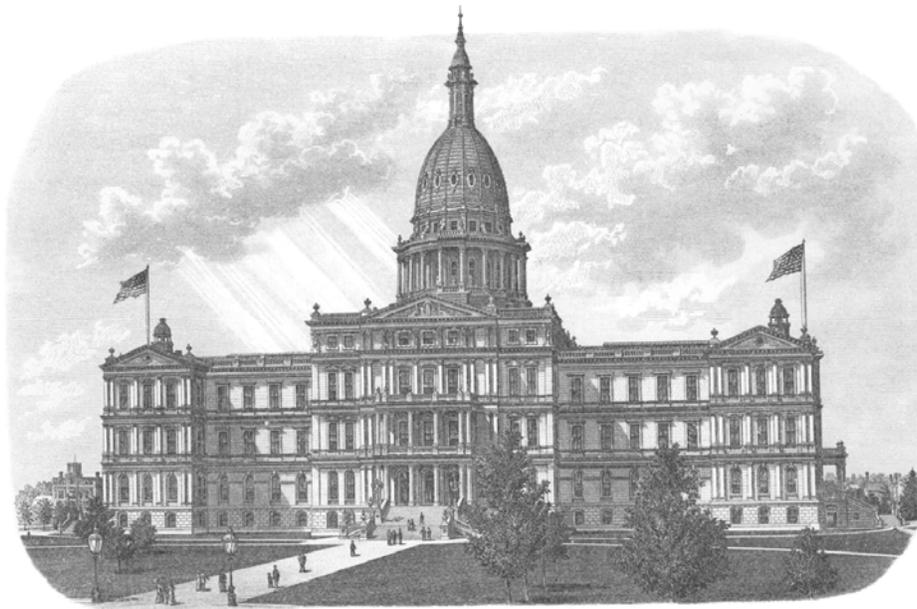


Michigan Register

Issue No. 7 – 2018 (Published May 1, 2018)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

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

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

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

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

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

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

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



Issue No. 7— 2018

(This issue, published May 1, 2018, contains
documents filed from April 1, 2018 to April 15, 2018)

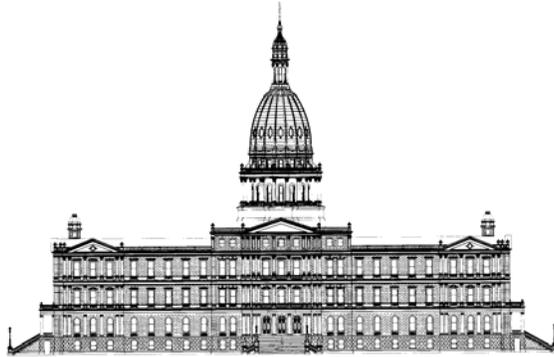
Compiled and Published by the
Office of Regulatory Reinvention

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Jeff Bankowski, Executive Director, Office of Performance and Transformation; **Deidre O’Berry**, Administrative Rules Specialist for Operations and Publications.

Rick Snyder, Governor



Brian Calley, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

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

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

Sec. 8.

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

(a) Executive orders and executive reorganization orders.

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

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

(d) Proposed administrative rules.

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

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

(g) Emergency rules filed with the secretary of state.

(h) Notice of proposed and adopted agency guidelines.

(i) Other official information considered necessary or appropriate by the office of regulatory reform.

(j) Attorney general opinions.

(k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

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

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

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

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

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

Sec. 203.

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

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

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

The Office of Regulatory Reinvention is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reinvention, Romney Building – Eight Floor, 111 S. Capitol, Lansing, MI 48909

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

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

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

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: Office of Regulatory Reinvention, Romney Building –Eight Floor, 111 S. Capitol Avenue, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reinvention (517) 335-8658.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reinvention: www.michigan.gov/orr.

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

Jeff Bankowski, Executive Director,
Office of Performance and Transformation

2018 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2018	February 1, 2018
2	February 1, 2018	February 15, 2018
3	February 15, 2018	March 1, 2018
4	March 1, 2018	March 15, 2018
5	March 15, 2018	April 1, 2018
6	April 1, 2018	April 15, 2018
7	April 15, 2018	May 1, 2018
8	May 1, 2018	May 15, 2018
9	May 15, 2018	June 1, 2018
10	June 1, 2018	June 15, 2018
11	June 15, 2018	July 1, 2018
12	July 1, 2018	July 15, 2018
13	July 15, 2018	August 1, 2018
14	August 1, 2018	August 15, 2018
15	August 15, 2018	September 1, 2018
16	September 1, 2018	September 15, 2018
17	September 15, 2018	October 1, 2018
18	October 1, 2018	October 15, 2018
19	October 15, 2018	November 1, 2018
20	November 1, 2018	November 15, 2018
21	November 15, 2018	December 1, 2018
22	December 1, 2018	December 15, 2018
23	December 15, 2018	January 1, 2019
24	January 1, 2019	January 15, 2019

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

MCL 24.208 states in part:

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

* * *

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

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

LIQUOR CONTROL COMMISSION

LICENSING QUALIFICATIONS

Filed with the Secretary of State on April 17, 2018

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the liquor control commission by section 215(1) of 1998 PA 58, MCL 436.1215(1), and Executive Reorganization Order No. 2011-4, MCL 445.2030)

R 436.1133 of the Michigan Administrative Code is rescinded, as follows:

R 436.1133 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR’S OFFICE

GENERAL INDUSTRY SAFETY AND HEALTH STANDARD

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16 and 21 of 1974 PA 154, MCL 408.1016 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-18 2003-1, 2008-4, and 2011-4, MCL 408.1016, 408.1021, 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.16301, R 408.16302, R 408.16309, R 408.16311, R 408.16312, R 408.16313, R 408.16321, R 408.16322, R 408.16323, R 408.16325, R 408.16331, R 408.16333, R 408.16335, R 408.16338, R 408.16343, R 408.16345, R 408.16346, R 408.16347, R 408.16350, R 408.16351, R 408.16353, R 408.16354, R 408.16356, R 408.16361, R 408.16362, R 408.16364, R 408.16372, R 408.16375, R 408.16377, and R 408.16387 of the Michigan Administrative Code are amended, and R 408.16318 is added, as follows:

PART 63. PULP, PAPER, AND PAPERBOARD MILLS

GENERAL PROVISIONS

R 408.16301 Scope.

Rule 6301. (1) This standard sets forth rules to protect the life, limb, and health of the employee in, about, or around places of employment where pulp, paper, and paperboard are manufactured and converted.

(2) These rules apply to establishments where pulp, paper, and paperboard are manufactured and converted. These rules do not apply to logging and the transportation of logs to pulp, paper, and paperboard mills

(3) Respiratory protection shall be in compliance with Occupational Health Standard Part 451 “Respiratory Protection,” as referenced in R 408.16302.

R 408.16302 Adopted and referenced standards.

Rule 6302. (1) This standard is adopted in these rules, National Fire Protection Association NFPA 91 “Blower and Exhaust Systems for Dust, Stock, and Vapor Removal or Conveying,” 1961 edition. This standard is available from NFPA, 1 Batterymarch Park, Quincy, Massachusetts, USA, 02169-7471, telephone number: 1-617-770-3000 or via the internet at website: www.nfpa.org; at a cost as of the time of adoption of these rules of \$27.00.

(2) The following standards are adopted in these rules and are available from IHS Global, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at website: <http://global.ihs.com>, at a cost as of the time of adoption of these rules, as stated in this subrule.

(a) American National Standard Institute (ANSI) Standard Z9.1 “Open Surface Tanks-Ventilation and Operations,” 1951 edition. Cost: \$20.00.

(b) ANSI Z9.2 “Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems,” 1960 edition. Cost \$32.00.

(c) American Society of Mechanical Engineers(ASME) Boiler and Pressure Vessel Code, Section VIII, “Unfired Pressure Vessels,” 1989 edition with addenda. Cost: \$514.00.

(3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(4) Copies of the standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

(5) The following Michigan Occupational Safety and Health Administration (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

(a) General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” R 408.10201 to R 408.10241.

(b) General Industry Safety Standard Part 7 “Guards for Power Transmission,” R 408.17201 to R 408.10765.

(c) General Industry Safety Standard Part 23 “Hydraulic Power Presses,” R 408.12301 to R 408.12373.

(d) General Industry Safety and Health Standard Part 27 “Woodworking Machinery,” R 408.12701 to R 408.12799.

(e) General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398.

(f) General Industry Safety and Health Standard Part 52 “Sawmills,” R 408.15201 to R 408.15284.

(g) Occupational Health Standard Part 301 “Air Contaminants for General Industry,” R 325.51101 to R 325.51108.

(h) Occupational Health Standard Part 380 “Occupational Noise Exposure in General Industry,” R 325.60101 to R 325.60128.

(i) Occupational Health Standard Part 451 “Respiratory Protection,” R 325.60051 to R 325.60052.

R 408.16309 Definitions; T to V.

Rule 6309. (1) "Tipple" means a device by which a loaded railcar or truck is emptied.

(2) “Travel restraint system” means a combination of an anchorage, anchorage connector, lanyard or other means of connection, and body support that an employer uses to eliminate the possibility of an employee going over the edge of a walking-working surface.

(3) "Vessel" means a tank or vat used for storage or mixing of pulp or chemicals.

R 408.16311 Employer responsibility.

Rule 6311. An employer shall do all of the following:

- (a) Provide training to each employee regarding the hazards and safeguards before starting an assigned job.
- (b) Provide personal protective equipment that is necessary to protect an employee from the hazards of the job according to the requirements of R 408.16313 and General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302.
- (c) Prevent the operation of a machine that is not guarded according to Michigan Occupational Safety and Health Administration standards, that has a defective guard, or that is otherwise unsafe.
- (d) Establish and maintain a lockout procedure as prescribed in R 408.16323(4).
- (e) Comply with the requirements of this standard.

R 408.16312 Employee responsibility.

Rule 6312. An employee shall do all of the following:

- (a) Use personal protective equipment furnished by the employer.
- (b) Report to his or her supervisor any machine or safeguard that is defective.
- (c) Not remove a guard except for authorized operational or maintenance purposes. The guard shall be replaced or equivalent guarding installed before the machine is returned to production.
- (d) Not operate any machine or equipment until he is trained in the operating procedures, hazards, and safeguards and has been authorized to do so.

R 408.16313 Personal protective equipment.

Rule 6313. (1) A deluge shower and eye fountain shall be provided within 25 feet of an area where caustics or acids are used or mixed at a strength that could cause injury to an exposed employee.

(2) An approved life jacket shall be provided to the employee, at no expense to the employee, and shall be used when an employee works above water where a protective standard barrier or lifeline and safety belt is not provided.

(3) Personal protective equipment used by more than 1 employee shall be cleaned or sanitized after each usage where body contact has been made.

(4) Eye protection, as prescribed in General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302, shall be provided to, and used by, employees who are in the wood yard and employees who are involved in any of the following operations:

- (a) Maintenance.
- (b) Barking.
- (c) Knot cleaning.
- (d) Digesting.
- (e) Pulp grinding.
- (f) Banding.
- (g) Chemical handling

(5) Head protection, as prescribed in General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302, shall be provided to, and used by, employees who are in the wood yard and employees who are included in any of the following operations:

- (a) Barking.
- (b) Maintenance.
- (c) Digesting.
- (d) Pulp grinding.

(6) Foot protection, as prescribed in General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302 shall be provided to, and used by, employees who are in the wood yard and employees who are involved in any of the following operations:

- (a) Pulp grinding.

(b) Maintenance.

(c) Hazardous chemical handling and mixing operations

(7) Personal protective equipment such as aprons, gloves, rubber boots, and metal or plastic toe or metatarsal foot protection shall be provided and used as prescribed in General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302.

(8) Respiratory equipment shall be provided to the employee, at no expense to the employee, and shall be available and maintained in an operable and sanitary condition where toxic fumes may be encountered above the maximum threshold limits as prescribed by Occupational Health Standard Part 301 “Air Contaminants for General Industry,” and Part 451 “Respiratory Protection,” as referenced in R 408.16302.

R 408.16318 Belt conveyors.

Rule 6318. (1) When conveyors cross passageways or roadways, an employer shall provide a horizontal platform under the conveyor, extended out from the sides of the conveyor a distance equal to 1 1/2 times the length of the wood handled.

(2) An employer shall provide the platform that shall extend the width of the road plus 2 feet (61 cm) on each side, and shall be kept free of wood and rubbish.

(3) An employer shall provide the edges of the platform with toeboards or other protection that meet the requirements of General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302.

R 408.16321 Illumination.

Rule 6321. (1) An employer shall furnish natural or artificial lighting to provide the following:

(a) A minimum of 25 foot candles intensity at the machine operator’s work station.

(b) A minimum of 5 foot candles along a means of egress.

(c) A minimum of 2 foot candles in an inside active storage area.

(2) An employee who is entering a vessel for the purpose of cleaning or inspecting the vessel shall be provided with an appropriate and intrinsically safe emergency portable illumination device.

(3) Emergency lighting shall be provided where it is necessary for employees to remain at their machines or stations to shut down equipment in case of power failure.

(4) Emergency lighting shall be provided at stairways and passageways or aisle ways used by employees for emergency exit in case of power failure.

(5) Emergency lighting shall be provided in all plant first aid and medical facilities.

R 408.16322 Walking-working surfaces.

Rule 6322. (1) An aisle or floor work area shall be free of protruding objects, holes, and loose boards.

(2) An aisle shall be 3 feet wider than the widest load transported in the aisle and the outline of the aisle marked.

(3) A slip-resistant surface shall be provided on platforms, at work stations, on walk ramps, plank walks, and catwalks.

(4) A stair tread leading to a catwalk or platform shall have a slip-resistant surface.

(5) A catwalk 4 feet or more above the floor, ground, or platform shall be guarded by a guardrail system and toeboard on the open side as prescribed in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302. However, a catwalk, regardless of height, above or adjacent to dangerous equipment shall be guarded with a guardrail system and toeboard.

(6) In the machine room, steps of uniform rise and tread with non-slip surfaces that meet the requirements in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces” shall be provided at each press.

R 408.16323 Power controls.

Rule 6323.(1) A machine shall be equipped with an emergency stop device, distinguished by its size or color, which can be activated from the operator's or crew member's work station. In addition, a rotary cutter, paper machine, and calender shall have an emergency stop device which will provide a braking action to stop the machine quickly in an emergency. This device shall be tested periodically by making use of it when stopping the machine.

(2) A machine attended by more than 1 operator shall be equipped with a control for each operator exposed to a point of operation hazard. These controls shall be interlocked to prevent operation until each operator operates his or her control concurrently.

(3) A machine control shall be designed and installed to prevent unintentional activation by contact with objects or parts of the body.

(4) A power source of any equipment to be repaired, serviced or set-up shall be locked out by each employee doing the work where unexpected startup would cause injury, except when motion is necessary during set-up or adjustment. Such motion shall be achieved by a manually held constant pressure control device. Residual pressure shall be relieved prior to and during such work when the equipment is locked out.

(5) Upon power failure, provisions shall be made to prevent machines from automatically restarting upon restoration of power.

R 408.16325. Lubrication.

Rule 6325. (1) An employer shall ensure that lubrication is accomplished by 1 of the following:

(a) Manually, when the machine can be shut off and locked out.

(b) Automatic pressure or gravity feed system.

(c) Extension pipe leading to an area outside of guards or away from any hazards.

(d) A means which would provide equal or greater protection than subdivision (a), (b) or (c) of this subrule for the employee.

(2) An employer shall ensure that General Industry Safety Standard Part 7 “Guards for Power Transmission,” as referenced in R 408.16302, is followed.

R 408.16331 Material handling.

Rule 6331. (1) A mechanical lifting device shall be provided and used to place and remove rolls of paper and paperboard from a machine.

(2) An escape hatch shall be provided where doors on an enclosed cab provided on a powered industrial truck may be blocked by special equipment.

(3) A crane, powered industrial truck, or other wood handling equipment, except over the road vehicles, having a cab with windows shall have all windows protected by a screen made of steel rods not less than 7/16 inch in diameter with openings not more than 4 by 4 inches or 2 by 6 inches.

(4) Where a hooker or hatch tender is used, the operator of a cab style crane shall respond to the hooker's or hatch tender's signals. The signals for an overhead crane shall be as prescribed in Table 1 ‘Standard Hand Signals for Controlling Overhead and Gantry Cranes.’ The signals for a boom type crane shall be as prescribed in Table 2 ‘Hand Signals for Boom-Type Cranes.’

(5) A blower used to transport rags shall be provided a feed hopper with the opening not less than 48 inches from the fan. The blower outlet must not allow material to fall on an employee.

(6) Railroad cars shall not be spotted on tracks adjacent to the locomotive cranes unless a 24-inch clearance is maintained, as prescribed in R 408.16342(1).

(7) The handling and storage of other materials shall conform to R 408.16342(1) and (2) with respect to clearance.

(8) Handles of wood hooks shall be locked to the shank to prevent them from rotating.

(9) An employee shall not ride on a powered hand truck unless it is so designed by the manufacturer. A limit switch shall be on the operating handle —30 degrees each way from a 45-degree angle up and down beyond which the drive motor is electrically disconnected and braking action commences.

(10) Whenever possible, all dust, fumes, and gases incident to handling materials shall be controlled at the source, in accordance with ANSI Standard Z9.2 “Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems,” 1960 edition, as adopted in R 408.16302. Where control at the source is not possible, an employer shall provide respirators with goggles or protective masks, and employees shall wear them when handling alum, clay, soda, ash, lime, bleach powder, sulfur, chlorine, and similar materials, and when opening rag bales.

(11) Hoods of cutters, shredders, and dusters shall have exhaust ventilation in accordance with ANSI Standard Z9.2 “Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems,” 1960 edition, as adopted in R 408.16302.

**TABLE 1
STANDARD HAND SIGNALS FOR CONTROLLING OVERHEAD AND GANTRY CRANE**

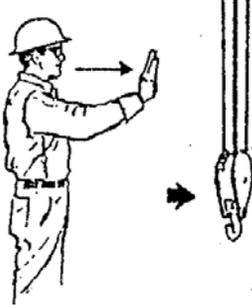
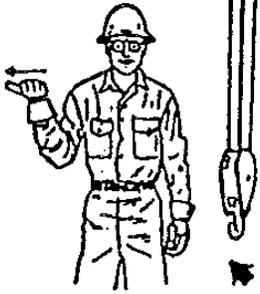
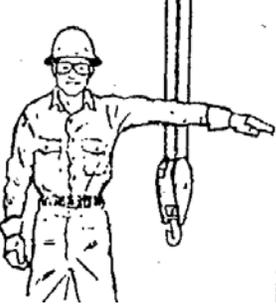
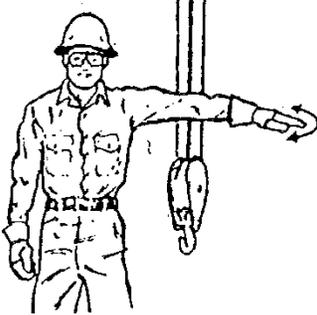
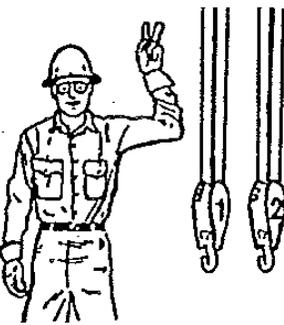
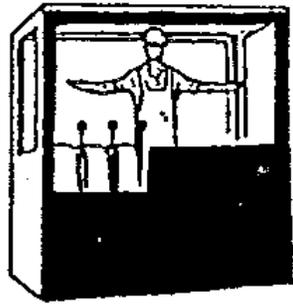
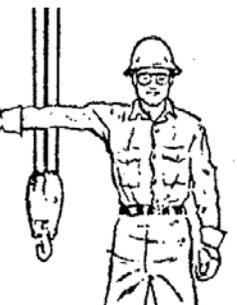
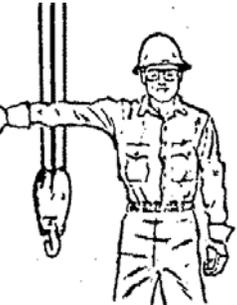
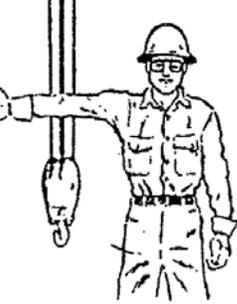
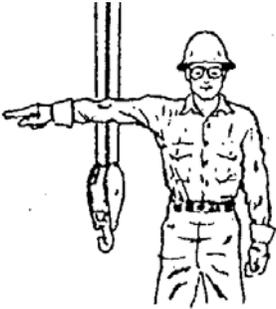
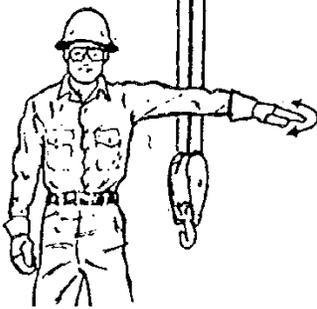
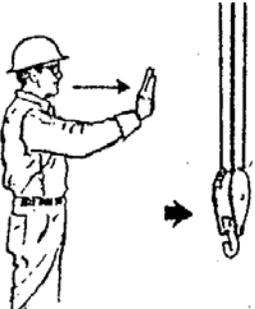
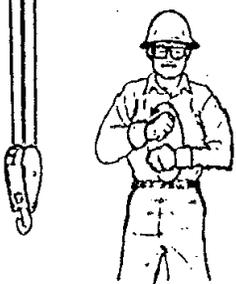
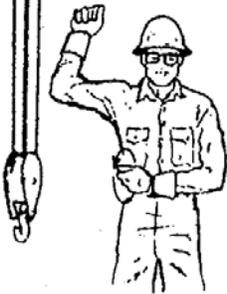
 <p>HOIST. With forearm vertical, forefinger pointing up, move hand in small horizontal circle.</p>	 <p>LOWER. With arm extended downward, forefinger pointing down, move hand in small horizontal circles.</p>	 <p>BRIDGE TRAVEL. Arm extended forward, hand open and slightly raised, make pushing motion in direction of travel.</p>
 <p>TROLLEY TRAVEL. Palm up, fingers closed, thumb pointing in direction of motion, jerk hand horizontally.</p>	 <p>STOP. Arm extended, palm down, hold position rigidly.</p>	 <p>EMERGENCY STOP. Arm extended, palm down, move hand rapidly right and left.</p>
 <p>MULTIPLE TROLLEYS. Hold up one finger for block marked "1" and two fingers for block marked "2", Regular signals follow.</p>	 <p>MOVE SLOWLY. Use one hand to give any motion signal and place other hand motionless in front of hand giving the motion signal. (Hoist slowly shown as example.)</p>	 <p>MAGNET DISCONNECTED. IS Crane operator spreads both hands apart – palms up.</p>

TABLE 2
HAND SIGNALS FOR BOOM-TYPE CRANES

 <p>HOIST. With forearm vertical, forefinger pointing up, move hand in small horizontal circle.</p>	 <p>LOWER. With arm extended downward, forefinger pointing down, move hand in small horizontal circles.</p>	 <p>USE MAIN HOIST. Tap fist on head; then use regular signals.</p>
 <p>USE WHIPLINE. (Auxiliary Hoist). Tap elbow with one hand; then use regular signals.</p>	 <p>RAISE BOOM. Arm Extended, fingers closed, thumb pointing upward.</p>	 <p>LOWER BOOM. Arm extended, fingers closed, thumb pointing downward.</p>
 <p>7 MOVE SLOWLY. Use one hand to give any motion signal and place other hand motionless in front of hand giving the motion signal. (Hoist slowly shown as example.)</p>	 <p>RAISE THE BOOM AND LOWER THE LOAD. With arm extended, thumb pointing up, flex fingers in and out as long as load movement is desired.</p>	 <p>LOWER THE BOOM AND RAISE THE LOAD. With arm extended, thumb pointing down, flex fingers in and out as long as load movement is desired.</p>

**TABLE 1
STANDARD HAND SIGNALS FOR CONTROLLING OVERHEAD AND GANTRY CRANE**

 <p>SWING. Arm extended, point with finger in direction of swing of boom.</p>	 <p>STOP. Arm Extended, palm down, hold position rigidly.</p>	 <p>EMERGENCY STOP. Arm extended, palm down, move hand rapidly right and left.</p>
 <p>TRAVEL. Arm extended forward, hand open and slightly raised, make pushing motion in direction of travel.</p>	 <p>DOG EVERYTHING. Clasp hand in front of body.</p>	 <p>TRAVEL.(Both Tracks) Use both fists in front of body, making a circular motion about each other, indicating direction of travel, forward or backward. (For crawler cranes only.)</p>
 <p>TRAVEL. (One Track.) Lock the track on side indicated by raised fist. Travel opposite track in direction indicated by circular motion of other fist, rotated vertically in front of body. (For crawler cranes only.)</p>	<p>Extracted from American National Standard, Safety Code for Crawler, Locomotive and Truck Cranes, B 30.5-1968 with the permission of the publisher, The American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, N.Y. 10017.</p>	

R 408.16333 Vessels, bin, and cooker entry.

Rule 6333.(1) A lifeline and safety harness or safety belt shall be provided and used by an employee entering a vessel, tank, digester, bin, or cooker without an access door at ground or floor level, as prescribed in General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302. An employee shall be stationed outside with a self-contained respirator in a position to handle the lifeline and summon assistance.

(2) An employer shall ensure that the air inside the vessel, tank, or bin is tested prior to entry. Atmospheres containing toxic gas or vapor, or which are deficient in oxygen must be purged and fresh air forced inside while the tank or vessel is occupied, or a self-contained or a constant-flow type supplied air respirator shall be worn. An employee shall not enter a vessel or tank containing an explosive atmosphere

(3) An employer shall ensure that controls to equipment supplying or operating a closed vessel, tank, digester, bin, or cooker are locked out or blanked before entry by an employee.

(4) An employer shall ensure that valves to supply pipes for a closed vessel, tank, digester, bin, or cooker are closed and locked out or blanked before entry by an employee.

(5) Tanks shall be free of acid and shall be washed out with water, and fresh air shall be blown into them, before allowing an employee to enter. An employer shall provide an employee entering the tanks with a supplied air respirator, lifebelt, and attached lifeline, at no expense to the employee.

(6) Any lines or sewers shall be blanked off to protect workers from air contaminants.

(7) When cleaning, inspection, or other work requires that employees must enter the cooker, 1 employee shall be stationed outside in a position to observe and assist in case of emergency.

(8) All intake valves to a tank shall be blanked off or disconnected.

R 408.16335 Skip hoists.

Rule 6335. An employer shall ensure that a skip hoist, unless completely enclosed, is equipped with all of the following:

- (a) A warning device to announce movement.
- (b) An interlocking gate across the bucket loading opening.
- (c) A standard barrier across any open side.

R 408.16338 Blue flag warning.

Rule 6338. (1) An employer shall ensure that a locomotive or locomotive crane uses a blue flag, blue light or derailer when either of the following occur:

- (a) An employee may be endangered by railcars being pushed into an area in which they are working.
- (b) Loading or unloading railcars, oiling or servicing a railcar, locomotive or locomotive crane.

(2) When it is not possible to place a blue flag or blue light at a switch, a blue flag or blue light must be placed at least 50 feet from the end of the last car at both ends of the car or cars. At stub-end tracks a blue flag or blue light is necessary only at the open end.

(3) A blue flag and blue light shall be marked with the name of the department placing it.

(4) A blue flag or blue light shall not be removed except by the person who places it, except if an employee does not remove his or her blue flag or blue light and cannot be located, his or her supervisor after making a thorough check of the track area in question, in company with an operating man or woman, may remove the blue flag or blue light.

(5) Where 2 or more groups are working in the same location, a responsible employee or supervisor from each group shall each place a blue flag or blue light as specified in subrules (1) and (2) of this rule.

R 408.16343. Flumes, runways and jack ladders.

Rule 6343. (1) A flume or water runway used to transport logs shall have a guardrail system along the exposed sides. The height of the sides of a flume or runway extending above ground, floor, or platform level may be counted as part of the 42 inches as prescribed for a guardrail system in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302.

(2) An inclined walkway along an inclined portion of a jack ladder and the inclined portion of a runway to the jack ladder shall have cleats or a slip-resistant surface that complies with General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces.” The walkway shall be equipped with a stair rail on both sides as prescribed in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces.”

(3) For a runway to the jack ladder, the runway from the pond or unloading dock to the table shall be protected with standard handrails and toeboards.

(4) On a runway to the jack ladder, an employer shall provide protective equipment for persons working over water.

R 408.16345. Saws.

Rule 6345. (1) A guard shall be provided in front of a slasher saw to protect an employee from thrown pieces.

(2) An employee shall not mount a slasher saw table unless the machine is stopped and locked out as prescribed in R 408.16323(4).

(3) The exposed portion of a slasher saw blade below the table shall be enclosed.

(4) A saw and other equipment more commonly found in a sawmill shall be guarded and used as prescribed in General Industry Safety and Health Standard Part 52 “Sawmills,” as referenced in R 408.16302.

R 408.16346. Barkers.

Rule 6346. (1) An employee shall not hold or have physical contact with the pulpwood during the barking operation.

(2) An employer shall provide barrier guards or enclosures to protect an employee in the area from flying particles from the barker.

(3) Two or more continuous barking drums installed side by side shall be provided with a walkway between each set with a guardrail system as prescribed in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302.

(4) When a platform or floor allows access to the sides of a drum barker, a guardrail system shall be installed as prescribed in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302.

(5) In-running nip points exposed to contact of trunnion rollers on a drum barker shall be guarded.

(6) An intermittent barking drum shall be equipped with a device that locks the drum while being loaded or unloaded.

(7) The loading and unloading ends of a hydraulic barker shall be equipped with baffles. The operator shall be protected by a barrier of 1/2 inch plexiglas or material of equivalent strength. A high pressure hose to a hydraulic barker shall be secured at the hose connection ends to prevent whipping if a connection fails.

R 408.16347 Chippers.

Rule 6347. (1) An employer shall ensure that an employee feeding a chipper does not have a work station in direct line with the chipper hopper.

(2) The in-feed conveyor shall be guarded for its entire length by an enclosure or guardrail system as prescribed in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302.

(3) The chipper hopper shall be enclosed not less than 40 inches from the blades to the opening and be baffled to prevent wood from being thrown from the hopper.

(4) An employee feeding a chipper within 42 inches of the hopper shall wear a safety belt and line designed to prevent falling into the hopper.

(5) Where jam-ups cannot be cleared, the in-feed equipment shall be stopped and locked out. The employee clearing the jam shall wear a safety belt and line which will prevent contact with the blades before additional clearing is done. If it is necessary to remove or loosen a blade hood, the power must be shut off and locked out.

(6) Chipper knives shall be transported on a carrier.

(7) Hearing protection equipment shall be worn by the operator and others in the immediate area if there is any possibility that the noise level may be harmful and shall be in compliance with Occupational Health Standard Part 380 “Occupational Noise Exposure in General Industry,” as referenced in R 408.16302.

R 408.16350 Bleaching.

Rule 6350.(1) An employer shall ensure that the bleach-mixing rooms in which the bleach powder is mixed is provided with adequate exhaust ventilation, located at the floor level, as prescribed in ANSI Standard Z9.1 “Open Surface Tanks-Ventilation and Operations,” 1951 edition, as adopted in R 408.16302

(2) Chlorine gas shall be carried away from the work place and breathing area by an exhaust system. The gas shall be rendered neutral or harmless before being discharged into the atmosphere as prescribed in ANSI Standard Z9.2 “Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems,” 1960 edition, as adopted in R 408.16302.

(3) For emergency and rescue operations, the employer must provide employees with self-contained breathing apparatuses or supplied-air respirators and ensure that employees use these respirators as prescribed in Occupational Health Standard Part 451 “Respiratory Protection,” as referenced in R 408.16302.

R 408.16351 Acid rooms, acid towers, and acid tanks.

Rule 6351. (1) An employer shall ensure that the employee is provided with eye protection, a supplied air respirator, and a personal fall protection system that meets the requirements of General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302, during inspection, repairs or maintenance of acid towers. The line shall be extended to an attendant stationed outside the tower opening.

(2) Walkways, stairs, and other equipment in acid rooms, acid towers, and acid tanks shall be inspected monthly for corrosion and replaced or repaired where any part shows a defect affecting employee safety.

(3) Where hoops are used on acid tanks, the hoops must be made of rods rather than flat strip stock and be inspected and maintained as prescribed in subrule (2) of this rule.

(4) Pressure tanks-accumulators shall be inspected semiannually as prescribed in the ASME Boiler and Pressure Vessel Code, Section VIII, “Unfired Pressure Vessels,” 1989 with addenda, as adopted in R 408.16302.

(5) An employer shall ensure that when lead burning is performed within tanks, fresh air is forced into the tanks so that fresh air will reach the face of the employee first and the direction of the current will never be from the source of the fumes toward the face of the employees. Supplied air respirators, such as

constant-flow type, shall be provided as required in Occupational Health Standard Part 451 “Respiratory Protection,” as referenced in R 408.16302.

R 408.16353 Sulfur burning and drying.

Rule 6353.(1) A sulfur burning or drying house shall be safely and adequately provided with an exhaust system as prescribed by ANSI Standard Z9.2 “Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems,” 1960 edition, as adopted in R 408.16302, to reduce the chance of dust explosion hazards and fires.

(2) Pipes, beams, and other overhead objects shall be cleaned off not less than once a month to remove dust accumulations.

(3) Sulfur storage bins shall be kept free of sulfur dust accumulation, in accordance with ANSI Standard Z9.2 “Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems,” 1960 edition, as adopted in R 408.16302.

(4) Exhaust ventilation shall be provided where niter cake is fed into a rotary furnace and shall be so designed and maintained as to keep the concentration of hydrogen sulfide gas below the parts per million listed in Occupational Health Standard Part 301 “Air Contaminants for General Industry,” as referenced in R 408.16302.

(5) Non-sparking tools and equipment shall be used in handling dry sulfur. Smoking shall be prohibited and “No Smoking” signs shall be posted.

(6) Sulfur melting equipment shall not be located in the burner room.

(7) Explosion-proof electric equipment shall be used where dry sulfur burning is done.

(8) Supplied-air respirators shall be strategically located for emergency and rescue use.

(9) Gas masks shall be available. These masks shall furnish adequate protection against sulfurous acid and chlorine gases, and shall be inspected and repaired in accordance with Occupational Health Standard Part 451 “Respiratory Protection,” as referenced in R 408.16302.

(10) Where as the processes of the sulfate and soda operations are similar to those of the sulfite processes, subrules (8) and (9) of this rule apply.

R 408.16354 Digesters and blow pits, general.

Rule 6354. (1) An employer shall ensure that a means of egress is provided at each end of the room at every floor level of a digester building.

(2) An employer shall ensure that a batch type digester has all of the following:

(a) A blowoff valve located so it can be operated from another room, remote from safety valve.

(b) Blow valves on rotary digesters pinned or locked in a closed position during the cooking period.

(c) Pipes, valves, and fittings classified as heavy duty between the digester and blow pit. These pipes, valves, and fittings shall be inspected at least semiannually to determine the degree of deterioration and shall be replaced when necessary.

(d) Through bolts instead of cap bolts on pipe joints.

(3) A side opening to a blow pit is preferred on the side of the pit instead of on the top. The opening shall be as small as possible when located on the top, and shall be protected as prescribed in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302.

(4) Access to a blow pit shall be by a ladder designed to keep the door open when the ladder is in place, or an employee is within the pit.

(5) Blow-pit hoops shall be maintained in a safe condition.

(6) Personal protective equipment as prescribed in R 408.16313 and General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.16302, shall be provided and worn when repairing or removing old brick lining from a digester.

(7) An employer shall ensure that fresh air is blown constantly into the digester while employees are inside. Supplied-air respirators shall be available if the fresh air supply fails or is inadequate.

(8) An inspector shall not enter a digester unless a lifeline is securely fastened to his or her body by means of a safety belt and at least 1 other experienced employee is stationed outside the digester to handle the line and to summon assistance. All ladders and lifelines shall be inspected before each use.

R 408.16356 Safety valves.

Rule 6356. (1) A safety valve shall be installed between the steam regulating valve and the vessel on a separate pipe line for each pressure vessel. The safety device shall conform to paragraph U-2 in the ASME Boiler and Pressure Vessel Code, Section VIII, "Unfired Pressure Vessels," 1989, with addenda, as referenced in R 408.16302. Also see Rule R 408.4025 of the Michigan Boiler Rules, at web-site: http://www.michigan.gov/budget/0,4538,7-157-76309_35738_5698---,00.html.

(2) A safety valve shall be checked between each cook to ensure it has not become plugged or corroded to the point of being inoperative.

(3) A safety valve shall be inspected not less than annually and repaired if necessary to ensure its ability to operate, and shall be set at not more than the rated capacity of the pressure vessel.

(4) The vent for a safety valve shall discharge into an area that does not create a hazard for an employee.

R 408.16361 Pulpers and beaters.

Rule 6361.(1) When beaters are fed from the floor above, the chute opening, if less than 42 inches (1.06 m) from the floor, shall be provided with a guardrail system that meets the requirements in General Industry Safety and Health Standard Part 2 "Walking-Working Surfaces," as referenced in R 408.16302, or other equivalent enclosures.

(2) All pulpers having the top or any other opening of a vessel less than 42 inches (107 cm) from the floor or work platform shall have such openings guarded by guardrail systems that meet the requirements in General Industry Safety and Health Standard Part 2 "Walking-Working Surfaces," as referenced in R 408.16302, or other equivalent enclosures

(3) When beaters have openings for manual feeding or with pulpers have openings for manual changings, openings shall be sufficient only to permit the entry of stock, and shall be provided with at least 2 permanently secured crossrails or other fall protection system that meet the requirements in in General Industry Safety and Health Standard Part 2 "Walking-Working Surfaces," as referenced in R 408.16302,

(4) Beater rolls shall be provided with covers.

(5) The floor around a beater shall be provided with sufficient drainage to remove wastes.

(6) When cleaning, inspecting, or other work requires that employees enter the pulpers, they shall be equipped with safety belt and lifeline, and 1 employee shall be stationed outside at a position to observe and assist in case of emergency.

(7) When cleaning, inspecting, or other work requires that employees enter pulpers, all steam, water, or other control devices shall be locked or tagged out. Blank flanging and tagging of pipe lines is acceptable in place of closed and locked or tagged valves. Blank flanging of steam and water lines is acceptable in place of valve locks.

R 408.16362 Bleaching.

Rule 6362. A bleaching engine, except the Bellmer type, shall have the top covered with the exception of an opening large enough to permit filling but too small to admit an employee. This opening shall be covered with a door. The opening and a platform connecting 1 engine with another shall have standard

guardrails that meet the requirements in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302.

R 408.16364 Dust.

Rule 6364. (1) Measures for the control of dust shall be provided, in accordance with General Industry Safety and Health Standard Part 33 “Personal Protective Equipment” and Occupational Health Standard Part 451 “Respiratory Protection,” as referenced in R 408.16302.

(2) Installation of blower and exhaust systems for dust, stock, and vapor removal or conveying, shall be provided, in accordance with NFPA 91 “Blower and Exhaust Systems for Dust, Stock, and Vapor Removal or Conveying,” 1961 edition, as adopted in R 408.16302.

R 408.16372 Dryer.

Rule 6372. (1) A barrier guard or a guardrail system as prescribed in General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302, shall be installed in front of the first dryer of each section of a paper machine, if the area is accessible to an employee.

(2) In starting a dryer section, steam to heat the drums shall be introduced slowly while the drums are turning.

(3) A broken carrier rope shall not be removed from a dryer while the section is running at operating speed.

(4) The end of a "yankee" type dryer exposed to contact shall be guarded by a barrier to prevent entry to the turning drum.

R 408.16375 Broke hole.

Rule 6375. (1) A guardrail that complies with General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302, shall be provided at broke holes.

(2) Where a broke hole of such dimensions that an employee could fall through is located over a pulper or pulper conveyor system which is manually fed, the employee feeding into the hole shall wear a travel restraint system that will restrict the employee from falling through the hole.

(3) A warning device shall be used to alert an employee working below a broke hole when broke is discharged into the hole.

R 408.16377 Calenders and platers.

Rule 6377. (1) A calender roll shall be cleaned on the outrunning side. An alloy steel scraper not less than 3 x 5 inches shall be used to remove deposits from the rolls.

(2) Platers. A guard shall be arranged across the face of the rolls to serve as a warning that the operator's hand is approaching the danger zone.

(3) An employer shall provide steps or ladders that comply with General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302, and tread with nonslip surfaces at each calendar stack.

(4) Handrails and hand grips complying with General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” as referenced in R 408.16302, shall be provided at each calendar stack.

R 408.16387 Cores.

Rule 6387. (1) A core notcher shall be guarded pursuant to General Industry Safety Standard Part 23 “Hydraulic Power Presses,” as referenced in R 408.16302.

(2) A core cutter shall be guarded pursuant to General Industry Safety and Health Standard Part 27 “Woodworking Machinery,” as referenced in R 408.16302.

(3) A set screw for securing a core collar to winding and unwinding shafts shall not protrude above the face of the collar. Sharp corners on the collar shall be beveled.

(4) A core shaft weighing more than 50 pounds shall have a mechanical device such as a dolly to support all or part of the weight when removing the shaft from the set of paper and placing it in the dressing brackets on the winder.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR’S OFFICE

GENERAL INDUSTRY SAFETY AND HEALTH STANDARD

Filed with the Secretary of State on April 11, 2018

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the Department of Licensing and Regulatory Affairs by sections 16 and 21 of 1974 PA 154, MCL 408.1016 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-18 2003-1, 2008-4, and 2011-4, MCL 408.1016, 408.1021, 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.19401, R 408.19403, and R 408.19405 of the Michigan Administrative Code are amended, and R 408.19410 is added, as follows:

PART 94 TEXTILES

R 408.19401 Scope.

Rule 9401. This standard applies to the design, installation, processes, operation and maintenance of textile machinery, equipment, and other plant facilities in all plants engaged in the manufacture and processing of textiles, except those processes used exclusively in the manufacture of synthetic fibers.

R 408.19403 Adoption of a federal standard.

Rule 9403. (1) The federal Occupational Safety and Health Administration (OSHA) regulation 29 C.F.R. §1910.262, “Textiles,” as amended November 18, 2016, is adopted by reference in these rules.

(2) A reference to §1910.264, “Laundry machinery and operations,” means General Industry Safety Standard Part 71 “Laundry and Dry Cleaning Machinery and Operations.”

(3) A reference to §1910.144, “Safety color code for marking physical hazards,” means General Industry Safety Standard Part 37 “Accident Prevention Signs and Tags.”

(4) A reference to §1910 Subpart D, “Walking-Working Surfaces,” means General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces.”

(5) The availability information for the standards adopted in these rules is in R 408.19405 and MIOSHA standards referenced in these rules is in R 408.19410.

(6) The adopted federal regulations shall have the same force and effect as a rule promulgated under the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1001 to 408.1094.

R 408.19405 Adopted standards.

Rule 9405. (1) The OSHA regulation 29 C.F.R. §1910.262, “Textiles,” adopted in these rules is available from the United States Department of Labor, Occupational Safety and Health Administration, website www.osha.gov, at no charge, as of the time of adoption of these rules.

(2) The following standards are adopted in these rules and are available from IHS Global, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at website: <http://global.ihs.com> at a cost as of the time of adoption of these rules, as stated in this subrule.

(a) American National Safety Institute ANSI Standard Z9.2 “Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems,” 1960 edition. Cost \$32.00.

(b) American Society of Mechanical Engineers ASME Boiler and Pressure Vessel Code, Section VIII, “Unfired Pressure Vessels,” 1968 edition. Cost: \$514.00.

(3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(4) The standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

R 408.19410 Availability of MIOSHA referenced standards.

Rule 9410. The following Michigan Occupational Safety and Health Administration (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

(a) General Industry Safety and Health Standard Part 2 “Walking-Working Surfaces,” R 408.10201 to R 408.10241.

(b) General Industry Safety Standard Part 37 “Accident Prevention Signs and Tags,” R 408.13701 to R 408.13738.

(c) General Industry Safety Standard Part 71 “Laundry and Dry Cleaning Machinery and Operations,” R 408.17101 to R 408.17163.

ADMINISTRATIVE RULES

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GENERAL INDUSTRY SAFETY AND HEALTH STANDARD

Filed with the Secretary of State on April 11, 2018

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the Director of the Department of Licensing and Regulatory Affairs by sections 16 and 21 of 1974 PA 154, and Executive Reorganization Order Nos. 1996-2, 2003-18, 2003-1, 2008-4, and 2011-4, MCL 408.1016, 408.1021, 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.15801, R 408.15802, R 408.15803, R 408.15804, R 408.15805, R 408.15810, R 408.15815, R 408.15817, R 408.15825, R 408.15831, R 408.15832, R 408.15833, R 408.15836, R 408.15839, and R 408.15842 of the Administrative Code are amended and R 408.15812 is added, as follows:

PART 58. AERIAL WORK PLATFORMS

R 408.15801 Scope.

Rule 5801. (1) This standard applies to the construction, operation, maintenance, and inspection of aerial work platforms with either manual or powered mobility. These rules do not apply to construction operations as defined by 1974 PA 154, MCL 408.1001 to MCL 408.1094.

(2) Fire fighting equipment are not included in these rules, but are provided for in General Industry Safety Standard Part 74 "Fire Fighting," as referenced in R 408.15812.

(3) Powered industrial trucks are not included in these rules, but are provided for in General Industry Safety and Health Standard Part 21 "Powered Industrial Trucks," as referenced in R 408.15812.

R 408.15802 Equipment covered.

Rule 5802. These rules apply to equipment that has a primary function of elevating personnel, together with their tools and necessary materials, on a platform, which is mechanically positioned. The units covered are described by the following American National Standards Institute Standards:

(a) ANSI standard A92.2 2001 edition, "Vehicle-Mounted Elevating and Rotating Aerial Devices," which is adopted by reference in R 408.15810. This standard applies to vehicle-mounted devices installed on commercial chassis and covers the following type of units: See Figure 1.

(i) Extensible boom aerial devices.

(ii) Aerial ladders.

(iii) Articulating boom aerial devices.

(iv) Vertical towers.

(v) A combination of any of the equipment specified in paragraphs (i) to (iv) of this subdivision.

(b) ANSI standard A92.3 2006 edition, "Manually Propelled Elevating Aerial Platforms", which is adopted by reference in R 408.15810. This standard applies to work platforms that are manually propelled, that are vertically adjustable by manual or powered means, and that may be towed or manually moved horizontally on wheels or casters that are an integral part of the work platform base. See Figure 2.

(c) ANSI standard A92.5 2006 edition, "Boom-Supported Elevating Work Platforms", which is adopted by reference in R 408.15810. This standard applies to all integral frame, boom-supported elevating work platforms which telescope, articulate, rotate, or extend beyond the base dimensions. See Figure 3.

(d) ANSI standard A92.6 1999 edition, "Self-Propelled Elevating Work Platforms," which is adopted by reference in R 408.15810. This standard applies to self-propelled vertically adjustable integral chassis work platforms. Such work platforms are power operated with primary controls for all movement operated from the platform. See Figure 4.

R 408.15803 Definitions; A to I.

Rule 5803. (1) "Aerial device" or "aerial work platform" means an entire device that is designed and manufactured to raise personnel to an elevated work position on a platform supported by scissors, masts, or booms; or any vehicle-mounted device, telescoping or articulating or both, that is used to position an employee.

(2) "Aerial ladder" means an aerial device consisting of a single- or multiple-section extensible ladder.

(3) "Articulating boom platform" means an aerial device with 2 or more hinged boom sections.

(4) "Authorized person" means a person who is approved and assigned to perform specific types of duties by the employer and who is qualified to perform those duties because of his or her training or experience.

(5) "Commercial chassis" means a vehicle that is built for over-the-road or roadway travel.

(6) "Exposed power line" means a power line that is not isolated or guarded.

(7) "Extensible boom platform" means an aerial device, except ladders, with a telescopic or extensible boom. A telescopic derrick with a personnel platform attachment shall be considered to be an extensible boom platform when used with a personnel platform.

(8) "Insulated aerial device" means an aerial device designed for work on or near energized lines and apparatus.

R 408.15804 Definitions M to Q.

Rule 5804. (1) "Mechanically positioned" means that the elevating assembly, whether a mechanical, cable or chain, hydraulic, pneumatic, electric or other powered mechanism, is used to raise or lower the platform.

(2) "Mobile unit" means a combination of an aerial device, vehicle and related equipment.

(3) "Override" means to transfer or to take away platform control functions by another station.

(4) "Personal fall arrest system" means a system used to arrest an employee in a fall from a walking-working surface. It consists of a body harness, anchorage, and connector. The means of connection may include a lanyard, deceleration device, lifeline, or a suitable combination of these.

(5) "Platform" means the portion of an aerial work platform, such as a bucket, basket, stand, cage, or the equivalent, that is designed to be occupied by personnel.

(6) "Power line" means a distribution or transmission electrical line.

(7) "Qualified line clearance tree trimmer" means an employee trained to work in proximity of energized power transmission and distribution lines. An employee in a training program is included in this definition.

(8) "Qualified lineman" means an employee trained and authorized to work on or near energized lines. An employee in a training program is included in this definition.

(9) "Qualified person" means a person who possesses a recognized degree, certificate, professional standing, or skill and who, by knowledge, training, and experience, has demonstrated the ability to deal with problems relating to the subject matter, the work, or the project.

(10) "Qualified telecommunications employee" means an employee trained to work on communication lines in the proximity of energized power transmission and distribution lines.

R 408.15805 Definitions; S to Y.

Rule 5805. (1) "Safety factor" means the ratio of the braking strength of a piece of material or object to maximum designed load or stress applied when in use.

(2) "Travel restraint system" means a combination of an anchorage, anchorage connector, lanyard, or other means of connection, and body support that an employer uses to eliminate the possibility of an employee going over the edge of a walking-working surface.

(3) "Vehicle" means any carrier that is not manually propelled.

(4) "Vehicle-mounted elevating and rotating work platform" means an aerial device or aerial work platform.

(5) "Vertical tower" means an aerial device designed to elevate a platform in a substantially vertical axis on a level surface.

(6) "Yield point" means the point where material begins to take a permanent deformation.

R 408.15810 Adopted standards.

Rule 5810. (1) The standards specified in this rule, are adopted by reference.

(2) The following ANSI standards are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at web-site: <http://global.ihs.com>; at a cost, as of the time of adoption of these rules, as stated in this subrule:

(a) ANSI A92.2, "Standard for Vehicle-Mounted Elevating and Rotating Work Platforms," 1969 edition. Cost: \$20.00.

(b) ANSI A92.3, "Manually Propelled Elevating Aerial Platforms", 2006 edition. Cost: \$68.00.

(c) ANSI A92.5, "Boom-Supported Elevating Work Platforms", 2006 edition. Cost: \$68.00.

(3) The following ANSI standards are available from the Scaffold and Access Industry Association, 400 W. Admiral Blvd., Kansas City, Missouri, 64106, USA, telephone number: 1-816-595-4860 or via the internet at website: www.shop.saiaonline.org; at a cost, as of the time of adoption of these rules, as stated in this subrule:

(a) ANSI A92.2, "Vehicle-Mounted Elevating and Rotating Aerial Devices," 2001 edition. Cost: \$45.00.

(b) ANSI A92.3, "Manually Propelled Elevating Work Platforms", 1990 edition. Cost: \$45.00.

(c) ANSI A92.5, "Boom-Supported Elevating Work Platforms", 1992 edition. Cost: \$45.00.

(d) ANSI A92.6, "Self-Propelled Elevating Work Platforms," 1999 edition. Cost: \$45.00.

(4) The "Manual on Uniform Traffic Control Devices, Part 6: Temporary Traffic Control," 2011 Michigan/2009 Federal Edition is available at no cost from the Michigan Department of Transportation via the Internet at website: www.michigan.gov/mdot. The entire 2011 Michigan Manual on Uniform Traffic Control Devices (MMUTCD) may be purchased from the Michigan Department of Transportation, Cashiers Office, P.O. Box 30648, Lansing, Michigan 48909-8148; (517) 322-1676; at a cost of \$145.00 as of the time of adoption of these rules.

(5) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(6) The standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20 for shipping and handling.

R 408.15812 Availability of MIOSHA referenced standards.

Rule 5812. The following Michigan Occupational Safety and Health Administrative (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety Standard Part 22 “Signals, Signs, Tags, and Barricades,” R 408.42201 to R 408.42243.

(b) General Industry Safety and Health Standard Part 21 “Powered Industrial Trucks,” R 408.12101 to R 408.12193.

(c) General Industry Safety and Health Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398.

(d) General Industry Safety Standard Part 53 “Tree Trimming and Removal,” R 408.15301 to R 408.15363.

(e) General Industry Safety Standard Part 74 “Fire Fighting,” R 408.17401 to R 408.17464.

R 408.15815 Training; permits.

Rule 5815. (1) An employer shall provide each employee who will operate the aerial work platform with instruction and training regarding the equipment before a permit is issued or reissued. Such instruction and training shall include the following:

(a) Instruction by a qualified person in the intended purpose and function of each of the controls.

(b) Training by a qualified person or reading and understanding the manufacturer’s or owner’s operating instructions and safety rules.

(c) Understanding by reading or by having a qualified person explain, all decals, warnings, and instructions displayed on the aerial work platform.

(d) Reading and understanding the provisions of this subrule and subrules (1) to (9) of this rule or be trained by a qualified person on their content.

(2) An employer shall provide the operator of an aerial work platform with an aerial work platform permit.

(3) The requirements of subrule (1)(a), (b), (c), and (d) of this rule shall be met before an employee is issued a permit.

(4) A permit shall be carried by the operator or be available at the job site/work place and shall be displayed upon request by a department of licensing and regulatory affairs representative.

(5) A permit shall indicate the type of aerial work platforms an operator has been trained on and is qualified to operate.

(6) A permit to operate an aerial work platform is valid only when performing work for the employer who issued the permit. A permit shall be issued for a period of not more than 3 years.

(7) A permit shall contain all of the following information (see sample permit):

(a) Firm name.

- (b) Operator’s name.
- (c) Name of issuing authority, same as ‘Authorized by.’
- (d) The following are types of aerial work platforms the operator is authorized to operate:
 - (i) Vehicle-mounted elevating work platform such as:
 - (1) Extensible boom aerial devices.
 - (2) Aerial ladders.
 - (3) Articulating boom aerial devices.
 - (4) Vertical towers.
 - (ii) Manually propelled elevating work platforms.
 - (iii) Boom-supported elevating work platforms.
 - (iv) Self-propelled elevating work platforms.
- (e) Date issued.
- (f) Expiration date.
- (8) The following is a sample permit:

SAMPLE PERMIT			
AERIAL WORK PLATFORM PERMIT			
<hr/> (Firm Name)			
<hr/> (Name)			
Type of aerial work platform authorized to operate:			
Date Issued	Type	Authorized by	Expiration Date

(9) The manufacturer’s operating instructions and safety rules shall be provided and maintained in a legible manner on each unit by the employer.

R 408.15817 Preoperational procedures; platform inspections.

Rule 5817. (1) The employer shall ensure before the commencement of operations near power lines and when the clearances cannot be maintained as specified in Tables 1-3, that the owner, owner representative, or utility are notified with all pertinent information about the job.

(2) Any overhead wire shall be considered to be an energized line until the owner of the line, his or her authorized representative, or a utility representative assures either of the following:

- (a) The line is de-energized and has been visibly grounded.
- (b) The line is insulated for the system voltages and the task will not compromise the insulation of the conductor and/or cause an electrical hazard.

Compiler’s Note: R 408.15817 is not being revised. This rule is included in the proposed rule set to show the correct rule catch line. The current catch line has unnecessary formatting that is being deleted.

R 408.15825 Controls.

Rule 5825. (1) All of the following information shall be clearly marked in a permanent manner on each aerial work platform:

- (a) Special workings, cautions, or restrictions necessary for operation.
- (b) Rated work load.
- (c) A clear statement if the aerial work platform is electrically insulated.
- (2) Directional controls shall be in compliance with all of the following provisions:
 - (a) Be of the type that will automatically return to the off or neutral position when released.
 - (b) Be protected against inadvertent operation.
 - (c) Be clearly marked as to their intended function.
- (3) An overriding control shall be provided in the platform which must be continuously activated for platform directional controls to be operational and which automatically returns to the off position when released.
- (4) Articulating, extensible boom platforms, or both, primarily designed as personnel carriers, shall be equipped with both upper and lower controls.
- (5) Upper controls shall be located within reach of the operator.
- (6) Aerial work platforms shall be equipped with emergency controls at ground level.
- (7) Emergency ground level controls shall be clearly marked as to their intended function and be capable of overriding the platform controls.
- (8) Attachment points shall be provided for fall protection devices for personnel who occupy the platform on aerial work platforms described in R 408.15802 (a) and (c). See Figures 1 and 3.

Compiler’s Note: R 408.15825 is being revised. In addition, the proposed rule set is correcting the rule catch line. The current catch line has unnecessary formatting that is being deleted.

R 408.15831 Insulated aerial device testing.

Rule 5831. If the aerial work platform is rated and used as an insulated aerial device, an employer shall test the electrical insulating components for compliance with the rating of the aerial work platform in accordance with ANSI standard A92.2 2001 edition “Vehicle-Mounted Elevating and Rotating Aerial Devices,” as adopted in R 408.15810. Testing shall comply with all of the following provisions:

- (a) The test shall be performed not less than annually.
- (b) Written, dated, and signed test reports shall be made available by the employer for examination by a department representative.
- (c) The insulated portion of an aerial device shall not be altered in any manner that might reduce its insulating value.

Compiler’s Note: R 408.15831 is being revised. In addition, the proposed rule set is correcting the rule catch line. The current catch line has unnecessary formatting that is being deleted.

R 408.15832. Electrical hazards.

Rule 5832. (1) The employer shall ensure that an aerial work platform shall be operated so that the distances from energized power lines and equipment prescribed in Table 1 are maintained, except for the following:

- (a) As prescribed in subrule (2) of this rule addressing tree trimming.
- (b) As prescribed in subrule (3) of this rule addressing telecommunications.
- (c) Where insulating barriers are not a part of or an attachment to the aerial device that has been erected to prevent physical contact with the lines.

(2) A qualified lineman or a qualified line clearance tree trimmer, as prescribed in General Industry Safety Standard Part 53 "Tree Trimming and Removal" as referenced in R 408.15812, shall maintain distances as prescribed in Table 2 when performing work from an aerial work platform on or near an exposed power line unless any of the following conditions exist:

(a) The employee is insulated or guarded from the energized part by gloves or gloves and sleeves, as provided for and prescribed in General Industry Safety and Health Standard Part 33 "Personal Protective Equipment," as referenced in R 408.15812.

(b) The employee is insulated, isolated, or guarded from any other conductive part.

(c) The energized part is insulated from the employee.

(3) A qualified telecommunications employee shall maintain the distances prescribed in Table 3 when working from an aerial lift, unless the employee is insulated, isolated, or guarded from any other conductive part or the energized part is insulated from the employee.

(4) Employees shall use insulated bucket, gloves, and sleeves that are rated at more than the voltage to be worked on or that with which they might come into contact, to comply with subrules (2) and (3) of this rule.

(5) The clearances, as prescribed in Tables 1-3, do not apply when the owner of the line or his or her authorized representative, or a utility representative assures that the conductor is insulated for the system voltages and the task will not compromise the insulation of the conductor and/or cause an electrical hazard.

(6) Tables 1, 2, and 3 read as follows:

Table 1 Minimum Clearance Distances for Equipment		
Voltage	Clearance With Boom Raised	Clearance Boom Lowered and No Load in Transit
To 50 kV	10 feet	4 feet
Over 50 kV	10 feet + .4 inch per each 1 kV over 50 kV	10 feet
50 to 345 kV	--	10 feet
346 to 750 kV	--	15 feet

Table 2 Minimum Working Distances for Qualified Line-Clearance Tree Trimmers and Qualified Linemen	
Voltage Range (kilovolts) Phase to Phase	Minimum Working Distance
2.1 to 15.0	2 feet 0 inches (61 cm)
15.1 to 35.0	2 feet 4 inches (71 cm)
35.1 to 46.0	2 feet 6 inches (76 cm)
46.1 to 72.5	3 feet 0 inches (91 cm)
72.6 to 121.0	3 feet 4 inches (102 cm)
138.0 to 145.0	3 feet 6 inches (107 cm)
161.0 to 169.0	3 feet 8 inches (112 cm)
230.0 to 242.0	5 feet 0 inches (152 cm)
345.0 to 362.0	*7 feet 0 inches (213 cm)
550.0 to 552.0	*11 feet 0 inches (335 cm)
700.0 to 765.0	*15 feet 0 inches (457 cm)
*Note: For 345-362 kV., 500-552 kV., and 700-765 kV., the minimum working distance and the minimum clear hot stick distance may be reduced that such distances are not less than the shortest distance between the energized part and a grounded surface.	

Table 3 Minimum Approach Distances for Qualified Telecommunications Employees	
Voltage Range (Nominal Phase to Phase)	Minimum Approach Distances
300 V and less	1 foot - 0 inches (30.5 cm)
Over 300 V, not over 750 V	1 foot - 6 inches (46 cm)
Over 750 V, not over 2 kV	2 feet - 0 inches (61 cm)
Over 2 kV, not over 15 kV	3 feet - 0 inches (91 cm)
Over 15 kV, not over 37 kV	3 feet – 6 inches (107 cm)
Over 37 kV, not over 87.5 kV	4 feet – 0 inches (122 cm)
Over 87.5 kV, not over 121 kV	4 feet – 6 inches (137 cm)
Over 121 kV, not over 140 kV	--

R 408.15833 Vehicles; traffic control.

Rule 5833. (1) Before moving a vehicle supporting an aerial ladder for highway travel, employees shall secure ladders in the lower position, and shall use the manually operated device at the base of the ladder, or other effective means to prevent elevation or rotation of the ladder.

(2) Before moving a vehicle supporting an aerial lift for travel, employees shall inspect the boom to ensure that it is properly cradled and the outriggers are in the stowed position, except as provided in subrule (3) of this rule.

(3) When a boom is elevated with employees in working position, the vehicle supporting an aerial device shall not be moved unless the equipment is specifically designed for this type of operation and meets the requirements of R 408.15821.

(4) An employer shall ensure that operators of an aerial work platform over or adjacent to any public or private roadway maintain adequate clearances of all portions of the aerial work platform to prevent being struck by vehicular traffic.

(5) When aerial work platforms are in use, all traffic control requirements shall be in compliance with Part 6 of the 2011 Michigan Manual on Uniform Traffic Control Devices (MMUTCD), as adopted in R 408.15810, and Construction Safety Standard Part 22 "Signals, Signs, Tags, and Barricades," as referenced in R 408.15812.

Compiler's Note: R 408.15833 is being revised. In addition, the proposed rule set is correcting the rule catch line. The current catch line has unnecessary formatting that is being deleted.

R 408.15836 Fall protection.

Rule 5836. (1) An employer shall ensure that a personal fall arrest or travel restraint system that meets the requirements in General Industry Safety and Health Standard Part 33 "Personal Protective Equipment," as referenced in R 408.15812, shall be worn and attached to the boom or basket when working from an aerial lift.

(2) Any occupant of an aerial work platform described in R 408.15802(a) and (c) and Figures 1 and 3 shall use a personal fall arrest system. A personal fall arrest system shall only be used where the aerial lift is designed to withstand the vertical and lateral loads caused by an arrested fall.

(3) An employee may use a body support with a lanyard, or other means of connection, and the anchorage connector and anchorage arranged so that the employee is not exposed to any fall distance. An employee is required to use a travel restraint system where the aerial lift cannot withstand the vertical and lateral loads imposed by an arrested fall.

(4) An employee shall be prohibited from belting off to an adjacent pole, structure, or equipment while working from an aerial work platform.

(5) An employer shall not allow employees to exit an elevated aerial work platform, except where elevated work areas are inaccessible or hazardous to reach. Employees may exit the platform with the knowledge and consent of the employer. When employees exit to unguarded work areas, fall protection shall be provided and used as prescribed in General Industry Safety and Health Standard Part 33 "Personal Protective Equipment," as referenced in R 408.15812.

Compiler's Note: R 408.15836 is being revised. In addition, the proposed rule set is correcting the rule catch line. The current catch line has unnecessary formatting that is being deleted.

R 408.15839 Operating procedures.

Rule 5839. (1) The aerial work platform shall be used only in accordance with the manufacturers or owners operating instructions and safety rules.

(2) The designed rated capacity for a given angle of elevation shall not be exceeded.

(3) The guardrail system of the platform shall not be used to support any of the following:

(a) Materials.

(b) Other work platforms.

(c) Employees.

(4) Employees shall maintain firm footing on the platform while working on the platform. The use of railings, planks, ladders, or any other devices on the platform for achieving additional height is prohibited.

(5) Only aerial work platforms that are equipped with a manufacturer's installed platform controls for horizontal movement shall be moved while in the elevated position.

(6) Before and during driving while elevated, an operator of a platform shall do both of the following:

(a) Look in the direction of, and keep a clear view of, the path of travel and make sure that the path is firm and level.

(b) Maintain a safe distance from all of the following:

(i) Obstacles.

(ii) Debris.

(iii) Drop-offs.

(iv) Holes.

(v) Depressions.

(vi) Ramps.

(vii) Overhead obstructions.

(viii) Overhead electrical lines.

(ix) Other hazards to safe elevated travel.

(7) Outriggers or stabilizers, when provided, are to be used in accordance with the manufacturer's instruction. Brakes shall be set and outriggers and stabilizers shall be positioned on pads or a solid surface.

(8) Aerial work platforms shall be elevated only when on a firm and level surface or within the slope limits allowed by the manufacturer's instructions.

(9) A vehicle-mounted aerial work platform, see Figure 1, shall have its brakes set before elevating the platform.

(10) A vehicle-mounted aerial work platform, see Figure 1, shall have wheel chocks installed before using the unit on an incline.

(11) Climbers shall not be worn while working from an aerial device unless gaff guards are provided.

(12) Platform gates shall be closed while the platform is in an elevated position.

(13) Altering, modifying, or disabling safety devices or interlocks is prohibited.

(14) Stunt driving and horseplay are prohibited.

Compiler's Note: R 408.15839 is being revised. In addition, the proposed rule set is correcting the rule catch line. The current catch line has unnecessary formatting that is being deleted.

R 408.15842 Figures.

Rule 5840. Figures 1, 2, 3, and 4 are as follows:

Figure 1

Vehicle-Mounted Elevating Work Platform

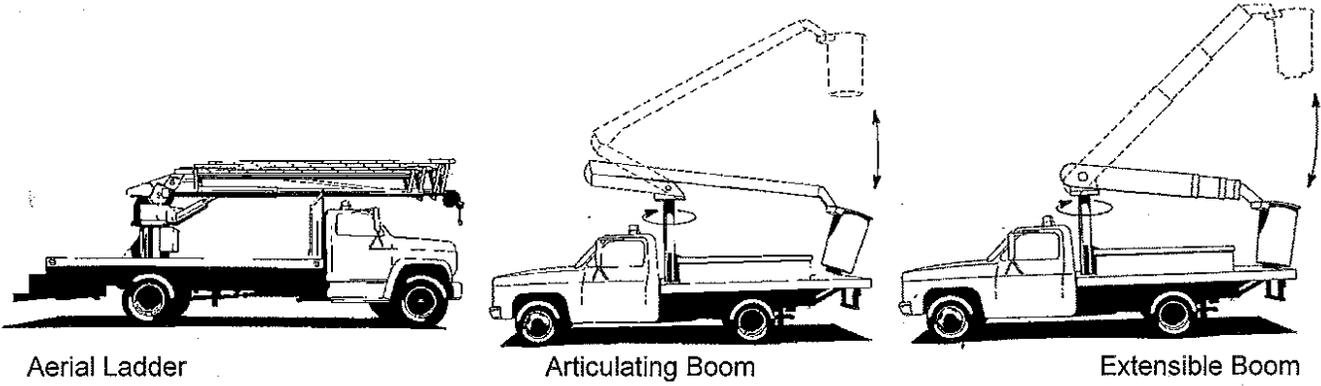


Figure 2
Manually Propelled Elevating Work Platform

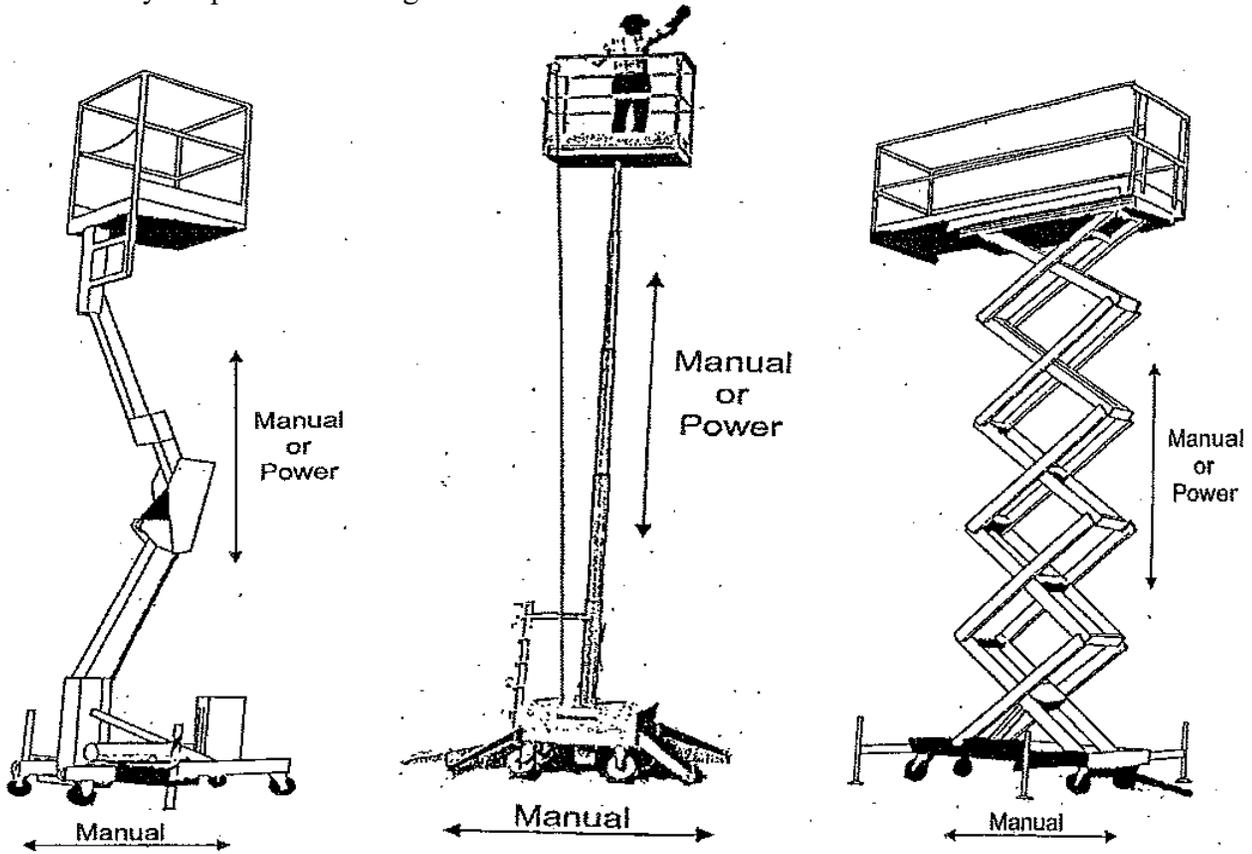


Figure 3
Boom-Supported Elevating Work Platform

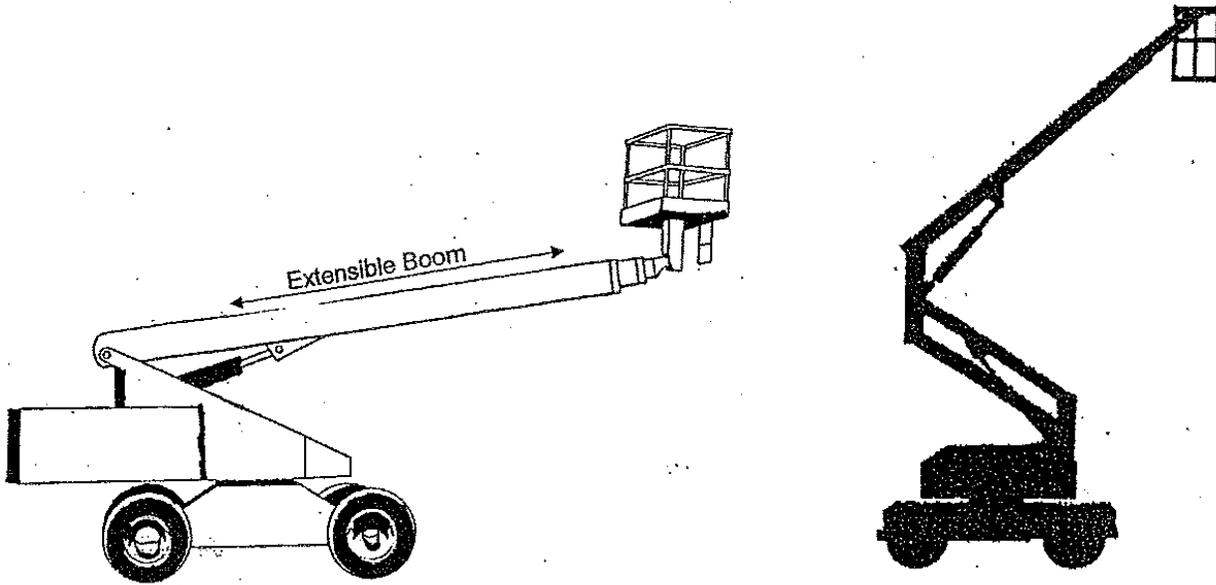
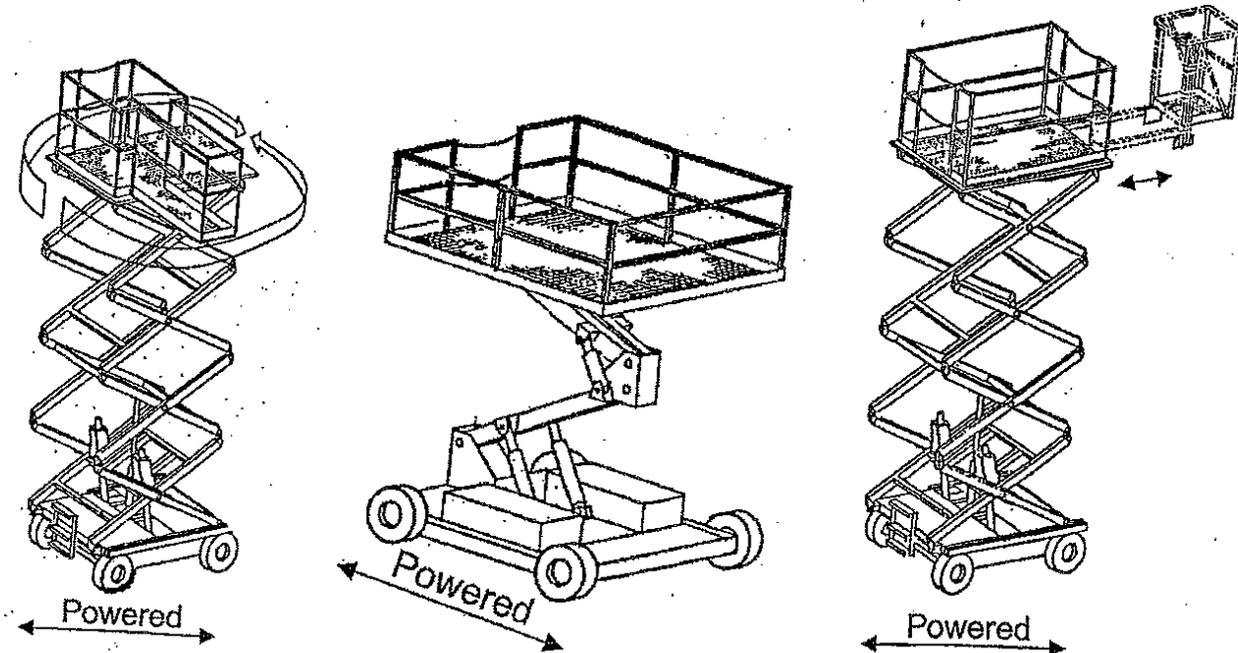


Figure 4
Self-Propelled Elevating Work Platform



ADMINISTRATIVE RULES

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

INSURANCE

PETITION REQUESTING PROMULGATION, AMENDMENT, OR RESCISSION OF RULES

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority of 1952 PA 197, MCL S24.101 to 24.110.)

R 501.351, R 501.352, R 501.353 and R 501.354 of the Michigan Administrative Code are rescinded as follows:

R 501.351 Rescinded.

R 501.352 Rescinded.

R 501.353 Rescinded.

R 501.354 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

INSURANCE

PROCEDURES FOR INFORMAL MANAGERIAL-LEVEL CONFERENCES AND REVIEW BY
COMMISSIONER OF INSURANCE

Filed with the Secretary of State on April 3, 2018

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the commissioner of insurance by section 33 of Act No. 306 of the Public Acts of 1969, as amended, and section 404 of Act No. 350 of the Public Acts of 1980, as amended, being SS24.233 and 550.1404 of the Michigan Compiled Laws)

R 550.101, R 550.102, R 550.103, R 550.104, R 550.105, R 550.106, R 550.107, and R 550.108 of the Michigan Administrative Code are rescinded as follows:

R 550.101 Rescinded.

R 550.102 Rescinded.

R 550.103 Rescinded.

R 550.104 Rescinded.

R 550.105 Rescinded.

R 550.106 Rescinded.

R 550.107 Rescinded.

R 550.108 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

INSURANCE

CERTIFICATES - DISCRETIONARY CLAUSES

Filed with the Secretary of State on April 3, 2018

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the commissioner of the office of financial and insurance services by sections 422 and 617 of the nonprofit health care corporation reform act, 1980 PA 350, 1969 PA 306, and E.R.O. No 2003-1; MCL 550.1422, MCL 550.1617, MCL 24.231 to MCL 24.233, and MCL 445.2011)

R 550.111 and R 550.112 of the Michigan Administrative Code are rescinded as follows:

R 550.111 Rescinded.

R 550.112 Rescinded.

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

MCL 24.242(3) states in part:

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

MCL 24.208 states in part:

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

* * *

(d) Proposed administrative rules.

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

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

PUBLIC SERVICE COMMISSION

CONSUMER STANDARDS AND BILLING PRACTICES

FOR ELECTRIC AND NATURAL GAS SERVICE

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45(a)(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the public service commission by section 7 of 1909 PA 106, section 2 of 1909 PA 300, section 5 of 1919 PA 419, sections 4 and 6 of 1939 PA 3, and sections 3, 9, and 231 of 1965 PA 380, MCL 460.557, MCL 460.55, MCL 460.4, MCL 460.6, MCL 462.2(12), MCL 16.103, MCL 16.109, MCL 16.331, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, MCL 445.2011, MCL 445.2025, and MCL 445.2030.)

R 460.137 and R 460.155 of the Michigan Administrative Code are amended as follows:

R 460.137 Shutoff or denial of service permitted.

Rule 37. (1) Subject to the requirements of these rules, a utility may shut off or deny service to a customer for any of the following reasons:

- (a) The customer has not paid a delinquent account that accrued within the last 6 years.
- (b) The customer has failed to provide a deposit or guarantee permitted by these rules.
- (c) The customer has engaged in unauthorized use of utility service or unauthorized use of equipment furnished and owned by the utility occurs, including obtaining the use of equipment by submitting an application containing false information.
- (d) The customer has refused to arrange access at reasonable times for the purpose of inspection, meter reading, maintenance, or replacement of equipment that is installed upon the premises, or for the removal of a meter.
- (e) An occupant who has used electricity or natural gas has failed to establish service in conformance with these rules.
- (f) The customer has failed to comply with the terms and conditions of a payment plan or settlement agreement.
- (g) For violation of, or noncompliance with, the utility's rules on file with, and approved, by the commission.

(2) Residential customers may also be shut off or denied service for either or both of the following reasons:

- (a) The customer misrepresented his or her identity for the purpose of obtaining utility service or put service in another person's name without permission of the other person.
- (b) An individual living in the customer's residence meets both of the following:

(i) Has a delinquent account for service with the utility within the past 3 years that remains unpaid and is not in dispute.

(ii) The individual lived in the customer's residence when all or part of the debt was incurred. The utility may transfer a prorated amount of the debt to the customer's account, based upon the length of time that the individual resided at the customer's residence. This paragraph does not apply if the individual was a minor while living in the customer's residence.

(c) The customer has failed, for 3 consecutive billing cycles, to pay the per-meter charge for an energy project, as defined in section 201 of the clean and renewable energy and energy waste reduction act, MCL 460.1201, that is part of a commission-approved residential energy projects program, as described in section 203(2) of the act, MCL 460.1203(2).

(3) Nonresidential customers may also be shut off or denied service for either of the following reasons:

(a) Failure of the customer to fulfill his or her contractual obligations for service or facilities that are subject to regulation by the commission.

(b) Nonpayment of unpaid balances on any other nonresidential account incurred by the customer under a different account name by the customer's predecessor in interest, or by any other entity, the debt of which the customer is legally obligated to assume.

R 460.155 Customer hearing and hearing officers for residential and small nonresidential customers.

Rule 55. (1) If the parties are unable to resolve the dispute, the utility shall offer the customer the opportunity for a customer hearing before a hearing officer selected from a list of hearing officers filed with the commission.

(2) If the customer requests a customer hearing with the utility or with the commission regulation officer, the utility shall place a hold on any action to shut off or suspend service until 1 of the following occurs:

(a) The customer fails to complete his or her responsibilities required for a customer hearing.

(b) The customer withdraws the request.

(c) The utility and the customer settle the dispute.

(d) The customer hearing officer issues a decision finding that shut off or suspension of service is appropriate.

(3) The utility shall accept notification from a regulation officer of a customer's request for a customer hearing.

(4) If the parties are unable to resolve the dispute, the utility shall offer the customer the opportunity for **a customer hearing** before a hearing officer selected from a list of hearing officers filed with the commission.

(5) If the customer chooses to have a customer hearing, the customer shall do both of the following:

(a) Notify the utility within 5 business days of the utility's offer for a hearing.

(b) Pay the amount not in dispute, or if the utility and customer cannot agree, pay 50% of the disputed amount not to exceed \$100.00.

(6) If the customer notifies the utility of the intent to pursue **a customer hearing**, then the utility shall do all of the following:

(a) Complete the necessary investigation.

(b) Schedule the hearing within 10 business days of the customer's request for a hearing.

(c) Hold the hearing within 45 business days of the customer's request for a hearing.

(7) If the customer fails to pay the part of the bill that is determined under subrule (5)(b) of this rule within 15 business days of the date that the utility sends the hearing notice, the utility may exercise its right to shut off service pursuant to these rules.

(8) A utility shall select hearing officers who meet all of the following requirements:

(a) ~~They are~~ **Are** on the list of hearing officers on file with the commission.

(b) ~~They are~~ **Are** notaries public who are qualified to administer oaths.

(c) ~~They are~~ **Are** not a past or present employee of the utility, and they are not engaged in or have not been engaged in any other activities that would cause bias or lack of objectivity.

(d) ~~They comply~~ **Comply** with part 10 of these rules, R 460.154 to R 460.159.

(9) In January of each year, utilities shall provide to the commission's executive secretary the name or names of selected hearing officers and update those lists as necessary. Upon notice to the commission, a hearing officer, other than those on the list, may be used subject to the requirements specified in subrule (8) of this rule. Upon request, utilities shall provide the resume of a hearing officer to the commission or any party participating in a customer hearing.

(10) If the dispute is ultimately resolved, in whole or in part, in favor of the customer, the utility shall return promptly any excess amount paid by the customer, with interest at the rate specified pursuant to R 460.111(8).

NOTICE OF PUBLIC HEARING

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION**

**NOTICE OF HEARING
REGARDING THE ADOPTION OF ADMINISTRATIVE RULES
GOVERNING CONSUMER STANDARDS AND BILLING PRACTICES FOR ELECTRIC AND
NATURAL GAS SERVICE
CASE NO. U-20152; ORR #2018-001LR**

- The Michigan Public Service Commission is considering the adoption of amended rules governing consumer standards and billing practices for electric and natural gas service, which will be located at R 460.101 to R 460.169. The Commission will hold a public hearing to solicit comments from anyone who wishes to comment on the proposed rules.
- The information below describes how a person may participate in this case.
- You may contact the Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909, (800) 292-9555 for a free copy of the proposed rules. Any person may review the rules on the Commission’s E-Docket Website at michigan.gov/mpscedockets. The rules will be published in the May 1, 2018 issue of the Michigan Register under ORR #2018-001 LR, and may be accessed at the ORR website, www.michigan.gov/orr, under “Pending Rule Changes.”
- The public hearing will be held:

DATE: May 9, 2018

TIME: 9:30 a.m.

LOCATION: 7109 W. Saginaw Hwy.
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. People needing any accommodation to participate should contact the Commission’s Executive Secretary at (517) 284-8090 at least a week in advance to request mobility, visual, hearing or other assistance.

This is a proposal to adopt rules that will govern consumer standards and billing practices for electric and natural gas service. The hearing will be for the purpose of providing an opportunity for all interested persons to present statements, views, data, questions, or arguments concerning the proposed rules. The public hearing will continue until all parties present have had a reasonable opportunity to present statements regarding the proposed rules. Persons presenting statements may be asked questions by the Commission and its Staff, as well as by the presiding officer. Statements may be limited in

duration by the presiding officer in order to ensure that all interested parties have an opportunity to participate in the proceedings.

Written and electronic comments may be filed with the Commission and must be received no later than 5:00 p.m. on May 30, 2018. Written comments should be sent to the: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be e-mailed to mpscedockets@michigan.gov. If you require assistance, contact Commission staff at (517) 284-8090 or by e-mail at mpscedockets@michigan.gov. All information submitted to the Commission in this matter will become public information available on the Commission's website and subject to disclosure. All comments should reference Case No. U-20152. Please do not include information you wish to remain private.

Jurisdiction is pursuant to section 7 of 1909 PA 106, section 2 of 1909 PA 300, section 5 of 1919 PA 419, sections 4 and 6 of 1939 PA 3, and sections 3, 9, and 231 of 1965 PA 380, MCL 460.557, MCL 460.55, MCL 460.4, MCL 460.6, MCL 462.2(12), MCL 16.103, MCL 16.109, and MCL 16.331.

April 18, 2018
Lansing, Michigan

**EXECUTIVE ORDERS
AND
EXECUTIVE REORGANIZATION ORDERS**

MCL 24.208 states in part:

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

(a) Executive orders and executive reorganization orders.”

EXECUTIVE ORDERS

**EXECUTIVE ORDER
No. 2018 - 4**

STATE EMERGENCY MEDICAL SERVICES COORDINATING COMMITTEE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch of in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the constitution; and

WHEREAS, emergency medical services are a critical component of public health and safety in Michigan; and

WHEREAS, the provision of emergency medical services has become increasingly integrated with other comprehensive systems of care; and

WHEREAS, rural areas in Michigan present unique challenges for the provision of emergency medical services because of the wide dispersal of patients and the heavy reliance on volunteer emergency medical technicians; and

WHEREAS, the State Emergency Medical Services Coordinating Committee (the “Coordinating Committee”) within the Department of Health and Human Services (the “Department”), see MCL 333.20915 & MCL 333.20916, plays a vital role in coordinating the exchange of information on emergency medical services and advising the Department on all matters involving the provision of emergency medical services in Michigan; and

WHEREAS, changes to the composition of the Coordinating Committee are necessary for efficient administration and to ensure that the Department continues to have access to subject-matter expertise from a well-rounded Coordinating Committee that will continue to fully support the evolution of emergency medical services in Michigan;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. STATE EMERGENCY MEDICAL SERVICES COORDINATING COMMITTEE

A. In addition the voting members of the Coordinating Committee appointed by the director of the Department pursuant to MCL 333.20915(1), the Coordinating Committee shall also include the following six voting members appointed by the director of the Department to three-years terms:

1. The State 9-1-1 Administrator;
2. One individual representing the law enforcement community;
3. One representative nominated by the Michigan Center for Rural Health;
4. One representative nominated by the Michigan Emergency Nurses Association Executive Board;
5. One representative nominated by the Michigan Office of Highway Safety Planning; and
6. One representative nominated by the Michigan Pharmacy Association.

B. In addition to the ex officio members serving on the Coordinating Committee pursuant to MCL 333.20915(2), the Coordinating Committee shall also include one representative of the Department, appointed by the director of the Department, serving as an ex officio member without the right to vote.

C. After the director of the Department makes new appointments under subsections (1)(a), (1)(b), (1)(c), (1)(d), (1)(e), (1)(f), and (1)(i) of MCL 333.20915, at least one representative from each of the organizations identified must be associated with a county having a population of not more than 50,000.

D. At least one voting member of the Coordinating Committee shall be from a city with a population of not less than 500,000.

II. MISCELLANEOUS

A. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order shall not abate by reason of the taking effect of this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, this Order shall be effective 60 days after the filing of this Order.

Given under my hand and the Great Seal of
the state of Michigan this _____ day of
April, in the Year of our Lord Two
Thousand Eighteen

RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE

EXECUTIVE ORDERS

**EXECUTIVE ORDER
No. 2018 - 5
CREATION OF THE SCHOOL SAFETY TASK FORCE
DEPARTMENT OF STATE POLICE**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the constitution; and

WHEREAS, a safe school environment is paramount to the health and well-being of Michigan's students and school personnel; and

WHEREAS, residents expect state and local government to provide safe and effective tools for increased safety, crisis training, collaborative support, and timely response in schools; and

WHEREAS, outdated school building infrastructure represents potential vulnerabilities to the safety of students and school personnel; and

WHEREAS, policy-makers, school administrators, law enforcement, students and parents continue to search for solutions to the problem of violence in schools; and

WHEREAS, it is important that the state of Michigan develop comprehensive, coordinated and effective recommendations for school safety to guide our understanding and prevention of violence in school settings; and

WHEREAS, these recommendations must be effective and collaborative at the local and state level to provide the preventative and responsive measures our schools need today and into the future for a safe and secure environment; and

WHEREAS, an ongoing and full assessment of the safety of Michigan's school infrastructure and policies is needed; and

WHEREAS, Michigan should look to experts and leaders from across the state who are committed to the safety of Michigan's children and school personnel to identify current practices and future needs; and

WHEREAS, input from discussions and meetings with students, parents, teachers, counselors, administrators, school safety personnel, law enforcement officials, mental health professionals, security specialists, and other related stakeholders will be critical to this process; and

WHEREAS, the School Safety Task Force will research, assess and advise in matters relating to the assessment and development recommendations to keep our schools safe and will be responsible for providing recommendations no later than November 30, 2018; and

WHEREAS, we must act now to ensure our system of schools, their structures, emergency, behavioral health, and safety policies are focused on student and personnel protection and well-being for the good of all residents and the vitality of the state;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. CREATION OF THE SCHOOL SAFETY TASK FORCE

A. The School Safety Task Force (the “Task Force”) is created as an advisory body within the Department of State Police.

B. The Governor shall appoint six (6) members to the Task Force, serving at the pleasure of the Governor as follows:

- One (1) member representing law enforcement;
- One (1) member representing behavioral and mental health;
- One (1) member representing teachers;
- One (1) member representing school administrators;
- One (1) member who is a parent; and
- One (1) member who is a high school student or recent high school graduate.

C. The Governor shall additionally appoint four (4) members to the Task Force as follows:

- One (1) member submitted by the Speaker of the House of Representatives;
- One (1) member submitted by the Minority Leader of the House of Representatives;
- One (1) member submitted by the Senate Majority Leader; and
- One (1) member submitted by the Senate Minority Leader.

D. In addition, the following three (3) department heads or their designees from within their respective departments or agencies shall be members:

- The Director of the Department of State Police who shall serve as chairperson of the Task Force;
- The Superintendent of Public Instruction; and
- The Director of the Department of Health and Human Services.

E. A vacancy on the Task Force shall be filled in the same manner as the original appointment.

F. The Task Force shall include individuals with a particular interest or expertise in education, public health, law enforcement, or emergency response.

II. CHARGE TO THE TASK FORCE

A. The Task Force shall act in an advisory capacity to the Governor, the Department of State Police, and the state of Michigan and shall do all of the following:

1. Analyze top performing states to determine how their law enforcement, school officials, and public health experts collaborate on providing preventative policies and services to create safe and secure learning environments for schools.
2. Based on this analysis of top performing states, identify the structural and policy recommendations for collaboration, planning, and regular assessment of school infrastructure and safety policies, including distinct geographic and demographic variances where appropriate.
3. Review and update Michigan's All-Hazards Emergency Operations Planning Guidance for Schools to account for lessons learned from recent violent incidents and best practices and create a comprehensive School Safety Plan to include behavioral health components.
4. Identify components for the creation of a positive recognition program for best practices in school safety to include assessment and auditing functions for school buildings. This program should include, at a minimum, recommendations for comprehensive school safety policies, the identification of a behavioral health assessment person or team of people, a mechanism for students to anonymously report suspicious behavior, and other policy components a safe school should have in place that include both the response to an emergency and the prevention of such emergencies, as well as recommendations for basic physical safety structures in school buildings, taking into account local funding mechanisms, and a structure for regular assessments of school buildings, plans, policies, and procedures for recognition.
5. Advise on the role of behavioral and mental health assessments in school safety plans and procedures, review and advise on the implementation of the Pathways to Potential program and other similar programs and provide recommendations on increasing the role and collaboration between school violence prevention and behavioral health in schools. Also advise on recommended methods and alternatives to current student disciplinary actions such as school expulsion or judicial intervention.
6. Develop a tiered school safety curriculum standard for those individuals acting in a School Resource Officer or similar role at any Michigan school. The curriculum should include a tiered approach for different levels of School Resource Officers serving in varying capacities, such as those that serve on a part-time basis, full-time basis, or those that carry weapons. Identify potential sources of training, including MCOLES, vocational schools or community colleges, as well as mechanisms for ongoing training, consistency and quality control, and length of certification.
7. Develop methods to incentivize and encourage joint evaluation and planning of school safety needs between law enforcement, school administrators, local public health, and other impacted stakeholders. In addition, identify mechanisms for state and local cooperation and collaboration to share best practices on planning, evaluations, and improvements for longer term planning with higher education institutions and state departments.

8. Provide other information or advice as directed by the Governor.
9. No later than November 30, 2018, complete its work and issue a final report to the Governor and legislature.
10. Recommendations that are finalized prior to November 30, 2018, are encouraged to be issued as they are completed.
11. Forty-five (45) days after issuance and submission of its final report, the Task Force shall be deemed to have completed its charges and is abolished.

III. OPERATIONS OF THE TASK FORCE

- A. The Task Force shall be staffed by personnel from and assisted by state departments and agencies as directed by the Governor's Office.
- B. The Task Force shall meet at the call of the Chairperson at a minimum of twice per month and as may be provided in procedures adopted by the Task Force. Meetings of the Task Force may be held anywhere within the state of Michigan.
- C. The Task Force may establish workgroups or committees assigning Task Force members to and inviting public participation on these workgroups or committees as the Task Force deems necessary.
- D. The Task Force shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.
- E. The Task Force shall conduct its business at public meetings in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. However, members of the Task Force may attend and participate in a meeting of the Task Force by the use of telecommunication or other electronic equipment if their attendance and participation by the use of telecommunication or other electronic equipment is authorized by the procedures of the Task Force and that meeting is otherwise conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.
- F. A writing prepared, owned, used, in the possession of, or retained by the Task Force in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.
- G. The Task Force may, as appropriate, make inquiries, studies, hold hearings, and receive comments from the public. The Task Force may consult with outside experts to perform its duties, including, but not limited to, experts in the private sector, government agencies, and the nonprofit sector.
- H. Members of the Task Force shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Michigan Civil Service Commission and the Department of Technology, Management and Budget, subject to available funding.

I. In accordance with applicable state contracting and procurement procedures, the Task Force may make or enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties, including the hiring or retention of contractors, consultants, or agents, as the Chairperson deems advisable and necessary.

J. The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state may give to the Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force or any member or representative of the Task Force, in the performance of the duties of the Task Force so far as is compatible with its, his, or her duties.

B. Nothing in this Executive Order shall be construed to diminish the constitutional authority of the State Board of Education pursuant to Section 3 of Article VIII of the Michigan Constitution of 1963, to provide leadership and general supervision over all public education, including adult education and instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees; to serve as the general planning and coordinating body for all public education, including higher education; and to advise the Legislature as to the financial requirements in connection therewith.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected under this Order shall not abate by reason of the taking effect of this Order.

D. Nothing in this Order shall be construed to change the organization of the executive branch of state government or the assignment of functions among its units in a manner requiring the force of law.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Executive Order shall become effective upon filing.

Given under my hand and the Great Seal of
the state of Michigan this _____ day of
_____, in the Year of our
Lord Two Thousand Eighteen.

2018 MR 7 – May 1, 2018

RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2018 SESSION)**

MCL 24.208 states in part:

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

* * *

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

The following table cites administrative rules promulgated during the year 2018, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2018 RULE FILINGS)**

R Number	Action	2018 MR Issue	R Number	Action	2018 MR Issue	R Number	Action	2018 MR Issue
18.351	*	5	338.7001a	*	5	340.1799c	*	2
18.354	*	5	338.10204	*	5	408.10001	*	2
257.531	*	5	338.10207	*	5	408.10002	A	2
257.532	*	5	338.10208	*	5	408.10003	*	2
257.533	*	5	338.10209	*	5	408.10004	*	2
257.534	*	5	338.10210	*	5	408.10005	*	2
257.535	*	5	338.10212	*	5	408.10011	*	2
257.536	*	5	338.10213	*	5	408.10012	*	2
257.537	*	5	338.10301	*	5	408.10013	A	2
257.538	*	5	338.10303	*	5	408.10015	*	2
257.539	*	5	338.10303a	*	5	408.10016	R	2
257.540	*	5	338.10303b	*	5	408.10017	*	2
299.4001	*	4	338.10303c	*	5	408.10021	R	2
299.4002	*	4	338.10303d	A	5	408.10022	R	2
299.4003	*	4	338.10305	*	5	408.10026	*	2
299.4004	*	4	338.10305a	*	5	408.10031	*	2
299.4006	*	4	338.10305b	*	5	408.10034	*	2
299.4007	*	4	338.10305c	*	5	408.10036	*	2
299.4051	*	4	338.10306	*	5	408.10098	R	2
299.4052	*	4	338.10307	*	5	408.10201	*	2
299.4053	*	4	338.10308	*	5	408.10202	A	2
299.4054	*	4	338.10309	*	5	408.10203	A	2
299.4055	*	4	338.10310	*	5	408.10204	A	2
325.2651	*	2	338.10401	*	5	408.10205	*	2
325.2652	*	2	338.10403	*	5	408.10206	R	2
325.2653	*	2	338.10404c	A	5	408.10207	R	2
325.2654	*	2	338.10405c	A	5	408.10208	R	2
325.2655	*	2	338.10601	*	5	408.10211	R	2
325.2656	R	2	338.10602	*	5	408.10213	R	2
325.2657	R	2	338.10702	*	5	408.10215	R	2
325.14202	*	3	338.10703	*	5	408.10217	R	2
325.14205	*	3	338.10704	*	5	408.10219	R	2
325.34001	A	3	340.241	*	2	408.10220	R	2
325.34005	A	3	340.242	*	2	408.10221	R	2
325.34010	A	3	340.1707	*	2	408.10223	R	2
338.201	A	2	340.1719	R	2	408.10227	R	2
338.202	A	2	340.1723c	*	2	408.10228	R	2
338.203	A	2	340.1724d	*	2	408.10230	R	2
338.204	A	2	340.1742	*	2	408.10231	R	2

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

2018 MR 7 – May 1, 2018

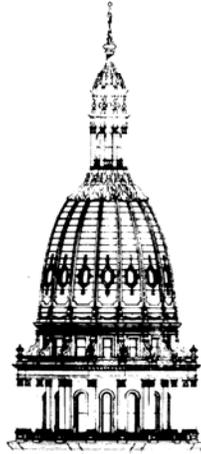
R Number	Action	2018 MR Issue	R Number	Action	2018 MR Issue	R Number	Action	2018 MR Issue
408.10232	R	2	408.10404	R	2	408.10526	R	3
408.10233	R	2	408.10406	R	2	408.10527	R	3
408.10235	R	2	408.10407	R	2	408.10528	R	3
408.10236	R	2	408.10408	R	2	408.10529	R	3
408.10237	R	2	408.10421	R	2	408.10530	R	3
408.10239	R	2	408.10422	R	2	408.10531	R	3
408.10240	R	2	408.10427	R	2	408.10532	R	3
408.10241	R	2	408.10428	R	2	408.10533	R	3
408.10301	R	2	408.10431	R	2	408.10534	R	3
408.10305	R	2	408.10432	R	2	408.10535	R	3
408.10306	R	2	408.10433	R	2	408.10541	R	3
408.10307	R	2	408.10441	R	2	408.10542	R	3
408.10308	R	2	408.10442	R	2	408.10543	R	3
408.10310	R	2	408.10443	R	2	408.10544	R	3
408.10311	R	2	408.10445	R	2	408.10545	R	3
408.10321	R	2	408.10446	R	2	408.11801	*	3
408.10323	R	2	408.10447	R	2	408.11807	*	3
408.10324	R	2	408.10451	R	2	408.11808	*	3
408.10325	R	2	408.10452	R	2	408.11821	*	3
408.10326	R	2	408.10454	R	2	408.11823	*	3
408.10328	R	2	408.10456	R	2	408.11824	*	3
408.10331	R	2	408.10501	*	3	408.11835	*	3
408.10333	R	2	408.10502	*	3	408.11843	*	3
408.10335	R	2	408.10503	*	3	408.11844	*	3
408.10341	R	2	408.10504	*	3	408.11852	*	3
408.10342	R	2	408.10505	*	3	408.11854	*	3
408.10345	R	2	408.10506	*	3	408.11863	*	3
408.10351	R	2	408.10507	*	3	408.11865	*	3
408.10352	R	2	408.10508	*	3	408.11871	*	3
408.10353	R	2	408.10509	*	3	408.11872	*	3
408.10354	R	2	408.10511	R	3	408.11873	*	3
408.10355	R	2	408.10512	R	3	408.12111	*	3
408.10357	R	2	408.10513	R	3	408.12131	*	3
408.10361	R	2	408.10518	A	3	408.12155	*	3
408.10365	R	2	408.10521	R	3	408.12164	*	3
408.10371	R	2	408.10522	R	3	408.12165	*	3
408.10372	R	2	408.10523	R	3	408.12169	*	3
408.10401	R	2	408.10524	R	3	408.12176	*	3
408.10403	R	2	408.10525	R	3	408.12190	*	3

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

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R Number	Action	2018 MR Issue	R Number	Action	2018 MR Issue	R Number	Action	2018 MR Issue
408.12501	*	3	408.13344	*	3	418.10212	*	5
408.12510	*	3	408.13355	*	3	418.10214	*	5
408.12701	*	3	408.13367	*	3	418.10404	*	5
408.12702	*	3	408.13387	*	3	418.10416	*	5
408.12711	*	3	408.13390	R	3	418.10904	*	5
408.12712	*	3	408.13395a	A	3	418.10905	*	5
408.12714	*	3	408.13395b	A	3	418.10909	*	5
408.12717	*	3	408.13395c	A	3	418.10912	*	5
408.12718	*	3	408.13395d	A	3	418.10920	*	5
408.12719	*	3	408.13395e	A	3	418.10923b	*	5
408.12724	*	3	408.13395f	A	3	418.10926	A	5
408.12726	*	3	408.13395g	A	3	418.101002	*	5
408.12727	*	3	408.15001	*	3	418.101003	*	5
408.12728	*	3	408.15003	*	3	418.101003a	*	5
408.12730	*	3	408.15004	*	3	418.101008a	*	5
408.12733	*	3	408.15201	*	3	418.101010	A	5
408.12736	*	3	408.15209	*	3	418.101501	*	5
408.12739	*	3	408.15211	*	3	418.101503	*	5
408.12741	*	3	408.15212a	*	3	432.2	*	5
408.12755	*	3	408.15222	*	3	432.5	*	5
408.12759	*	3	408.15225	*	3	432.6	*	5
408.12761	*	3	408.15226	*	3	432.16	*	5
408.12767	*	3	408.15229	*	3	432.17	*	5
408.12773	*	3	408.15231	*	3	432.21514	*	5
408.12781	*	3	408.15247	*	3	432.21516	*	5
408.12784	*	3	408.15251	*	3	474.101	R	2
408.12791	*	3	408.15254	*	3	474.102	R	2
408.12792	*	3	408.15261	*	3	474.103	R	2
408.12793	*	3	408.15271	*	3	474.104	R	2
408.12798	*	3	408.15273	*	3	474.105	R	2
408.13301	*	3	408.15275	*	3	474.106	R	2
408.13301a	*	3	408.18601	*	3			
408.13302	*	3	408.18602	*	3			
408.13303	*	3	408.18605	*	3			
408.13305	*	3	408.18610	*	3			
408.13306	*	3	418.10106	*	5			
408.13311	*	3	418.10107	*	5			
408.13325	*	3	418.10207	*	5			
408.13329	*	3	418.10208	*	5			

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



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**ADMINISTRATIVE RULES
ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2018 SESSION)**

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

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

MCL 24.208 states in part:

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

* * *

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

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