

State Budget Office
Office of Regulatory Reinvention
111 S. Capitol Avenue; 8th Floor, Romney Building,
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Phone: (517) 335-8658 FAX: (517) 335-9512

REQUEST FOR RULEMAKING (RFR)

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

1. Agency Information

Agency name:	Department of Licensing and Regulatory Affairs		
Division/Bureau/Office:	Bureau of Construction Codes/Office of Land Survey and Remonumentation		
Agency contact person name, e-mail, and phone:	Shannon Matsumoto, Rules Specialist, (517) 241-6312, matsumotos@michigan.gov		

2. Rule Set Information

Title of proposed rule set:	Subdivisions of Land		
Rule number(s) or range of numbers:	R 560.101 – 560.135		
Included in agency's annual regulatory plan as rule to be processed in current year?	Yes		

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

It is anticipated draft rules will be submitted early to mid-2019 for review, with an anticipated effective date of late 2019.

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

The general purpose of the Land Division Act Rules is for the approval of plats, including forms, certificates of approval, and other required certificates, captioning of plats and numbering of lots. The proposed changes address removing sections that overreach the authority of the state, clarifying the approval path for a specific platting situation and updating language and procedure to accept new technologies.

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

The authority to promulgate the proposed rules is found in section 105 of 1967 PA 288, MCL 560.105, and Executive Reorganization Order Nos. 1973-2, 1980-1, 1996-2, 2003-1, 2008-4, and 2011-4, being MCL 299.11, 16.732, 445.2001, 445.2011, 445.2025, and 445.2030.

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

There are no similar rules or regulations adopted by the state or federal government.

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

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

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

These rules will be promulgated under the full rulemaking process.

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

These rules are not being reviewed by an Advisory Rules Committee formed pursuant to Executive Order 2011-5 at this time.

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

There is no applicable decision record.

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received: 10-22-2018

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

ORR assigned rule set number:	2018-072 LR
Date of approval:	10/26/18

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

Date of disapproval:	
Explanation:	