484.502
Source: 2005 AACS.

R 484.503
Source: 2005 AACS.

R 484.504
Source: 2005 AACS.

R 484.505
Source: 2005 AACS.

R 484.506
Source: 2005 AACS.

R 484.507
Source: 2005 AACS.

R 484.508
Source: 2005 AACS.

R 484.509
Source: 2005 AACS.

R 484.510
Source: 2006 AACS.

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R 484.511
Source: 2005 AACS.

R 484.512
Source: 2005 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH
PUBLIC SERVICE COMMISSION
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PART 1.GENERAL PROVISIONS

R 484.519
Source: 2011 AACS.

R 484.520
Source: 2011 AACS.

PART 2. RECORDS, REPORTS, AND TARIFFS

R 484.521
Source: 2011 AACS.

R 484.522
Source: 2011 AACS.

R 484.523
Source: 2011 AACS.

R 484.524
Source: 2011 AACS.

R 484.525
Source: 2011 AACS.

PART 3. CUSTOMER RELATIONS

R 484.531
Source: 2011 AACS.

R 484.534
Source: 2011 AACS.

R 484.535
Source: 2011 AACS.

R 484.538
Source: 2011 AACS.

R 484.539
Source: 2011 AACS.

R 484.540
Source: 2011 AACS.

R 484.540a

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Source: 2011 AACS.

R 484.540b

Source: 2011 AACS.

R 484.540c

Source: 2011 AACS.

PART 4. ENGINEERING AND PLANNING

R 484.541

Source: 2011 AACS.

R 484.542

Source: 2011 AACS.

R 484.543

Source: 2011 AACS.

R 484.544

Source: 2011 AACS.

R 484.545

Source: 2011 AACS.

R 484.546

Source: 2011 AACS.

PART 5. REPAIR AND INSTALLATION

R 484.551

Source: 2011 AACS.

R 484.552

Source: 2011 AACS.

R 484.553

Source: 2011 AACS.

R 484.554

Source: 2011 AACS.

R 484.555

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Source: 2011 AACS.

R 484.559

Source: 2011 AACS.

R 484.560

Source: 2011 AACS.

PART 6. MONITORING

R 484.561
Source: 2011 AACS.

R 484.561
Source: 2011 AACS.

PART 7. WAIVERS AND EXCEPTIONS

R 484.571
Source: 2011 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

PUBLIC SERVICE COMMISSION

TELECOMMUNICATION SERVICES – LICENSE TRANSFER PROCEDURES

R 484.601
Source: 2008 AACS.

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

MICHIGAN PUBLIC SERVICE COMMISSION

PROCEDURES FOR TELECOMMUNICATIONS ARBITRATIONS AND MEDIATIONS

PART 1. GENERAL PROVISIONS

R 484.701
Source: 2011 AACS.

R 484.702
Source: 2011 AACS.

PART 2. ARBITRATION

R 484.703
Source: 2011 AACS.

R 484.704
Source: 2011 AACS.

R 484.705
Source: 2011 AACS.

R 484.706
Source: 2011 AACS.

PART 3. MEDIATION

R 484.707
Source: 2011 AACS.

R 484.708
Source: 2011 AACS.

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R 484.709
Source: 2011 AACS.

R 484.710
Source: 2011 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

EMERGENCY 9-1-1 SERVICE STANDARDS OF TRAINING

PART 1: GENERAL PROVISIONS

R 484.801
Source: 2012 AACS.

R 484.802
Source: 2012 AACS.

PART 2: TRAINING REQUIREMENTS

R 484.803
Source: 2012 AACS.

R 484.804
Source: 2012 AACS.

R 484.805
Source: 2012 AACS.

PART 3: EXCEPTIONS

R 484.806
Source: 2012 AACS.

EMERGENCY 9-1-1 SERVICES MULTILINE TELEPHONE SYSTEMS

PART 1. GENERAL PROVISIONS

R 484.901
Source: 2011 AACS.

R 484.902
Source: 2011 AACS.

PART 2. MULTILINE TELEPHONE SYSTEM OPERATOR RESPONSIBILITIES

R 484.903
Source: 2011 AACS.

PART 3. EXEMPTIONS

R 484.904
Source: 2011 AACS.

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PART 4. REMEDIES AND PENALTIES

R 484.905
Source: 2011 AACS.

R 484.906
Source: 2011 AACS.

BANKS

PART 1. GENERAL PROVISIONS

R 487.1101
Source: 1998-2000 AACS.

R 487.1102
Source: 1998-2000 AACS.

PART 2. ADMINISTRATION

R 487.1201
Source: 1998-2000 AACS.

R 487.1202
Source: 1998-2000 AACS.

R 487.1203
Source: 1998-2000 AACS.

R 487.1204
Source: 1998-2000 AACS.

R 487.1210
Source: 1998-2000 AACS.

PART 4. POWERS

R 487.1410
Source: 1998-2000 AACS.

R 487.1420
Source: 1998-2000 AACS.

R 487.1421
Source: 1998-2000 AACS.

R 487.1422
Source: 1998-2000 AACS.

R 487.1423
Source: 1998-2000 AACS.

R 487.1424
Source: 1998-2000 AACS.

R 487.1425
Source: 1998-2000 AACS.

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R 487.1426
Source: 1998-2000 AACS.

R 487.1427
Source: 1998-2000 AACS.

R 487.1430
Source: 1998-2000 AACS.

PART 5. REGULATION

R 487.1501
Source: 1998-2000 AACS.

R 487.1502
Source: 1998-2000 AACS.

R 487.1503
Source: 1998-2000 AACS.

DEPARTMENT OF TREASURY
BUREAU OF MANAGEMENT SERVICES
STATE DIRECT DEPOSIT PROCESS

R 487.2101
Source: 1994 AACS.

R 487.2102
Source: 1994 AACS.

R 487.2103
Source: 1994 AACS.

R 487.2104
Source: 1994 AACS.

R 487.2105
Source: 1994 AACS.

R 487.2106
Source: 1994 AACS.

R 487.2107
Source: 1994 AACS.

R 487.2108
Source: 1994 AACS.

R 487.2109
Source: 1994 AACS.

R 487.2110
Source: 1994 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH
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DEFERRED PRESENTMENT STATEWIDE DATABASE

R 487.2121
Source: 2007 AACS.

R 487.2122
Source: 2007 AACS.

R 487.2123
Source: 2007 AACS.

CREDIT UNIONS

R 490.1
Source: 2005 AACS.

R 490.2
Source: 2005 AACS.

R 490.4
Source: 2005 AACS.

R 490.5
Source: 2005 AACS.

R 490.6
Source: 2005 AACS.

R 490.9
Source: 2005 AACS.

R 490.10
Source: 2005 AACS.

R 490.11
Source: 1997 AACS.

R 490.11a
Source: 2005 AACS.

R 490.12
Source: 2005 AACS.

R 490.15
Source: 1997 AACS.

R 490.15a
Source: 2005 AACS.

R 490.16
Source: 2005 AACS.

R 490.17
Source: 2005 AACS.

R 490.21
Source: 1997 AACS.

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- R 490.22**
Source: 1997 AACS.
- R 490.23**
Source: 1997 AACS.
- R 490.24**
Source: 1979 AC.
- R 490.25**
Source: 1997 AACS.
- R 490.31**
Source: 1997 AACS.
- R 490.41**
Source: 2005 AACS.
- R 490.51**
Source: 2005 AACS.
- R 490.52**
Source: 2005 AACS.
- R 490.81**
Source: 2005 AACS.
- R 490.82**
Source: 2005 AACS.
- R 490.94**
Source: 2005 AACS.
- R 490.95**
Source: 2005 AACS.
- R 490.96**
Source: 2005 AACS.
- R 490.97**
Source: 2005 AACS.
- R 490.98**
Source: 2005 AACS.
- R 490.99**
Source: 2005 AACS.
- R 490.101**
Source: 1997 AACS.
- R 490.102**
Source: 1997 AACS.
- R 490.103**
Source: 1997 AACS.

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R 490.104
Source: 1997 AACS.

R 490.105
Source: 1997 AACS.

R 490.111
Source: 2005 AACS.

R 490.112
Source: 2005 AACS.

R 490.113
Source: 2013 AACS.

R 490.114
Source: 2013 AACS.

R 490.115
Source: 2005 AACS.

R 490.116
Source: 2005 AACS.

R 490.117
Source: 2013 AACS.

R 490.118
Source: 2013 AACS.

SAVINGS AND LOAN ASSOCIATIONS

R 491.101
Source: 2013 AACS.

R 491.110
Source: 2013 AACS.

R 491.115
Source: 2013 AACS.

R 491.120
Source: 2013 AACS.

R 491.125
Source: 2013 AACS.

R 491.130
Source: 2013 AACS.

R 491.135
Source: 2013 AACS.

R 491.140
Source: 2013 AACS.

R 491.145

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Source: 2013 AACS.

R 491.150

Source: 2013 AACS.

R 491.155

Source: 2013 AACS.

R 491.160

Source: 2013 AACS.

R 491.165

Source: 2013 AACS.

R 491.170

Source: 2013 AACS.

R 491.175

Source: 2013 AACS.

R 491.180

Source: 2013 AACS.

R 491.185

Source: 2013 AACS.

R 491.190

Source: 2013 AACS.

R 491.195

Source: 2013 AACS.

R 491.197

Source: 2013 AACS.

REGULATORY LOAN LICENSEES

R 493.1

Source: 1981 AACS.

R 493.5

Source: 1983 AACS.

R 493.10

Source: 1983 AACS.

R 493.11

Source: 1983 AACS.

R 493.12

Source: 1983 AACS.

R 493.13

Source: 1983 AACS.

R 493.14

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Source: 1983 AACS.

R 493.15

Source: 1983 AACS.

R 493.16

Source: 1983 AACS.

R 493.20

Source: 1997 AACS.

R 493.95

Source: 1981 AACS.

SECONDARY MORTGAGE LICENSEES

R 493.101

Source: 1998-2000 AACS.

R 493.102

Source: 1998-2000 AACS.

R 493.110

Source: 1998-2000 AACS.

R 493.111

Source: 1998-2000 AACS.

R 493.112

Source: 1998-2000 AACS.

R 493.113

Source: 1998-2000 AACS.

R 493.114

Source: 1998-2000 AACS.

R 493.120

Source: 1998-2000 AACS.