

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

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**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Licensing and Regulatory Affairs

**2. Bureau:**

Bureau of Construction Codes

**3. Promulgation type:**

Full Process

**4. Title of proposed rule set:**

Elevator

**5. Rule numbers or rule set range of numbers:**

R 408.7001 to R 408.8695

**6. Estimated time frame:**

12 months

**Name of person filling out RFR:**

Amanda Johnson

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**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The rules are being revised to update the Michigan Elevator Rules by adopting the following national standards: the ASME A17.1-2016. The standards cover the design, construction, operation, inspection, testing, maintenance, alteration, and repair of elevating devices.

The adoption of national standards ensures that elevating devices are constructed, maintained, and inspected to the most current standards. As with all construction codes, it is essential to establish standards that address new technology and innovative equipment, as well as resolve problem areas that have been identified with the use of existing or older standards.

The adoption of national standards further ensures that rules are developed through a consensus process by persons affected by the rules.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

Department Director and Boards & Commission.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

Statutory references are indicated in the Elevator Safety Board Act, 227 PA 1967, MCL 408.808 to 408.809, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended, sections 24.201 to 24.328.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

Pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328 and the Elevator Safety Board Act, 227 PA1967, MCL 408.808 to 408.809, allows the elevator safety board to promulgate rules for the inspection, design, construction, installation, alteration, maintenance, and use of elevators in this state.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The proposed rules will adopt ASME 17.1-2016 for elevators and escalators, with amendments, deletions, and additions deemed necessary or used in Michigan. The Bureau is not aware of any rules that may exceed these national or regional standards.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

There is no subject matter of these rules currently contained in any guideline, handbook, manual, instruction bulletin, form with instructions, or operational memoranda.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

Yes, these rules are listed in the department's annual regulatory plan.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

Full Process

**13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.**

These rules adopt the national standards of ASME 17.1-2016, and these rules do not exceed those national standards.

**14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.**

During the rules process the Bureau will have a Proposed Rule/Code Change Request form available for the public to submit. Also, the Bureau will hold a public hearing to incorporate recommendations received from the public.

**15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.**

Michigan updates its rules to use the most current edition of the national standards. ASME updates its standards on a regular basis due to safety concerns, changes in technology, and industry and economic enhancements. The elevator rules were last updated June 21, 2010 based on ASME A17.1-2007, ASME A18.1-2008, and ASME A90.1-2003. Staying current with updated national standards allows Michigan elevator companies to manufacture their elevators to the most up-to-date standards.

**16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?**

There have been no changes or developments since implementation that indicate the Michigan elevator rules or any portion of the rules should be discontinued.

**17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.**

No