

Annual Administrative Code Supplement
2023 Edition

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

STATE BOUNDARY COMMISSION

GENERAL RULES

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DEPARTMENT OF SOCIAL SERVICES
STATE HOUSING DEVELOPMENT AUTHORITY
GENERAL RULES

R 125.1 - R 125.73

Source: 1979 AC.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
STATE HOUSING DEVELOPMENT AUTHORITY
GENERAL RULES

PART I. GENERAL PROVISIONS

R 125.101 Definitions; A, C.

Rule 101. As used in these rules:

- (a) "Act" means the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.
- (b) "Adjusted annual income" means gross income less \$750.00 for each member of the household living in the same dwelling unit.
- (c) "Adjusted household income" means the gross annual income from all sources and before taxes or withholding of all members of a household living in a dwelling unit or housing unit after deducting all of the following:
 - (i) Unusual or temporary income of any member of the household.
 - (ii) Six hundred and fifty dollars for each member of the household.
 - (iii) Earnings of a member of a household who is under 18 years of age or who is a person with disabilities.
 - (iv) Fifty percent of the income of a second adult wage earner jointly occupying the dwelling or housing unit whose individual income is less than that of the wage earner with the highest income.
 - (v) The lesser of \$1,000.00 or 10% of the gross annual income.
- (d) "Applicant" means a corporation, partnership, joint venture, trust, individual, public body or agency, or other entity applying to receive authority money or services under the act.
- (e) "Application" means a request for authority assistance under the act made on forms furnished by the authority.
- (f) "Authority" means the Michigan state housing development authority created by the act.
- (g) "Authorized officer" means any person designated as an authorized officer of the authority or any other person to whom a power or duty has been specifically delegated by the signatory resolution adopted by the authority.
- (h) "Central city" means any 1 of the following:
 - (i) An area delineated in a Metropolitan Statistical Area by the United States Office of Management and Budget.
 - (ii) An area that is delineated in a Metropolitan Division by the United States Office of Management and Budget.
 - (iii) An area that is delineated in a Combined Statistical Area by the United States Office of Management and Budget.

History: 1979 AC; 1982 AACS; 1985 AACS; 1986 AACS; 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.102 Definitions; D to G.

Rule 102. As used in these rules:

- (a) "Development fund grant" means a grant that is authorized by the authority, and is to be made to an applicant authorized by the act to receive a grant from the housing development fund created by the act.
- (b) "Development fund loan" means a loan that is authorized by the authority, and is to be made from the housing development

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fund created by the act.

(c) "Dwelling unit" means living accommodations within a housing project that are intended for occupancy by a single household.

(d) "Executive director" means the executive director or an individual acting within this capacity employed by the authority who is the chief administrative officer of the authority.

(e) "Existing housing unit" means a housing unit that has been occupied before the issuance of a commitment by the authority.

(f) "Family" means 2 or more individuals living together not contrary to law.

(g) "Feasible housing project" means a proposed housing project that the authority has determined can reasonably be expected to be successfully constructed on the proposed site within cost limitations acceptable to the authority and can reasonably be expected to be operated in a fiscally sound manner, within authority parameters.

(h) "Gross income," for determining eligibility, means all income derived from whatever source, as follows:

(i) In computing gross income, all the income of the members of the household, other than minors, living in the same dwelling unit and contributing to the expenses of the household is to be considered. Gross income must be computed without deduction for the following:

(A) Funds paid into a tax shelter retirement account.

(B) Losses attributable to a farming syndicate as described in section 464 of the internal revenue code, 26 USC 464.

(C) Losses attributable to any type of corporation or partnership engaged in exploring for or exploiting oil and gas resources.

(D) Losses attributable to any type of corporation or partnership engaged in equipment leasing.

(E) Losses attributable to any type of corporation or partnership engaged in holding, producing, or distributing motion picture films or video tapes.

(F) Child support payments made by an applicant for the benefit of the applicant's child or children.

(G) Alimony, separate maintenance, or similar periodic payments that an applicant is required to make to a spouse or former spouse.

(ii) Gross income includes all of the following:

(A) The gross amount, before any payroll deductions, of wages; salaries; all overtime earnings in excess of \$4,000.00 per annum; commissions; fees; tips; bonuses; gambling winnings; and prizes won, except for Michigan lottery winnings and prizes.

(B) The net income from the operation of a business or profession or from the rental of real or personal property. For this purpose, if the operation results in a loss, the loss may not be used to offset income generated from other sources. For this purpose, any shareholder that owns 10% or more of any outstanding class of stock in a corporation is deemed to have received income in its proportionate share of net earnings not otherwise distributed in salaries or dividends.

(C) All dividends and interest, including otherwise tax-exempt interest.

(D) The full amount of periodic payments received from social security, housing assistance payments, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts.

(E) Payments in place of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay.

(F) The full amount of public assistance payments.

(G) Periodic and determinable allowances, such as alimony and separate maintenance payments received, housing allowances received, and regular contributions or gifts received from individuals who do not reside in the dwelling, if such sums are received on a recurrent basis and if such sums may be reasonably expected to continue.

(H) The distributive share of partnership income.

(I) All capital gains.

(J) Child support payments received by an applicant for the benefit of the applicant's child or children.

(iii) Gross income does not include any of the following:

(A) Casual, sporadic, or irregular gifts.

(B) Amounts that are specifically for, or in reimbursement of, the cost of medical expenses.

(C) Lump sum additions to household assets, such as inheritances; insurance payments, including payments under health and accident insurance; worker's compensation; and settlements for personal or property losses.

(D) Amounts of educational scholarships paid directly to the student or to the educational institution, and veterans administration schooling benefits.

(E) Foster childcare payments.

(F) The value of coupon allotments for the purchase of food pursuant to the food and nutrition act of 2008, 7 USC 2011 to 2036d, which is in excess of the amount actually charged the eligible household.

(G) Overtime earnings of \$4,000.00 or less per annum.

History: 1979 AC; 1982 AACS; 1985 AACS; 1986 AACS; 1991 AACS; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

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R 125.103 Definitions; H to S.

Rule 103. As used in these rules:

- (a) "Household" means an individual or family residing or intending to reside in a single-dwelling unit.
- (b) "Local community" means any of the following entities which presents evidence that it is acting in a manner consistent with the objectives of the act with respect to the provision of housing or community development:
 - (i) A public body or agency.
 - (ii) A quasi-governmental body approved by the authority and established by state or federal law, the governing board of which is elected by the residents of a definite geographical area.
 - (iii) A park or playground association established pursuant to the provisions of 1911 PA 161 MCL 455.301 to 455.313.
 - (iv) A nonprofit corporation, limited dividend housing corporation, or limited dividend housing association.
- (c) "Low-income persons and families" means, for purposes of section 15a of the act, MCL 125.1415a, any of the following:
 - (i) Any person or family whose household income, at the time of initial occupancy of a unit in the housing project, does not exceed 80% of area median income, adjusted for family size, as published by the United States Department of Housing and Urban Development.
 - (ii) Any person or family whose household income does not exceed the limits established pursuant to an ordinance enacted by the municipality in which the housing project is located, on the basis of conditions existing in that municipality such as affordable housing needs, variations in construction costs, and fair market rents.
 - (iii) For purposes of section 15a of the act, MCL 125.1415a, only, provided that at least 30% of the units in the housing project are income- and rent-restricted to 80% or less of area median income, the household income of all persons and families occupying units in the housing that are not income- and rent-restricted to 80% or less of area median income will be imputed to be 80% of area median income, adjusted for family size, as published by the United States Department of Housing and Urban Development.
 - (iv) Except as provided in paragraph (ii) of this subdivision, this definition of low-income persons and families applies to all housing projects that are now or become eligible for the exemption under section 15a of the act, MCL 125.1415a.
- (d) "Minor" means a member of a household, other than the household head or spouse, who is under 18 years of age or who is under 19.5 years of age and a full-time high school or high-school alternative program student.
- (e) "Mortgage loan" means a loan that is authorized by resolution of the authority or by a mortgage loan commitment issued on behalf of the authority and is made to an applicant for a housing project or a housing unit from the proceeds of sale of the authority's bonds or notes and any other available funds for the purpose of providing construction financing or long-term financing, or both, the repayment of which is secured, or is to be secured, as provided in the act.
- (f) "Permanent general improvements" means alterations, repairs, and improvements on or in connection with an existing residential structure that substantially protect or improve the basic livability or energy efficiency of the residential structure to be improved. Permanent general improvements do not include materials, fixtures, or landscaping of a type or quality exceeding that customarily used in the locality for residential structures of the same general type as the structure to be improved.
- (g) "Person or persons with disabilities" means a person who has a disability that is a physical or mental impairment that substantially limits 1 or more major life activities, has a record of such impairment, or meets the definition of having a disability under any federal, state, or local program for the disabled.
- (h) "Person or persons with special needs" means a person with physical disabilities, mental illness, substance abuse, or an addiction, or who is homeless, and who may need supportive services to succeed.
- (i) "Property improvement loan" means a loan that is authorized by the authority for home improvements that protect or improve the basic livability of a single-family or manufactured home.
- (j) "Residential structure" means real property that is improved by a structure, and the structure is used primarily for residential purposes on a year-round basis. Residential structure does not include a mobile home or a trailer.
- (k) "Sponsor" means an individual, group, or organization that stimulates or promotes an applicant, and continues to be interested in the activities of the applicant with respect to a housing project.

History: 1979 AC; 1980 AACS; 1981 AACS; 1982 AACS; 1983 AACS; 1991 AACS; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.104 Rules of Construction.

Rule 104. (1) Terms not defined in these rules have the same meanings as those terms that are defined in the act.

(2) Where terms are defined in both these rules and the act the definitions are intended to be read in conjunction with each other.

(3) To the extent a term defined in the act conflicts with the same term as defined in these rules, the definition in the act controls.

History: 2023 MR 6, Eff. March 21, 2023.

R 125.105 Income limitations.

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Rule 105. (1) For a household to be considered eligible for initial occupancy in a housing project or housing unit financed by the authority, that household's income shall not exceed the following household income limitations:

(a) Unless otherwise permitted by the act, for housing, other than single family housing units, that has been financed by the proceeds of authority bonds that have been delivered before June 9, 1977, the effective date of certain emergency rules that temporarily effectuated the provisions of subdivisions (b) and (c) of this subrule, a household shall not have an adjusted household income of more than \$12,000.00 plus \$500.00 for each member of the household in addition to the head of the household and his or her spouse; provided, however, that the authority, by resolution, may determine, with respect to a particular housing project, that 20% of the dwelling units in that project shall be available for occupancy by households having adjusted household incomes of not more than 125% of that established in this subrule. The resolution must include determinations by the authority that the project could not be marketed successfully without the higher income limit and that the project complies with either of the following:

(i) It is located in a city, other than a central city, with a per capita personal income less than the per capita personal income for this state.

(ii) It is located elsewhere and the number of units for households with incomes eligible for public housing or a program equivalent is at least equal to the number of units for households with incomes between the 100% and 125% limits. The \$12,000.00 amount established in this subrule is automatically increased in accordance with the following formula: $(\$12,000.00) + (\$12,000.00 \times .07 \times n)$ where n is the number of complete years elapsed since January 1, 1973.

(b) Unless otherwise permitted by the act, for housing, other than single-family housing units, that has been financed before May 1, 1984, and that has not been financed by proceeds of authority bonds that have been delivered before June 9, 1977, a household shall not have a gross income of more than \$28,000.00, which is the estimated median family income in this state, provided, however, in the case of shared housing, a gross income limit of \$15,000.00 is applied separately to each household assigned separate sleeping and bathroom facilities, notwithstanding the sharing of other living space.

(c) For all single-family housing units, a household shall not have a gross income in excess of that permitted in the act.

(d) Notwithstanding the provisions of subdivisions (a), (b), and (c) of this subrule, but subject to the act, a household may have a gross income up to that established pursuant to the following formula: $1.5 \times a \times 1.07^n$, where a is the median family income for the county in which the proposed housing is to be located, as identified in the publication entitled "1969 and Estimated 1977 Decile Distributions of Family Income by SMSA's and Non-Metropolitan Counties," prepared by the United States Department of Housing and Urban Development, Office of Economic Affairs, Economic and Market Analysis Division, June 1, 1977, and where n is the number of complete years elapsed since June 1, 1977, if the authority, by resolution, makes all of the following determinations:

(i) The economic integration encouraged by the higher income limits promotes the financial and social stability of housing financed or to be financed by the authority.

(ii) Private enterprise has failed to provide a substantial supply of adequate, safe, and sanitary dwellings in the area of the housing proposed for occupancy by households that qualify for assistance pursuant to this subdivision within the financial means of, and suitable for, such households.

(iii) The housing is located in an area in a central city that meets the criterion set forth in subparagraph (ii) of this subdivision.

(e) Notwithstanding the provisions of subdivisions (a), (b), and (d) of this subrule, a household may have a gross income up to the income limits set forth in sections 44(1)(a)(iv), 44(1)(a)(v), and 44(1)(b), MCL 125.1444, if the authority, by resolution, determines that the higher income limits promote the authority's ability to preserve the low-income occupancy of the housing project.

(f) For housing, other than single-family housing units, that has been financed on or after May 1, 1984, a household shall not have a gross income in excess of that permitted in the act.

(2) If a household income limitation is a requirement for an assumption of a mortgage on a single-family housing unit, then the household income limitation for a household to be considered eligible to assume a mortgage on a single-family housing unit must be the highest household income limitation ever established in subrule (1)(c) of this rule.

(3) If federal subsidy payments are made on behalf of occupants of authority-financed dwelling units or housing units, then the income limitations established in this rule are superseded by federal laws and regulations applicable with respect to those applicants.

(4) If the program providing the funds for a loan or grant is subject to laws, regulations, rules, or other requirements that have particular income or other programmatic restrictions, or if the entity providing the funds for a loan or grant has particular income or other programmatic restrictions, then the authority may elect to apply some or all of these restrictions, instead of those that would otherwise be applicable pursuant to this rule.

(5) Subrule (1) of this rule does not apply to households applying for a property improvement loan pursuant to part 8 of these rules.

(6) The income limitation contained in subrules (1) and (2) of this rule is subject to state and federal laws which may establish income limitations as a prerequisite to obtaining tax-exempt status of authority notes and bonds.

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History: 1979 AC; 1980 AACS; 1981 AACS; 1982 AACS; 1983 AACS 1985 AACS; 1986 AACS; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.107

Source: 1979 AC.

R 125.109 Acceptance of aid and guarantees.

Rule 109. (1) Pursuant to sections 22(c) and 22(k) of the act, MCL 125.1422, the authority, by resolution, may accept gifts, grants, loans or other aid, including guarantees, from the federal government or any public or private source, agree and comply with any condition attached thereto, and authorize and direct the execution on behalf of the authority or any agreement that it considers necessary or appropriate to implement any such gifts, grants, loans, guarantees, or other aid.

(2) Without limitation on the provisions of subrule (1) of this rule, the authority by resolution may accept any guarantee or commitment to guarantee its bonds or notes issued for the purpose of financing real property acquisition and land development pursuant to community development programs, accept any grant with respect to bonds or notes guaranteed and accept any public service grants for providing essential public services, including educational, health and safety services, and authorize and direct the execution on behalf of the authority of any agreement that it considers necessary or appropriate with respect thereto.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.111 Hearings.

Rule 111. (1) To inform itself and the public the authority may hold public hearings anywhere in the state and may limit the scope of the hearings.

(2) An individual, firm, corporation, partnership, or public body or agency, aggrieved by a decision of the authority or the executive director, may request in writing that the authority hold a hearing in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(3) Except for hearing and appeal procedures provided by statute or rule, a request for a hearing under subrule (2) of this rule must be received by the authority's director of legal affairs within 60 days after the issuance of the decision.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.113 Waiver.

Rule 113. The executive director may, in his or her discretion, waive a requirement in these rules that is not specifically required by statute upon notification by an applicant that the enforcement of the rule will negate the applicant's opportunity to obtain a loan or other assistance from the authority and when the failure to meet the requirement was caused by the provision of inaccurate information by a financial institution participating in one of the authority programs.

History: 1985 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.115 Bylaws.

Rule 115. The bylaws of the authority shall be adopted and amended by resolution and are public records. The bylaws must include the time and place of regular meetings, the manner of calling special meetings, and the internal procedures as the authority requires.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.119 Rescission.

Rule 119. R 125.1 to R 125.73 are rescinded. This rescission shall not defeat or impair any right accrued, or affect any penalty incurred, under such rules, and applications pending with the authority may be amended to conform with these rules.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

PART 2. APPLICATIONS AND APPLICANT ELIGIBILITY

R 125.121 Applications.

Rule 121. (1) The authority staff may provide staff services to assist an applicant in complying with the requirements of the act and these rules. The executive director may establish a preapplication procedure.

(2) Forms to be employed for applications may be prepared by the authority staff, shall be approved by the executive director, and must specify the information to be included and the supporting materials to be submitted with the application.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

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R 125.122 Eligible applicants.

Rule 122. (1) A development fund loan, mortgage loan, or part of a development fund loan or mortgage loan, must not be made or disbursed to an applicant until the applicant is an eligible applicant.

(2) An eligible applicant is an applicant authorized by the act to receive a development fund loan or a mortgage loan. To become an eligible applicant, an applicant shall obtain the authority's approval of its organizational documents, where applicable, as provided in the act.

History: 1979 AC; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.123 Approval of organizational documents.

Rule 123. (1) Proposed articles of incorporation and proposed amendments to existing articles of incorporation of a nonprofit housing corporation, consumer housing cooperative, or limited dividend housing corporation, and the proposed partnership agreement, joint venture agreement, trust agreement, or other document then existing of a limited dividend housing association must be submitted in duplicate originals to the executive director or director of legal affairs, together with a request for the authority's approval of the documents.

(2) The authority staff shall review the organizational documents to determine the compliance with the requirements of the act and these rules, and, if it is determined that the organizational documents comply, the executive director or other authority staff authorized by resolution of the authority shall issue, on behalf of the authority, a certificate of approval with respect to the organizational documents, on a form approved by the executive director or director of legal affairs.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

PART 3. DEVELOPMENT FUND LOANS AND FEASIBLE PROJECTS

R 125.131 Applications.

Rule 131. (1) An application for a determination that a proposed housing project is a feasible housing project must include information, and where required by the authority staff, supporting materials and evidence with respect to all of the following:

- (a) The status of the applicant as an eligible applicant, or that reasonable steps have been taken to become an eligible applicant.
- (b) The site of the proposed housing project, including location, dimensions, ownership, present zoning, present use and occupancy and relocation requirements as to present occupants, present on-site improvements such as streets, utilities, and structures, status of off-site utilities and streets, present property taxes and assessments, utility charges, and liens or other charges on the land, and all physical characteristics of the site that may affect construction.
- (c) The status and characteristics of the proposed housing project, including number and size of dwelling units; type of occupancy, including ownership, rental, or cooperative; rehabilitation or new construction; range of proposed rents; occupancy charges or sale prices; building type; federally-aided mortgage or otherwise; and social, recreational, commercial, and communal facilities proposed to serve and improve the residential area in which the proposed housing is located or to be located.
- (d) A schedule of the proposed uses of any requested development fund loan and the amounts proposed to be allocated to each use.
- (e) Other matters as to the proposed housing project, the applicant, and other parties involved in the housing project as the authority staff and the executive director may require.

(2) An application for a development fund loan must include information, and where required by the authority staff, supporting materials and evidence with respect to all of the following:

- (a) The status of the applicant as an eligible applicant, or that reasonable steps have been taken to become an eligible applicant.
- (b) The site of the proposed housing project.
- (c) The status and characteristics of the proposed housing project and social, recreational, commercial, and communal facilities proposed to serve and improve the residential area in which the proposed housing is located or to be located.
- (d) A schedule of the proposed uses of the requested development fund loan and the amounts proposed to be allocated to each such use.
- (e) Other matters as to the proposed housing project, the applicant, and other parties involved in the housing project as the authority staff and the executive director may require.

History: 1979 AC; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.132 Processing and evaluation of applications.

Rule 132. (1) An application for a development fund loan or a determination that a proposed housing project is a feasible housing project, or both, must be processed by the authority staff on the basis of processing and underwriting procedures and guidelines developed by the authority staff under direction of the executive director on behalf of the authority.

(2) An applicant may be required to furnish to the authority staff supplementary information and to amend the application to cause the proposed housing project to be consistent with the authority's processing and under-writing procedures and

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guidelines.

(3) Upon completion of the processing, all applications for a determination that a proposed housing project is feasible and all applications for development fund loans in the principal amount of \$250,000 or more must be presented to the authority for approval, along with the authority staff analysis of the application and the executive director's recommendation with respect to the application, subject to terms, conditions, and requirements deemed necessary by the authority, in accordance with R 125.133.

(4) If the principal amount of the development fund loan is less than \$250,000.00, the executive director shall review the authority staff analysis and determine whether all of the following requirements are met:

- (a) The applicant is an applicant authorized by the act to receive a development fund loan.
- (b) The applicant shall use the loan funds in planning for or implementing any activities permitted in the act.
- (c) The applicant is reasonably expected to be able to successfully implement the proposal.
- (d) The authority reasonably anticipates that the applicant will receive an authority-aided or a federally-aided mortgage loan, to be obtained to provide financing for the proposed housing project.
- (e) The development fund loan can reasonably be anticipated to be repaid from the proceeds of the authority-aided or a federally-aided mortgage loan. If the requirements in this subrule are met, the executive director may issue, on behalf of the authority, a commitment for a development fund loan to the applicant. The development fund loan commitment must contain terms, conditions, and requirements as deemed necessary by the executive director.

History: 1979 AC; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.133 Determinations of feasibility and authorization of loans.

Rule 133. (1) The authority shall review the analysis and recommendation for applications for a determination that a proposed housing project is feasible and applications for development fund loans in the principal amount of \$250,000 or more, and, if it determines that the application meets the requirements of the act and these rules and is consistent with the authority's processing and under-writing procedures and guidelines, by resolution, the authority may determine that the proposed housing project is a feasible housing project or authorize a development fund loan to the applicant, or both.

(2) For applications for a determination that a proposed housing project is feasible, the resolution must include all of the following determinations by the authority:

- (a) The proposed housing project will provide housing for persons of low- and moderate-income or will serve and improve the residential area in which authority financed housing is located or is planned to be located thereby enhancing the viability of such housing.
- (b) The applicant is reasonably expected to be able to achieve successful completion of the proposed housing project.
- (c) The proposed housing project will meet a social need in the area where it will be located.
- (d) A mortgage loan, or a mortgage loan not made by the authority that is a federally-aided mortgage, can reasonably be anticipated to be obtained to provide financing for the proposed housing project.
- (e) The proposed housing project is a feasible housing project.

(3) For applications for development fund loans in the principal amount of \$250,000 or more, the resolution must include the following determinations by the authority:

- (a) The applicant is an applicant authorized by the act to receive a development fund loan.
- (b) The applicant shall use the loan funds in planning for or implementing any activities permitted in the act.
- (c) The applicant is reasonably expected to be able to successfully implement the proposal.
- (d) The authority reasonably anticipates that the applicant will receive an authority-aided or a federally-aided mortgage loan, to be obtained to provide financing for the proposed housing project.
- (e) The development fund loan can reasonably be anticipated to be repaid from the proceeds of the authority-aided or a federally-aided mortgage loan.

(4) The resolution may include conditions that the authority considers appropriate with respect to an application for a mortgage loan as to the feasible housing project or the use, disbursement, and repayment of the development fund loan.

History: 1979 AC; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.134 Priorities for allocation of development fund money.

Rule 134. Priorities for allocation of money in the housing development fund available for development fund loans may be established and revised by the authority. Priorities are based on criteria established by the authority as best effectuating the purposes of the act including, without limitation, a determination by the authority of an area's need for housing for individuals of low- and moderate-income as compared to the authority's determination of the overall housing needs of the state.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

PART 4. MORTGAGE LOANS

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R 125.141 Multifamily mortgage loan applications.

Rule 141. An application for a mortgage loan must include information, and where required by the authority staff, supporting materials, and evidence, with respect to all of the following:

- (a) The status of the applicant as an eligible applicant.
- (b) The site of the proposed housing project, including location, dimensions, ownership, present zoning, present use and occupancy, and relocation requirements as to present occupants; present on-site improvements, such as streets, utilities, and structures; status of off-site utilities and streets; present property taxes and assessments; utility charges; liens or other charges on the land; and all physical characteristics of the site that may affect construction.
- (c) The status and characteristics of the proposed housing project, including number and size of dwelling units; type of occupancy, including ownership, rental, or cooperative; rehabilitation or new construction; building type; federally-aided mortgage or otherwise; and social, recreational, commercial, and communal facilities proposed to serve and improve the residential area in which the proposed housing is or is to be located.
- (d) Identity and qualifications of the design architect, supervisory architect, applicant's attorney, housing consultant, general contractor, marketing or sales agent, and management agent.
- (e) Architectural drawings and specifications, site plan, schedule of construction costs, reports of soil tests or engineering studies performed, and evidence of approval of the architectural drawings, specifications, and site plan by governmental bodies having jurisdiction.
- (f) Proposed marketing plan reports of market surveys or analyses, schedule of proposed rents, occupancy charges or sale prices, proposed operating budget, proposed management plan, proposed relocation plan and cost analysis, schedule of the proposed uses of the requested mortgage loan and the amounts to be allocated to each such use including the applicant's equity investment, where applicable, and a proposed construction schedule.
- (g) The applicant's compliance with, and the fulfillment of, the terms and conditions of any prior determination by the authority that the proposed housing project is a feasible housing project.
- (h) The applicant's proposed plans for compliance with the nondiscrimination provisions of section 46 of the act, MCL 125.1446, and the proposed affirmative action plans for minority group employment in construction of the proposed housing project.
- (i) Other matters as to the proposed housing project, the applicant, and other parties involved in the housing project as the authority staff and the executive director may require.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.142 Processing and evaluation of applications.

Rule 142. (1) An application for a mortgage loan must be processed by the authority staff on the basis of the authority's processing and underwriting procedures and guidelines. The authority staff shall undertake land appraisals, market surveys and analyses, reviews of the architectural design, site plan, and construction costs, materials and methods, and other matters as may be determined to be appropriate to ensure that the proposed housing project is consistent with the authority's processing and underwriting procedures and guidelines.

(2) An applicant may be required to furnish the authority staff with supplementary information and to amend the application to cause the proposed housing project to be consistent with the authority's processing and underwriting procedures and guidelines.

(3) Except as provided for in R 125.143(3), upon completion of the processing and approval of the application by the executive director, the authority staff's analysis of the application and the executive director's recommendation shall be presented to the authority.

History: 1979 AC; 1981 AACs; 2023 MR 6, Eff. March 21, 2023.

R 125.143 Authorization of mortgage loans.

Rule 143. (1) The authority shall review each analysis and recommendation and, if it determines that the application meets the requirements of the act and these rules and is consistent with the authority's processing and underwriting procedures and guidelines, by resolution, it may authorize a mortgage loan to the applicant. The resolution may authorize the executive director to issue a separate authority mortgage loan commitment to the applicant with respect to the proposed housing project.

(2) The resolution must include all of the following authority determinations:

(a) The applicant is an eligible applicant.

(b) The proposed housing project will provide housing for persons of low- and moderate-income or will serve and improve the residential area in which authority-financed housing is located or is planned to be located, thereby enhancing the viability of the housing. In the case of a loan being made pursuant to section 44a(2) of the act, MCL 125.1444a, the loan may be made without regard to the income of the owner or occupants if the housing project is located in an area of chronic economic distress

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as that term is defined in section 11 of the act, MCL 125.1411, or if the housing project constitutes moderate cost residential rental property located elsewhere in the state.

(c) The applicant is reasonably expected to be able to achieve successful completion of the proposed housing project.

(d) The proposed housing project will meet a social need in the area in which it is to be located.

(e) The proposed housing project may reasonably be expected to be marketed successfully.

(f) All elements of the proposed housing project, including, without limitation, the ownership, design, construction, occupancy, management, and operation thereof, have been established in a manner consistent with the authority's processing and underwriting procedures and guidelines, except as to any such elements as are the subject of conditions as to the authorization of the mortgage loan as provided in R 125.144.

(g) In light of the estimated project cost of the proposed housing project, the amount of the mortgage loan authorized by a resolution is consistent with the requirements of the act as to the maximum limitation on the ratio of mortgage loan amount to estimated project cost.

(3) If the principal amount of the mortgage loan is less than \$250,000.00, the executive director shall review the authority staff's analysis and, if the executive director determines that the applicant is an eligible applicant, that the application meets the requirements of the act and these rules, and that the application is consistent with the authority's processing and underwriting procedures and guidelines as to the proposed housing project, the executive director may issue, on behalf of the authority and pursuant to resolution of the authority, the authority's mortgage loan commitment to the applicant with respect to the proposed housing project. The mortgage loan commitment must contain terms, conditions, and requirements as deemed necessary by the executive director.

History: 1979 AC; 1981 AACS; 1983 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.144 Conditions and special determinations in authorizations.

Rule 144. A resolution of the authority authorizing a mortgage loan or a mortgage loan commitment of the authority, the issuance of which is authorized by the resolution, must include conditions that the authority considers appropriate with respect to the commencement of construction of the proposed housing project, the marketing and occupancy of the housing project and the use, disbursement, and repayment of the mortgage loan authorized. A resolution or mortgage loan commitment may include a financial analysis of the subject housing project, which must establish the initial schedule of rents or occupancy charges, the approved budget for operation of the housing project, and the schedule of uses of the proceeds of the mortgage loan. A resolution authorizing a mortgage loan to an applicant that is a limited dividend housing corporation or limited dividend housing association must include a determination of the maximum reasonable and proper rate of return on the investment of the applicant in the proposed housing project, which determination must be made upon a consideration of the then existing conditions in the housing industry and financial markets and rates of return then prescribed by other governmental agencies and applicable federal programs.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.145 Priorities for allocation of monies for mortgage loans.

Rule 145. Priorities for allocation of authority money available for mortgage loans may be established and revised by the authority. Priorities are based on criteria established by the authority as best effectuating the purposes of the act, including, without limitation, a determination by the authority of an area's need for housing for individuals with low- and moderate-income as compared to the authority's determination of the overall housing needs of the state.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.146 Single Family mortgage loans.

Rule 146. (1) An application by an individual for a mortgage loan for long-term financing of a housing unit to be purchased by the individual must include information, and where required by the authority staff, supporting materials and evidence with respect to all of the following:

(a) The eligibility of the applicant.

(b) The eligibility of the housing unit proposed to be purchased.

(2) An application for a mortgage loan, submitted pursuant to subrule (1) of this rule, must be processed and may be approved by an authorized officer.

(3) The authorized homeownership staff shall review each analysis and, if he or she determines that the applicant is an eligible applicant, that the application meets the requirements of the act and these rules, and that the application is consistent with the authority's processing and underwriting procedures and guidelines as to the housing unit to be purchased, then the authorized officer may issue, on behalf of the authority and pursuant to resolution of the authority, the authority's mortgage loan commitment to the originating lender with respect to the housing unit proposed to be purchased. The mortgage loan commitment must contain terms, conditions, and requirements as deemed necessary by an authorized officer, including,

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without limitation, conditions establishing that the purchase price of the subject housing unit, the method of making payments after the purchase of the housing unit, the security afforded, the interest rate, and fees and charges, if any, to be paid by the eligible applicant must at all times be sufficient to permit the authority to make the payments on its bonds and notes plus any administrative or other costs to the authority in connection with the transaction.

(4) The authority, by resolution, may authorize the execution, on behalf of the authority, of agreements with corporations, partnerships, individuals, financial institutions, or other entities qualified to do business within this state. The agreements may provide that the authority shall make mortgage loans to eligible applicants for the long-term financing of housing units to be purchased by eligible applicants, and that the housing units must be constructed by or with the assistance of an entity that is a party to the agreement.

(5) An individual shall not receive a mortgage loan for long-term financing a housing unit to be purchased that is not intended for owner occupancy.

(6) Where an individual is a qualifying applicant, only the qualifying applicant will be required to sign the mortgage note and any other loan documents determined by an authorized officer to be necessary, and only the qualifying applicant will be subject to credit qualification. If married, both the qualifying applicant and the applicant's spouse must be identified in the deed or other conveyance document, and both must execute the mortgage securing the property, to the extent required by state law and title industry practice. The income of all other non-qualified-applicant adult individuals who are to reside in the home will be considered for determining eligibility of the household for program qualification and loan terms. Those non-qualified-applicant individuals will be required to attest to their incomes, and those incomes will be included in determining the household gross income; non-qualified-applicant individuals will not be required to sign mortgage loan documents.

(7) An individual shall not receive a mortgage loan for the long-term financing of a housing unit unless the individual meets credit requirements as established by the authority.

(8) For purposes of this rule, housing unit or units may include owner-occupied new housing units, existing housing units to be substantially rehabilitated, condominiums, or mobile homes.

History: 1979 AC; 1980 AACS; 1982 AACS; 1983 AACS; 1986 AACS; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

PART 5. DEVELOPMENT FUND GRANTS

R 125.151 Applications.

Rule 151. An application for a development fund grant must include information and, where required by the authority staff, supporting materials and evidence with respect to all of the following:

- (a) That the applicant is an applicant authorized by the act to receive a development fund grant.
- (b) The proposed housing or community development activities for which assistance in planning or implementation is being requested.
- (c) The total cost of the planned activities, the net costs to the applicant, and a schedule of the proposed uses of the requested development fund grant and the amounts proposed to be allocated to each use.
- (d) Other matters with respect to the proposal, the applicant, and other parties involved as the authority staff and the executive director require.

History: 1979 AC; 1986 AACS; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.152 Processing and evaluation of applications.

Rule 152. (1) An application for a development fund grant must be processed by the authority staff on the basis of the authority's evaluation factors.

(2) An applicant may be required to furnish to the authority staff supplementary information and to amend the application to cause the planned activities to be fully consistent with the authority's evaluation factors.

(3) Upon completion of the processing, all applications for development fund grants in the amount of \$250,000 or more must be presented to the authority for approval, along with the authority staff analysis of the application and the executive director's recommendation with respect to the application subject to such terms, conditions, and requirements deemed necessary by the authority.

(4) If the amount of the development fund grant is less than \$250,000.00, the executive director shall review the authority staff analysis and determine whether all of the following requirements are met:

- (a) The applicant is authorized by the act to receive a development fund grant.
- (b) The applicant will use the grant funds in planning for or implementing any activities permitted in the act.
- (c) The applicant is reasonably expected to be able to successfully implement the proposal.
- (d) The application satisfies the evaluation factors and criteria adopted by the authority.

If the requirements of this subrule are met, the executive director may issue, on behalf of the authority, a commitment for a development fund grant to the applicant. The development fund grant commitment must contain terms, conditions, and

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requirements as deemed necessary by the executive director. The authority may require repayment of these grants.

History: 1979 AC; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.153 Authorization of development fund grants in the amount of \$250,000 or more.

Rule 153. (1) For applications for development fund grants in the amount of \$250,000 or more, the authority shall review each analysis and recommendation presented and, if it determines that the application meets the requirements of the act and these rules and is consistent with the authority's evaluation factors, by resolution, it may authorize a development fund grant to the applicant in an amount not to exceed the net costs to the applicant of the planned activities.

(2) The resolution of the authority must include all of the following determinations by the authority:

- (a) The applicant is authorized by the act to receive a development fund grant.
- (b) The applicant will use grant funds in planning for or implementing any activities permitted in the act.
- (c) The applicant is reasonably expected to be able to successfully implement the proposal.
- (d) The application satisfies the evaluation factors and criteria adopted by the authority.

(3) The resolution may include conditions which the authority considers appropriate with respect to the use and disbursement of the development fund grant. The authority may require repayment of these grants.

History: 1979 AC; 1986 AACS; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.154 Priorities for allocation of development fund monies.

Rule 154. Priorities for allocation of monies in the housing development fund available for development fund grants may be established and revised by the authority. Priorities are based on criteria established by the authority as best effectuating the purposes of the act.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

PART 6. AUTHORITY LOAN DOCUMENTS

R 125.161 Authority loan documents.

Rule 161. (1) Forms of documents to be used with respect to development fund loans, mortgage loans, and the issuance and sale of authority notes and bonds must be prepared, and may be revised and amended, by the authority staff under direction of the executive director on behalf of the authority, subject to legal requirements.

(2) The appropriate forms of the documents must be employed with respect to all matters relating to development fund loans and mortgage loans.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.162

Source: 1979 AC.

PART 7. LAND ACQUISITION AND DEVELOPMENT

R 125.171 Land acquisition and development proposals.

Rule 171. (1) The authority staff may develop proposals for the use of money in the land acquisition and development fund created by the act. A proposal may be for the following:

(a) The acquisition by grant, purchase, or otherwise of real property, which for purposes of this part is defined as any interest, including a fee and leasehold interest, in land or improvements to land, or a portion thereof, by the authority under any of the following circumstances:

- (i) The real property may be suitable for a future housing development or housing project.
- (ii) The real property is located in a residential area where the authority has financed or has planned to finance housing, and the proposed use of the real property improves the quality of the residential area by eliminating blight or provides needed public or commercial facilities.
- (iii) The real property is so situated that the present or future use of the real property, if not acquired by the authority, adversely affects the value or marketability of the authority-financed housing project.

(b) Any of the following types of improvements to real property purchased or otherwise acquired for the purposes of the fund:

- (i) Improvements that are necessary to place the real property in a safe, sanitary, and decent condition, including demolition, excavation, and landscaping.
- (ii) Improvements to real property that is to be dedicated for the public use and enjoyment, including the installation of recreational facilities, benches, shelters, lighting, and walkways.
- (iii) Improvements that are necessary to ensure the planned development of the real property, including the installation of roads, sidewalks, sewers, and utilities.

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(c) The payment of any of the following costs on real property purchased or being purchased with money from this fund or acquired by gift, grant, or exchange for the purposes of this fund:

(i) The costs of property taxes, insurance premiums, interest, maintenance expenses, and other carrying charges on real property. Notwithstanding the provisions of section 42 of the act, MCL 125.1442, during the period when real property is owned or is being purchased by the authority or its agent, the authority shall pay all property taxes levied against the real property unless a taxing jurisdiction exempts the real property from property taxes. The assessed valuation of the real property while it is owned or being purchased by the authority or its agent may not be increased by any taxing jurisdiction, except to reflect the state equalization valuation process.

(ii) The costs of planning the development of the real property, including, but not limited to, the costs of economic feasibility studies, land use studies, site development planning, architectural and engineering design, market analysis and all related analyses, studies, and planning services.

(iii) The costs incurred in the transfer of real property, including brokerage and appraisal fees, recording expenses, and the costs of surveys and title insurance.

(d) The costs of improvements to real property permitted by section 24b(2) of the act, MCL 125.1424b.

(2) A proposal must contain information as to the description and fair market value of any real property or interest therein proposed to be acquired and the proposed method of acquisition thereof, the nature and cost of any improvements proposed to be undertaken or carrying charges or transfer expenses proposed to be paid, the nature and cost of any planning of the development of real property proposed to be undertaken. A proposal, upon completion, and the executive director's recommendation with respect thereto shall be presented to the authority.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.172 Approval and implementation of proposals.

Rule 172. (1) The authority shall review a proposal and recommendation and, if it determines that the proposal meets the requirements of the act and these rules, by resolution, it may approve the proposal and authorize and direct the implementation of the proposal and the use of appropriate money of the authority in connection with the implementation.

(2) The resolution may provide that any real property or interest therein to be acquired by the authority may be acquired in the authority's name or through and in the name of a duly authorized agent of the authority. If any such real property or interest therein is to be purchased on land contract, option, or other form of deferred payment agreement, or subject to mortgages or other encumbrances, the authority, by the resolution, shall reserve money in the land acquisition and development fund or authorization to issue notes and bonds, the aggregate amount of which equals the unpaid principal balance of the land contract, option, mortgage, or other encumbrance or deferred payment agreement plus any anticipated carrying charges, including without limitation, insurance premiums, interest, maintenance expenses, and property taxes. In the event that the acquisition is to be accomplished through a duly authorized agent of the authority, the authority shall require the agent to protect the authority's interest in the property and to convey the property interest to the authority upon the authority's request, and the records of the authority shall reflect the existence of, and the authority's rights in, the real property or interest therein.

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.173 Sale or exchange of property of authority.

Rule 173. (1) The authority, by resolution, may authorize and direct the sale, assignment, transfer, conveyance, lease, mortgage, or other disposal or encumbrance of real or personal property or any interest therein, or part thereof, with respect to which money from the land acquisition and development fund have been expended to any individual, firm, partnership or corporation, county, municipality, authority, or federal or state agency at a price and on the terms and conditions that meet the requirements of the act and are considered appropriate by the authority.

(2) The authority, by resolution, may authorize and direct the exchange of real property with respect to which money from the land acquisition and development fund have been expended, if the authority determines that the real property proposed for acquisition meets the requirements of R 125.171(1)(a).

History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

PART 8. HOME IMPROVEMENT LOANS

R 125.181 Eligible applicants.

Rule 181. An applicant for a property improvement loan shall satisfy all of the following requirements:

(a) An applicant shall be an individual fee owner of the residential structure to be improved or an individual member-shareholder in a nonprofit cooperative housing corporation who has a proprietary interest in a residential structure. The residential structure may be subject to a mortgage or other lien securing a debt.

(b) An applicant shall meet credit requirements as established by the authority.

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- (c) The residential structure to be improved must not be in violation of applicable zoning ordinances or other applicable land use guidelines.
- (d) The residential structure may not contain more than 24 dwelling units.
- (e) The applicant shall use property improvement loan proceeds to finance only new improvements upon, or in connection with, existing structures and shall not use the property loan proceeds to refinance an existing mortgage or debt, or to complete an unfinished residential structure.
- (f) All improvements must be reasonably capable of being completed, except for causes beyond the applicant's reasonable control, within 6 months of the date of the first disbursement of funds pursuant to the property improvement loan. The authority may extend this period for good cause shown.
History: 1979 AC; 1980 AACS; 1982 AACS; 1983 AACS; 1991 AACS; 1998-2000 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.182 Eligible improvements.

Rule 182. (1) Improvements made with property improvement loan proceeds must satisfy the following requirements:

- (a) Improvements may be made in order to comply with applicable state, county, and municipal health, housing, building, fire prevention and housing maintenance codes, or other public standards applicable to housing.
 - (b) Improvements may also be made that protect or improve the basic livability or utility of a residential structure and make the residential structure safe, sanitary, or adequate. However, to be an eligible improvement, it must be a permanent general improvement.
 - (c) An improvement must be made in compliance with all applicable health, fire prevention, building, housing, and housing maintenance codes, and other public standards applicable to housing. However, no application for a property improvement loan for a dwelling unit occupied by the owner may be denied solely because the improvements will not bring the dwelling unit into full compliance with all applicable codes and standards.
 - (d) Property improvement loans proceeds may not be used for the payment, wholly or in part, of an assessment for public improvements. However, proceeds may be used for improvements that will bring an individual sewage disposal system, including septic systems, located on the residential real property improved by a residential structure into compliance with local, state, and federal environmental and sanitary standards.
 - (e) The authority may require that all contracts covering all or any portion of an improvement contain an authority-approved warranty on workmanship and materials.
- (2) All rehabilitation contracts must be between the homeowner and the contractor. The authority shall not negotiate or enter into rehabilitation contracts.
History: 1979 AC; 2023 MR 6, Eff. March 21, 2023.

R 125.183

Source: 1998-2000 AACS.

R 125.184

Source: 1998-2000 AACS.

**PART 9. MICHIGAN HOUSING AND COMMUNITY DEVELOPMENT FUND;
MICHIGAN HOUSING AND COMMUNITY DEVELOPMENT PROGRAM**

R 125.190 Program purpose and applicability.

Rule 190. The authority shall use the Michigan housing and community development fund created in section 58a of the act, MCL 125.1458a, to provide loans, grants, or other comparable forms of assistance to eligible applicants to finance, acquire, rehabilitate, and develop decent, safe, and sanitary housing and projects located in a downtown area or adjacent neighborhood in this state. The use of the Michigan housing and community development fund is limited to activities outlined in sections 58b and 58c of the act, MCL 125.1458b and 125.1458c, as follows:

- (a) Developing and coordinating public and private resources to meet the housing needs of low-income, very low-income, and extremely low-income households in this state, particularly innovative strategies leveraging public and private resources to meet these needs.
- (b) Developing housing for the homeless, including both transitional housing and permanent housing.
- (c) Developing rental housing.
- (d) Providing funding to eligible applicants with respect to housing or homeownership for individuals and families of low-income, very low-income, and extremely low-income households and projects located in a downtown area or adjacent

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neighborhood in this state, including funding for all of the following:

- (i) Acquisition of land and buildings.
- (ii) Rehabilitation.
- (iii) New construction.
- (iv) Development costs and predevelopment costs.
- (v) Preservation of existing housing.
- (vi) Community development projects, including, but not limited to, infrastructure improvements, economic development projects, blight elimination, or community facilities.
- (vii) Insurance.
- (viii) Operating and replacement reserves.
- (ix) Down payment assistance.
- (x) Security deposit assistance.
- (xi) Foreclosure prevention and assistance.
- (xii) Individual development accounts established under the individual or family development account program act, 2006 PA 513, MCL 206.901 to 206.911.
- (xiii) Activities related to ending homelessness.
- (xiv) Assistance to nonprofit organizations, municipalities, and land bank fast track authorities organized under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774.
- (xv) Predatory lending prevention or relief.

History: 2008 AACCS; 2009 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.191 Definitions.

Rule 191. Definitions provided for in part 1 of the authority's rules, R 125.101 to R 125.103, apply to the provisions of this part, unless superseded in this rule as follows:

- (a) "Allocation plan" means the plan referred to in and required by section 58b of the act, MCL 125.1458b(3).
- (b) "Annual report" means the annual report required under section 58b of the act, MCL 125.1458b.
- (c) "Applicant" means a person who has submitted an application, proposal, or other documentation related to a request for an award of housing and community development fund money meeting the requirements contained in the applicable NOFA or RFP related to the applicable application year.
- (d) "Biennial plan" means the allocation plan as defined in subrule (a) of this rule.
- (e) "Chief Executive Officer" or "CEO" means the senior manager or person acting within this capacity responsible for overseeing the activities of the entire company or organization. The CEO usually holds a position on the board of directors of the company or organization and may also hold the title of president.
- (f) "Chief Financial Officer" or "CFO" means the company's or organization's top managerial and financial accountant and the individual in charge of the company's or organization's financial matters or the person acting within this capacity.
- (g) "Community development" means a process involving the conception, planning, and implementation of projects or activities that create improvements in, or reduce the extent of declines in, the living standards of people in a particular community.
- (h) "Controlling interest" means the holding by 1 person or group of persons of a majority of the stock or other indicia of ownership of a business entity, giving the holder or holders a means of exercising control over the actions of the entity.
- (i) "Development costs" means the sum total of all costs incurred by eligible applicants for the purpose of developing and coordinating public and private resources to meet the housing needs of low-income, very low-income, and extremely low-income households or to finance projects, as that term is defined in section 58 of the act, MCL 125.1458, located in a downtown or adjacent neighborhood in this state.
- (j) "Formula" means the standard procedure for distributing the Michigan housing and community development program funds throughout the state based on the number of persons experiencing poverty, economic, and housing distress as specified in section 58b of the act, MCL 125.1458b.
- (k) "For-profit corporation" means an entity that exists primarily to generate more income than it spends.
- (l) "Homelessness" means lacking a fixed, regular, and adequate nighttime residence with priority given to those living in any of the following:
 - (i) A publicly or privately operated shelter or transitional facility designed to provide temporary living accommodations.
 - (ii) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.
 - (iii) An institution that provides temporary residence for individuals intended to be institutionalized.
- (m) "Housing development" means single-family homes, rental developments, elderly developments, affordable assisted living developments, supportive housing developments, and any work or undertaking financed in whole or in part under this part for the primary purpose of acquiring, constructing, or rehabilitating housing for low, very low, or extremely low-income households in need of housing. An undertaking may include any buildings, land, equipment, facilities, or other real or personal

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property that is necessary, convenient, or desirable in connection with a development, including but not limited to streets, sewers, utilities, parks, site preparation, landscaping, and other non-housing facilities determined to be necessary, convenient, or desirable.

- (n) "HUD" means the United States Department of Housing and Urban Development, the federal department responsible for the major housing programs in the United States.
- (o) "Lookback" means the process of reviewing an intended proposed distribution of Michigan housing and community development program funds in a program year to ensure compliance with the earmark requirements provided in the act and these rules.
- (p) "Michigan housing and community development fund" means the fund created in section 58a of the act, MCL 125.1458a.
- (q) "Michigan housing and community development program fund advisory committee" means the advisory committee created in section 58e of the act, MCL 125.1458e.
- (r) "Michigan housing and community development program" means the program created in section 58b of the act, MCL 125.1458b.
- (s) "NOFA" means a notice of funding availability issued pursuant to this rule and the applicable statutory law governing the program.
- (t) "Not-for-profit corporation" means a public or private corporation that meets all of the following:
 - (i) Is organized under state or local laws.
 - (ii) Has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual.
 - (iii) Has a current tax exemption ruling from the Internal Revenue Service (IRS) under section 501(c)(3), a charitable, nonprofit corporation, or section 501(c)(4), a community or civic organization, of the internal revenue code, 26 USC 501(c)(3) or 26 USC 501(c)(4), as evidenced by a certificate from the IRS that is dated 1986 or later. The exemption ruling must be effective on the date of the application and must continue to be effective throughout the length of any contract or grant agreements; or classification as a subordinate of a central organization non-profit under the internal revenue code, as evidenced by a current group exemption letter, dated 1986 or later from the IRS, that includes the applicant. The group exemption letter must specifically identify and list the applicant.
 - (iv) A private nonprofit organization's pending application for section 501(c)(3) or section 501(c)(4) of the internal revenue code, 26 USC 501(c)(3) or 26 USC 501(c)(4), status does not comply with the tax status requirement.
- (u) "Predevelopment costs" means reimbursable costs, related to a specific eligible housing, downtown, or adjacent neighborhood project, that meet all of the following:
 - (i) Predevelopment project costs that are determined to be customary and reasonable by the authority, including, but not limited to, consulting fees, architectural fees, engineering fees, and costs related to the engagement of a development team, costs related to establishing site control, and costs related to title clearance.
 - (ii) Pre-construction project costs that are determined to be customary and reasonable by the authority, including, but not limited to, the costs of obtaining architectural plans and specifications, zoning approvals, engineering studies, and legal fees.
 - (iii) Predevelopment costs do not include general operational or administrative costs.
- (v) "Program funds" means the money in the Michigan housing and community development fund.
- (w) "Recipient" means an eligible applicant receiving funds or other assistance under the program. Recipient includes a subrecipient and any requirement applying to a recipient applies to a subrecipient.
- (x) "Rental housing project" means a housing development consisting of 1 or more dwelling units that will be rented to individuals or families meeting applicable occupancy and income requirements related to the nature of the housing unit or development.
- (y) "Request for proposals" or "RFP" means an announcement of a willingness to consider proposals requesting the awarding of program funds for a particular use or uses related to the fund or program.
- (z) "State" means the state of Michigan and any state level component units thereof.

History: 2008 AACS; 2009 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.192 Program funds eligible uses.

Rule 192. (1) Michigan housing and community development program funds may be used for the following activities:

- (a) Acquisition activities. Acquisition in whole or in part by the recipient, by purchase, long-term lease, donation, or otherwise, of real property, including air rights, water rights, rights-of-way, easements, and other interests therein, for any purpose authorized by the program.
- (b) Rehabilitation, clearance, and remediation activities. Rehabilitation activities include clearance, demolition, and removal of buildings and improvements, movement of structures to other sites, and remediation of known or suspected environmental contamination for a current or proposed housing development or project located in a downtown area or adjacent neighborhood. Demolition of HUD-assisted or HUD-owned housing units may be undertaken only with the prior approval of HUD.
- (c) New construction of housing activities or projects located in a downtown area or adjacent neighborhood. Construction of a

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housing development or projects located in a downtown area or adjacent neighborhood, including housing assisted under federal or state law, through the incurrence of development costs and predevelopment costs.

(d) Activities incurring development costs and predevelopment costs.

(e) Preservation of existing housing or activities related to the preservation of existing housing.

(f) Activities related to community development projects, infrastructure improvements, economic development projects, blight elimination, and community facilities. Activities under this category include acquisition, construction, reconstruction, rehabilitation or installation of community facilities, and infrastructure improvements or other incurrence of development costs or predevelopment costs carried out by the recipient. In undertaking such activities, design features and improvements that promote energy efficiency may be included. Such activities may also include the execution of architectural design features and similar treatments intended to enhance the aesthetic quality of facilities and improvements receiving assistance. Such community facilities include, but are not limited to, shelters for the homeless; shelters for victims of spousal and dating violence; halfway houses for children temporarily separated from their parents or guardians, drug offenders or parolees; group homes for persons with disabilities; and temporary housing for disaster victims.

(g) Activities incurring insurance costs related to any purpose authorized by the Michigan housing and community development program.

(h) Activities involving operating, replacement, and other reserves related to any purpose authorized by the Michigan housing and community development program.

(i) Activities providing down payment and other direct homeownership assistance to low, very low, or extremely low-income households.

(j) Activities providing security deposit assistance to low, very low, or extremely low-income households.

(k) Activities providing foreclosure prevention or foreclosure assistance to low, very low, or extremely low-income households.

(l) Activities related to individual development accounts established under the individual or family development account program act, 2006 PA 513, MCL 206.901 to 206.911.

(m) Activities related to ending homelessness.

(n) The provision of assistance either through the recipient directly or through public and private organizations, agencies, and other subrecipients, including nonprofit and for-profit subrecipients, to facilitate economic development projects or activities that support housing development that does the following:

(i) Provides financial support for the establishment, stabilization, and expansion of business enterprises.

(ii) Provides technical assistance, advice, and business support services to owners of business enterprises and persons developing business enterprises.

(iii) Provides general support, including, but not limited to, peer support programs, counseling, childcare, transportation, and other similar services, to owners of business enterprises and persons developing business enterprises.

(iv) Assistance under this subrule may also include training, technical assistance, or other support services to increase the capacity of the recipient or subrecipient to carry out the activities under this subrule.

(o) Assistance activities provided to public or nonprofit entities, including municipalities and land bank fast track authorities organized under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, to increase the capacity of such entities to carry out program eligible housing development, neighborhood revitalization, or economic development activities.

(p) Predatory lending prevention or relief.

(q) Any other housing and community development fund or program activities authorized under the authority's act.

(2) Ineligible applicants include the following:

(a) An applicant, recipient, or an entity in which the applicant or recipient has or had a controlling interest, either failed to submit or is now delinquent in providing an explanation, evidence of corrective action or a payment of disallowed costs or fees as a result of a program funding monitoring review.

(b) An applicant, recipient, or an entity in which the applicant or recipient has or had a controlling interest, is currently delinquent on any loan payments or any fees due and payable to the authority.

(c) An applicant, recipient, or an entity in which the applicant or recipient has or had a controlling interest, has been or is barred, debarred, suspended, or terminated from procurement in a state or federal program or listed in the list of parties excluded from federal procurement or non-procurement programs or has otherwise been debarred by HUD or the authority.

(d) Any individual acting as an owner, member, principal, officer, manager, or key employee of the applicant, recipient, or an entity in which the applicant or recipient has or had a controlling interest, has been convicted of a state or federal felony crime involving fraud, bribery, theft, misrepresentation of material fact, misappropriation of funds, or other similar criminal offenses within 15 years preceding the application deadline.

(e) An applicant, recipient, or an entity in which the applicant or recipient has or had a controlling interest, at the time of application submission is subject to any of the following:

(i) Enforcement or disciplinary action under state or federal securities law or by the National Association of Securities Dealers (NASD).

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- (ii) A federal tax lien.
- (iii) An enforcement proceeding with any governmental entity.
- (f) An applicant, recipient, or an entity in which the applicant or recipient has or had a controlling interest has open or unresolved, or both, audit issues with HUD or the authority related to this program or other programs administered by HUD or the authority.
- (g) A submitted application is incomplete; lacks required supporting documentation; or is so unclear or disjointed that, in the discretion of the authority, it cannot reasonably be reviewed to determine whether it meets program criteria. If an application is determined to be ineligible pursuant to this rule, the application will be terminated. To the extent that the authority staff was able to complete a limited application review, specific reasons for the authority's determination of ineligibility must be included in the termination letter to the applicant.
- (h) An applicant, recipient, or an entity in which the applicant or recipient has or had a controlling interest, has an ownership interest, or exercises control of 1 or more rental housing properties in this state is subject to a regulatory agreement or tax credit regulatory agreement with the authority and is in material noncompliance with the regulatory agreement or tax credit regulatory agreement.
- (i) Any application that includes financial participation by a person who, during the 5-year period preceding the date of the bid or award, has been convicted of violating a federal law in connection with a contract awarded by the federal government for relief, recovery, or reconstruction efforts as a result of any disaster occurring after January 1, 2000, or was assessed a federal civil or administrative penalty in relation to such a contract.
- (j) Applications for proposals which cause or result in the permanent displacement of low-income, very low-income, or extremely low-income households. Low-income, very low-income, or extremely low-income households that may be temporarily displaced by the rehabilitation of affordable housing may be eligible for compensation of moving and relocation expenses. If a recipient violates the dislocation provisions of this subrule, that recipient shall repay program money and the landlord or developer must pay the affected parties' costs and all moving expenses.
History: 2008 AACS; 2009 AACS; 2023 MR 6, Eff. March 21, 2023.

PART 9A. APPLICATION, EVALUATION, AND PROGRAM REQUIREMENTS

R 125.193 Application procedures and requirements.

Rule 193. (1) Applications received by the authority in response to a Michigan housing and community development program NOFA or RFP must be handled in the following manner:

- (a) The authority shall accept applications on an ongoing basis during the application acceptance period as specified in the NOFA or RFP.
- (b) Applications submitted and accepted by the authority will be reviewed in the following manner:
 - (i) Authority staff shall review all applications for eligibility, threshold, and selection criteria and ensure that all application requirements have been met.
 - (ii) Authority staff shall review applications to determine whether they comply with the NOFA or RFP and applicable law.
 - (iii) Authority staff may issue a notice of any administrative deficiencies related to applications reviewed.
 - (iv) Authority staff shall conduct a comprehensive review of financial feasibility for development activities proposed in any application deemed acceptable under paragraphs (i) to (iii) of this subdivision.
 - (v) Authority staff shall create a report setting forth the recommended terms, amount, and any conditions related to the proposed loan, grant, or project.
- (2) Upon completion of staff review and any associated resolution of any applicable administrative deficiencies, applications that the review committee reviews, scores, and selects for award shall be recommended to the authority for approval.
- (3) If an application contains deficiencies that in the determination of the authority staff, require clarification or correction, the authority staff may request clarification or correction of the administrative deficiencies, including threshold, selection criteria documentation, and financial feasibility analysis.
- (4) Requests for clarification or correction may be sent to the applicant in the form of a facsimile, e-mail, or be relayed to the applicant via a telephone call and documented in the application file.
- (5) An applicant may not change or supplement any part of an application in any manner after submission to the authority, propose to increase the award amount, or revise the unit mix, as to income levels or bedroom-count mixes, or both, except to remedy an administrative deficiency.
- (6) The authority may decline to fund any application if the proposed activities do not, in the authority's sole determination, represent a prudent use of the housing and community development program funds.
- (7) The authority is not obligated to proceed with any action pertaining to any applications that are received and may decide it is in the authority's best interest to refrain from pursuing any selection process.
- (8) The authority may negotiate individual elements of any application, loan, or grant. Revision of application terms does not

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guarantee an award of funding.

(9) The authority may conduct a site review. Applicants must receive recommendation for approval from the authority staff and the review committee to be considered for funding by the authority.

History: 2008 AACCS; 2009 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.194 Evaluation criteria for funding; other program requirements.

Rule 194. (1) Requests for funding scoring the highest on the criteria explained in subrule (2) of this rule are most likely to be awarded funds.

(2) The following criteria will be used in evaluating the responses to any Michigan housing and community development program NOFA or RFP:

(a) To be eligible for funding, an applicant must first demonstrate that it meets each of the following threshold criteria:

(i) The application is consistent with the requirements established in the act, this rule, the NOFA, or the RFP.

(ii) If the application involves either a rental housing project or a home ownership project, the application requests funding for a project that sets aside at least 20% of the rental units or housing units in the project for households earning not more than 60% of the area median income.

(iii) The application includes a letter of support from the highest-ranking elected official for each of the jurisdictions served by the proposed project.

(iv) The application meets the readiness to proceed requirements established in the NOFA or the RFP.

(v) Any outstanding housing and community development fund predevelopment loans for the same proposed development site must be paid in full at the time of loan closing for the current requested funds.

(b) Evaluation factors used to evaluate and score applications, as more fully described in a NOFA or RFP, will include, at a minimum, the following factors:

(i) The extent to which the proposal or project represents the leveraging of program funds.

(ii) The ability of the applicant or recipient, or both, to administer the funding award effectively and deliver results within program timelines.

(iii) The extent to which the proposal or project helps meet the 25% earmark provided in the act for rental housing projects that do not qualify under preferences for special population groups, or other preferences contained in the allocation plan.

(iv) The extent to which the proposal or project helps meet the 30% earmark provided in the act for projects that target extremely low-income households, including developing housing for the homeless, supportive housing, transitional housing, and permanent housing.

(v) The extent to which the proposal helps meet the statutory requirement that a portion of the fund be expended for persons with disabilities and individuals living in eligible distressed areas.

(3) Other Michigan housing and community development program requirements include the following:

(a) All uses of program funds must comply with the applicable income limitations contained in the act, these rules, the annual plan, the applicable NOFA or RFP, and any statements or representations made in any application or other documentation submitted as a part of any application, reporting, or other monitoring related to any award of program funds.

(b) A rental housing project assisted by the fund must set aside at least 20% of the housing units in the project for households earning not more than 60% of the area median income.

(c) A home ownership project assisted by the fund must set aside at least 20% of the housing units in the project for households earning not more than 60% of the area median income.

(d) If the housing funded by the program is rental housing, the owner or manager of the housing must agree in writing not to evict a tenant without just cause, as defined in section 44a of 1933 PA 18 (Ex. Sess.), MCL 125.694a.

(e) All assistance for housing and real property acquired or supported by program funds must include an agreement, restriction, or real covenant related to the recapture of program funds upon sale, conversion, or disposition of the property if the recapture provisions of these rules are triggered.

History: 2008 AACCS; 2009 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.195 Biennial plan; allocations; earmarks; carryover.

Rule 195. (1) Pursuant to the act, the authority shall biennially develop, propose, and establish a biennial plan related to the Michigan housing and community development program. The biennial plan must be issued pursuant to the requirements of the act and all of the following:

(a) The authority shall, as a part of the biennial plan, issue an allocation plan related to the disbursement of program funds.

(b) The authority's biennial plan and allocation plan must contain an allocation formula related to the disbursement of program funds.

(c) The following statutory earmark and lookback procedures apply to any biennial plan, allocation plan, and allocation formula:

(i) Not less than 25% of the dollars used for loans or grants made in any program year must be earmarked for rental housing

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projects that do not qualify under preferences for special population groups, or other preferences contained in the allocation plan.

(ii) Not less than 30% of the dollars used for loans or grants made in any program year must be earmarked for projects that target extremely low-income households and include housing for the homeless, supportive housing, transitional housing, or permanent housing.

(iii) A portion of the fund must be expended for housing for persons with disabilities and individuals living in eligible distressed areas.

(2) After the completion of any application receipt, review, selection, and approval process related to any biennial plan, allocation plan, or allocation formula in any program year, the authority shall look back and review the intended distribution of the program funds for that year and determine whether the earmark requirements in this rule and in the act will be met under the proposed distribution. If the earmark requirements are not met, and eligible applications meeting the earmark requirements have been received, accepted, and have not otherwise been approved for funding, the authority shall revise the proposed distribution to comply with the applicable earmark requirements. The revised plan shall be presented to and approved by the authority.

(3) Uncommitted funds at the end of any program year must be carried over and used under the applicable biennial plan, allocation plan, and allocation formula related to any subsequent program year.

History: 2008 AACCS; 2009 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.196 Reporting requirements; program periods; compliance monitoring; review; recapture.

Rule 196. (1) The following provisions regarding reporting apply:

(a) All recipients of program funds shall report back to the authority on a semiannual basis about their use of program funds. The authority shall collect information from recipients to establish that the program funds are being spent correctly and to measure the results or performance of its spending against the objectives of the Michigan housing and community development program.

(b) The authority shall establish as a part of each biennial plan reporting forms that must be submitted by the recipients on a semiannual basis. These reports must include both a performance monitoring form and a financial monitoring form.

(c) The performance monitoring form must be signed by the chief executive officer of the recipient and analyze the management performance of the recipient, specifically including a description of the following items:

(i) What was done with the program funds and whether what was done was consistent with the goals and strategies outlined in the application.

(ii) How well it was done, including a discussion of how success or failure will be measured.

(iii) Who has benefited from the distribution of program funds, including details on results.

(d) The financial monitoring form must be signed by the chief financial officer of the recipient and analyze the financial performance of the recipient. Program funds must be used in an efficient, effective, and appropriate manner, consistent with the Michigan housing and community development program objectives and priorities, including community needs. Program funds must also be appropriately and properly accounted for with documentation that adequate safeguards have been instituted by the recipient to ensure that there is no misuse of program funds.

(2) The following provisions apply to Michigan housing and community development program periods and extensions:

(a) The initial program period for any loan or grant awarded under the program is 2 years from the date of the award of program funds. All activities related to the use of program funds must be completed within this 2-year time frame. Any program monies outstanding on the date that is 2 years from the date of the award are subject to the recapture provisions of this rule and must be immediately repaid to the authority.

(b) Recipients must maintain compliance with each of its contracts and agreements with the authority.

(c) Recipients must comply with any restrictions that are stated in and enforced through a regulatory agreement or any other legal document associated with any award of program funds. These restrictions may include, but are not limited to, the following:

(i) Rent restrictions.

(ii) Record keeping and reporting.

(iii) Income targeting of tenants.

(d) The authority will monitor compliance with project restrictions and any other covenants by recipient in any Michigan housing and community development program fund agreement. An annual compliance fee of up to \$75.00 per unit may be charged for this review.

(3) The authority executive director shall name a review committee that shall meet to consider, review, score, and recommend for approval program funding awards and award amounts based on applications received in any program funding round. The review committee shall meet to formally review the applications and make recommendations to the authority regarding the total awards to be made in any application year and the amounts and recipients of the proposed awards. Each member of the

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committee shall complete a scoring sheet detailing the member's evaluation and score of the application on the various evaluation factors or criteria. The committee shall make any program funding award recommendation decisions based on the scoring of these factors or criteria, subject to revision under the applicable earmark requirements. All decisions of the committee shall be made based on the scoring outcomes or by majority vote, or both, as applicable. The authority shall have final authority to approve or disapprove of any program funding award recommendation made by the review committee.

(4) Recapture of program funds must be accomplished as follows:

(a) The authority has the power to recapture or de-obligate program funds and program funding awards in certain circumstances. The power to recapture or de-obligate program funds may apply to entire awards or portions of awards. Recaptured or de-obligated program funds must be re-deposited in the fund and used to make future awards in the current and next applicable program year or program funding round.

(b) The following reasons justify the de-obligation or recapture of program funds:

(i) Inability of the applicant or recipient to execute the program activity and obligate the program funds within the initial program period 2-year timeline.

(ii) Inability of the applicant or recipient to make drawdowns of program funds on a regular and timely basis, such that the authority has grounds to question the overall viability of the project.

(iii) Substantial, significant, and lengthy noncompliance with the act, rules, NOFA, RFP, application, biennial plan, allocation plan, allocation formula, program funding agreement, or any other documentation or requirement related to any award. In making the decision on de-obligation or recapture in this instance, the authority shall consider whether or not the non-compliance is due to factors beyond the applicant's or recipient's control.

(iv) If the total cost of the anticipated program activity is less than the total cost anticipated in the application or other documentation provided by the applicant or recipient, or both, the authority may de-obligate the portion of the award exceeding the actual costs of the program activity.

(v) At the end of the initial program period and any approved extension of that period, the unspent funds remaining in the program account, project account, or any other account related to the program activity must be recaptured and returned to the program fund.

(vi) If the applicant or recipient, or both, voluntarily returns the program funds to the authority and ceases all program activity and reporting upon the return of program funds.

(vii) Any other reason justifying recapture or de-obligation approved by the authority, upon notice to the applicant or recipient, or both, of both the authority's consideration of a recapture or obligation decision and notice that the authority has approved a resolution or motion evidencing its decision to recapture or de-obligate the program funds.

History: 2008 AACS; 2009 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.197 Hearings procedures.

Rule 197. Hearing procedures must include citizen participation as follows:

(a) The authority must hold at least 3 public hearings in separate locations throughout the state biennially on the program priorities for the upcoming 2-year period. At the hearings, the authority shall solicit comments from the public, eligible applicants, and administrators and development owners on the Michigan housing and community development fund and program rules, guidelines, and procedures.

(b) The authority must consider the comments received at public hearings. Biennially, the authority must review the performance, administration, and implementation of the Michigan housing and community development fund in light of public comment it receives. The authority shall also review the biennial plan, allocation plan and allocation formula, funding goals, and earmarks relating to allocation and award of the Michigan housing and community development fund monies.

(c) The authority must submit an annual report to the governor and the legislature under section 58b(6) of the act, MCL 125.1458b. The authority shall include the statutorily required information in the annual report, as well as any other information that the authority staff, review committee, or authority board believe would enhance the understanding that the elected officials and citizens of this state have regarding the operation of the Michigan housing and community development program.

(d) After the applicable application deadline related to the NOFA or RFP, applications for the Michigan housing and community development funds are public information subject to release under the freedom of information act (FOIA), 1976 PA 442, MCL 15.231 to 15.246, and the authority shall afford the public an opportunity to comment on proposed housing applications prior to the making of awards.

(e) Before any proposed change to these rules, the authority must conduct a public hearing in accordance with the provisions of the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 2008 AACS; 2009 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.198 Michigan housing and community development fund advisory committee

Rule 198. Pursuant to section 58e of the act, MCL 125.1458e, the authority shall seek the advice of the Michigan housing and

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community development fund advisory committee on both of the following:

- (a) Recommendations for the biennial allocation plan required under section 58b of the act, MCL 125.1458b.
- (b) Fund expenditure review, including whether the expenditures are distributed fairly and equitably, whether the expenditures satisfy the housing needs and priorities in this state, and whether the expenditures satisfy the economic needs and priorities in this state.

History: 2009 AACs; 2023 MR 6, Eff. March 21, 2023.

R 125.199 Records.

Rule 199. Records maintenance requirements for applicants and recipients include the following:

- (a) In addition to any regular reporting obligations provided under R 125.193, applicants, recipients, or both are required to maintain records on each of the following issues and shall, upon the written request of the authority, submit information to the authority on any program activity or administration issues, which may include, but are not limited to, the following:
 - (i) Information as may be necessary to determine whether a project is benefiting low, very low, and extremely low-income households.
 - (ii) The monthly rent or mortgage payment for each dwelling unit in each structure assisted.
 - (iii) Information as may be necessary to determine whether the applicant or recipient, or both, has carried out housing or community development activities in accordance with the requirements and primary objectives of the Michigan housing and community development fund program and implementing regulations.
 - (iv) The size and income of the household for each unit occupied by a low, very low, and extremely low-income households.
 - (v) Data on the extent to which any racial and ethnic group and households have applied for and benefited from any project or activity funded in whole or in part with funds made available under the Michigan housing and community development program. This data must be updated annually by the applicant or recipient.
 - (vi) A final statement of accounting upon completion of the project.
 - (vii) Any other information reasonably within the applicant's or recipient's ability to determine and to report to the authority, related to the grant or loan.
- (b) Applicants and recipients shall maintain records pertinent to the tenant's files for at least 3 years.
- (c) Applicants and recipients shall maintain records pertinent to program grants or loans, or both, including, but not limited to, project costs and certification work papers for at least 5 years.
- (d) Applicants and recipients shall maintain records in an accessible location.

History: 2008 AACs; 2023 MR 6, Eff. March 21, 2023.

**PART 10. IDENTITY OF INTEREST WITH VENDORS
TO AUTHORITY-FINANCED DEVELOPMENTS**

R 125.201 Applicability.

Rule 201. The rules contained in this part apply to all transactions that involve the supply of goods and services to authority-financed housing developments between the owners or the management agents of the developments and vendors who supply goods or services to those developments.

History: 1991 AACs; 2023 MR 6, Eff. March 21, 2023.

R 125.202 Identity of interest; "member of the family" defined.

Rule 202. (1) Any contractual relationship between either an owner or management agent and a vendor described in subrule (2) of this rule constitutes an identity of interest.

(2) An identity of interest exists if any of the following conditions occurs:

- (a) Either the owner or management agent, or any officer, director, stockholder, partner, or joint venturer of either the owner or management agent, has a financial interest in the vendor.
- (b) Either the owner or management agent, or any officer, director, stockholder, partner, or joint venturer of either the owner or management agent, is also an officer, director, stockholder, partner, or joint venturer of the vendor.
- (c) Either the owner or management agent, or any officer, director, stockholder, partner, or joint venturer of either the owner or management agent, is also the vendor.
- (d) A member of the family of either the owner or management agent, or of any officer, director, stockholder, partner, or joint venturer of either the owner or management agent, is the vendor or an officer, director, stockholder, partner, or joint venturer of the vendor or has a financial interest in the vendor. As used in this part, "member of the family" means any individual who is related to the party in question by blood, marriage, or operation of law.

History: 1991 AACs; 2023 MR 6, Eff. March 21, 2023.

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R 125.203 Requirements for conducting business with identity of interest vendors.

Rule 203. Owners and management agents shall conform to all of the following requirements when conducting business with vendors with whom there is an identity of interest:

- (a) Both the owner and management agent shall inform the authority division of asset management of any proposed vendor with whom there is an identity of interest. The notification must be submitted concurrent with submission of the development operating budget, but at least once per year.
- (b) The owner and management agent shall submit a certified disclosure for each proposed vendor with whom there is an identity of interest that lists the names of all of the following persons:
 - (i) All owners and managers of vendors that are sole proprietorships.
 - (ii) All copartners or general partners of vendors that are copartnerships or limited partnerships.
 - (iii) All joint venturers of vendors that are joint ventures.
 - (iv) All directors, officers, and shareholders of vendors that are corporations.
- (c) The certified disclosure must list, for each person described in subdivision (b) of this rule the names of the individuals involved with the owner or management agent with whom there is an identity of interest and the extent or degree of the identity of interest. The certified disclosure must also contain other information as the authority requires, such as the following:
 - (i) Federal tax identification number of all vendors with whom there is identity of interest.
 - (ii) The location of all offices that contain business records of the vendors with whom there is an identity of interest.
 - (iii) The names and addresses of the bookkeepers and accountants of the vendors with whom there is an identity of interest.
- (d) The certified disclosure must be submitted on forms designated by the authority and be submitted together with the submission described in subdivision (a) of this rule or, if the proposed vendor is not listed on such submission, at the time the owner or management agent requests approval to contract with a proposed vendor with whom there is an identity of interest.
- (e) The owner and management agent shall submit, together with its certified disclosure, a copy of the organizational documents for each proposed vendor with whom an identity of interest is shared.
- (f) The authority has the right to audit the books of the vendor with whom there is an identity of interest to determine whether amounts paid to identity of interest vendors were reasonable and whether there has been compliance with applicable restrictions on return. The owner, management agent, and proposed vendor shall acknowledge, in the certified disclosure, the authority's right to conduct such an audit.
- (g) Both the owner and management agent shall submit, to the authority, a request for approval to use a proposed vendor with whom there is an identity of interest. Neither the owner nor management agent may contract for goods or services from any vendor with whom there is an identity of interest until the proposed vendor and contract amount is approved by the authority. If an owner or management agent enters into a contract for goods or services beyond the goods or services previously approved by the authority, or if the contract price increases beyond the prices previously approved by the authority, then an additional approval must be requested of the authority.
- (h) The authority may, upon a request from the owner or management agent and after review of the disclosure required pursuant to the provisions of subdivisions (b) to (f) of this rule, determine that the identity of interest between the owner and agent is insignificant. If such a determination is made, the owner and management agent need not comply with the provisions of subdivision (i) of this rule.
- (i) Unless compliance with this subdivision is excused pursuant to the provisions of subdivision (h) of this rule, all requests for approval of proposed vendors must be accompanied by a detailed explanation of the goods or services to be provided by the proposed vendor and not less than 3 bids for such goods and services. The 3 bids must include a bid from the vendor with whom there is an identity of interest.
- (j) Requests for approval of a proposed vendor must be submitted concurrent with the submission of the development operating budget and any other time that the owner or management agent wishes to contract with a vendor with whom there is an identity of interest. However, a proposed vendor and contract amount need be approved only 1 time per operating year per development, unless the vendor supplies goods or services beyond the goods or services previously approved by the authority or the contract price increases beyond the prices previously approved by the authority.

History: 1991 AACs; 2023 MR 6, Eff. March 21, 2023.

R 125.204 Sanctions; "excessive costs" defined.

Rule 204. (1) If an owner or management agent is found to be in violation of these rules concerning identity of interest, the authority, or the officers or employees to whom it may delegate authority, may impose the following sanctions in addition to any other remedies available through contractual or grant documents, or at law or equity:

- (a) On the first occurrence of a violation, either or both of the following sanctions may be imposed:
 - (i) The owner or management agent may be required to reimburse the development operating account for all excessive costs, as determined by the authority, incurred as a result of the contract with the vendor with whom there is an identity of interest.
 - (ii) The owner and management agent found to be in violation may be prohibited from using any vendor with whom there is

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an identity of interest for a period of 1 year.

(b) For each violation after the first, the following sanctions may be imposed, as applicable:

(i) The owner or management agent may be required to reimburse the development operating account for all excessive costs, as determined by the authority, incurred as a result of the contract with the vendor with whom there is an identity of interest.

(ii) If the violation involves a vendor who has an identity of interest with the management agent, then either or both of the following sanctions may be imposed:

(A) The management agent's management agreement may be terminated, and the hiring of a new management agent is required.

(B) The vendor who shares the identity of interest with the management agent may be barred from doing business with other authority-financed developments managed by the same management agent.

(iii) If the violation involves a vendor who has an identity of interest with the owner, then the owner and its management agent may be prohibited from doing business with that particular vendor at the development in question for a period of 5 years.

(2) As used in this rule, the term "excessive costs" means all costs that would not have been incurred by the development if the owner or management agent, or both, had exercised reasonable business judgment and obtained only those goods and services reasonably necessary for operation of the development at competitive prices.

History: 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

**PART 11. DEBARMENT AND SUSPENSION FROM PARTICIPATION IN AUTHORITY
PROGRAMS AND TRANSACTIONS**

R 125.211 Applicability; sanctions.

Rule 211. (1) The provisions of this part apply to any program or transaction funded or administered by the authority, including any of the following:

(a) Grants, assistance contracts, loans, subsidies, awards, loan service contracts, allocations, or contracts related to federal tax credits administered by the authority.

(b) Participation or agency contracts for authority programs.

(c) Professional or technical service contracts or subcontracts.

(2) Sanctions imposed pursuant to this part do not preclude a party from the purchase from the authority of housing developments or single-family homes that the authority has acquired through foreclosure or deed in lieu of foreclosure if the acquisition is on a cash basis or made with financing from sources other than the authority.

(3) Sanctions imposed pursuant to this part do not bar any person from receipt of any funds, credit, or benefit to which the person is otherwise entitled under federal or state law and for which the authority the sole program administrator; however, this exception does not enable or authorize participation in the program involving the applicable funds, credit, or benefit beyond the mere receipt of such funds, credit, or benefit. This provision does not prevent sanctions under this part where the authority acts as program administrator and also has the ability to impose additional requirements beyond those requirements of state or federal law as a prerequisite to receipt of the respective funds, credit, or benefit.

(4) Persons are subject to the provisions of this part whether their involvement is as a contractor, participant, or one receiving funds directly or indirectly from a contractor or a participant. Persons are subject to the provisions of this part whether or not the conduct for which a sanction is imposed occurred while they were engaged in an authority program or transaction. Persons are subject to the provisions of this part whether their actions upon which a sanction is based were taken in their own behalf or on behalf of another person.

History: 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.212 Definitions.

Rule 212. Definitions provided for in part 1 of the authority's rules, R 125.101 to R 125.103, apply to the provisions of this part unless superseded in this rule as follows:

(a) "Adequate evidence" means information that is sufficient to support a reasonable belief that a particular act, omission, or event has occurred.

(b) "Affiliate" means individuals or entities with whom a person shares an identity of interest as defined in part 10 of these rules.

(c) "Contractor" means an individual or entity that does either of the following:

(i) Performs or provides labor or professional or technical services or supplies goods to the authority pursuant to a contract or participation agreement.

(ii) Conducts business with the authority as the agent, representative, or subcontractor of another contractor.

(d) "Conviction" means a judgment of guilt in a criminal case by any court of competent jurisdiction, whether by verdict, guilty plea, or plea of nolo contendere, and whether or not the judgment has been or is on appeal.

(e) "Debarment" means action taken to exclude a person from direct or indirect participation in any authority program or

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transaction whether as a contractor or participant.

(f) "Notice" means written communication delivered by personal service or sent either by certified mail, return receipt requested, or by commercial courier with verification of delivery.

(g) "Participant" means any person who directly or indirectly takes part in or is involved in an authority program or transaction other than as a contractor. Participant includes a person who receives benefits or income from or through another participant or contractor. A participant includes, but is not necessarily limited to, any of the following:

(i) Bonding companies.

(ii) Borrowers.

(iii) Builders.

(iv) Mortgagors.

(v) Management agents.

(vi) Marketing agents.

(vii) Owners of housing developments.

(viii) Recipients of authority subsidies.

(ix) Grantees.

(x) Persons employed by, or offering services to, participants, such as any of the following:

(A) Architects.

(B) Accountants.

(C) Attorneys.

(D) Consultants.

(E) Engineers.

(F) Contractors to participants.

(G) Subcontractors of contractors to participants.

(h) "Person" means an individual, partnership, corporation, association, unit of government, or other form of legal entity, whether in good standing or otherwise.

(i) "Respondent" means the person against whom debarment or suspension is to be imposed.

(j) "Suspension" means an action that immediately excludes a person from direct or indirect participation in authority programs or transactions, whether as a participant or contractor, for a temporary period pending completion of an investigation or administrative or other legal proceeding.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.213 Debarment; causes.

Rule 213. Debarment may be imposed for any of the following causes:

(a) Conviction of a criminal offense, including a conviction for an attempted criminal activity, or civil judgment for an offense or actions involving or indicating dishonesty, false pretense, or misrepresentation. Any following offenses may result in debarment:

(i) Fraud.

(ii) Bribery.

(iii) Embezzlement.

(iv) Forgery.

(v) Falsification of documents or records.

(vi) Theft.

(vii) Robbery.

(viii) Larceny.

(ix) Receiving and concealing stolen property.

(x) Obtaining goods, money, or services under false pretenses.

(xi) Negligent misrepresentation.

(xii) Price-fixing.

(xiii) Bid-rigging or other violation of federal or state laws involving the submission of bids or proposals.

(xiv) Violation of other federal or state law involving illegally obtaining or attempting to obtain public or private goods, services, or contracts.

(b) Violation of any federal, state, or authority law, rule, or regulation, whether or not in connection with an authority program or transaction, which indicates dishonesty, lack of business integrity, or willful or repeated failure to perform obligations in a responsible manner.

(c) Violation of any federal, state, or authority law, rule, or regulation, whether as a participant or contractor, in connection with either of the following, which indicates a willful or repeated failure to perform obligations in accordance with relevant

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laws, rules, and regulations:

- (i) Application for participation in an authority program or transaction.
- (ii) Participation in an authority program or transaction.
- (d) Violation of 1 or more contracts or agreements, either public or private and that involves willful or repeated noncompliance with the terms and conditions of the contracts or agreements and indicates a failure or refusal to perform in a responsible manner.
- (e) Debarment or equivalent exclusionary action by a public agency or instrumentality involving substantially the same causes as set forth in this rule.
- (f) Loss or suspension of a license or the right to do business or practice a profession, the loss or suspension of which indicates dishonesty, a lack of integrity, or a failure or refusal to perform in accordance with the ethical standards of the business or profession in question.
- (g) Violation of federal, state, or local civil rights, equal rights, or nondiscrimination laws, ordinances, rules, or regulations.
- (h) Violation of provisions in contracts or agreements concerning nondiscrimination or equal opportunity in employment, housing, or lending.
- (i) Violation of law, rule, regulation, or provision of contract or agreement involving conflict of interest or an improper shared identity of interest.
- (j) Other events, conduct, or causes serious enough to lead to a determination of dishonesty, a lack of business integrity, or willful or repeated failure to perform obligations in a responsible manner.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.214 Debarment procedures.

Rule 214. (1) Debarment procedures shall be initiated by an authorized officer. Procedures will commence with the authority sending a notice of debarment to the respondent.

(2) A notice of debarment must be sent to each respondent and contain all of the following information:

- (a) That debarment is being proposed.
- (b) The acts or omissions that are the grounds upon which debarment is based.
- (c) The particular provisions of laws, regulations, rules, and program requirements involved.
- (d) The opportunity for the respondent to request and schedule a hearing on the debarment.
- (e) The potential effects of debarment.

(3) A respondent who receives a notice of debarment is entitled to a hearing on the issue. The hearing will be conducted in accordance with R 125.111 and the provisions of the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, which governs all of the following:

- (a) Choice and scope of authority of hearing officers.
- (b) Rules of conduct and evidence for hearing.
- (c) Decisions of hearing officers.
- (d) Burdens or levels of proof required.
- (e) Rights of administrative and judicial appeal.

(4) If the official who is to make the final decision has not heard the contested case or read the record, the decision, if adverse to the respondent, may not be made until a written proposal for decision has been sent to all parties by the official who has heard the contested case or read the record. Any party who is adversely affected has 10 days from issuance of the proposal for decision to file written exceptions and arguments. If written exceptions or arguments are not submitted within 10 days, there will be no further proceedings before the issuance of a final decision.

(5) The final decision of the authority will be issued within 60 days after the date of the hearing or, if a proposal for decision is required pursuant to the provisions of subrule (4) of this rule, within 60 days of the closing date for submission of written exceptions to the proposal for decision, whichever is later.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.215 Debarment; duration.

Rule 215. Debarment shall be for a period of time commensurate with the acts or omissions of the person to be debarred. In general, a person shall not be debarred for more than 3 years. However, where the offense is egregious, a longer period of debarment may be imposed. If a person is suspended pursuant to these rules before debarment, the period of debarment must be reduced by the period of time that the person has been suspended.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.216 Debarment; scope and effect.

Rule 216. (1) The decision to debar a person must specify the scope of debarment. A person may be debarred from 1 or more

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particular authority programs or transactions or from all authority programs and transactions.

(2) The decision to debar a person, unless prohibited by law, may terminate existing contracts or agreements between the debarred persons and other nondebarred participants or contractors. However, the decision to debar may allow the contracts or agreements to remain in effect. A participant or contractor shall not renew or extend a contract or agreement with a debarred person.

(3) A decision to debar a person may also serve to debar any affiliate of the person, if the affiliate is named in the notice to debar and given an opportunity to participate in the debarment hearing. There need not be shown any participation in or knowledge of the improper conduct, by the affiliate, that led to the decision to debar.

History: 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.217 Debarment; time limitations.

Rule 217. A notice of proposed debarment must be issued within 3 years after the later of either of the following:

- (a) Criminal conviction or civil judgment.
- (b) Completion of administrative proceedings, investigation, or other action.

History: 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.218 Reinstatement after debarment.

Rule 218. (1) Debarred participants or contractors may not resume participation in authority programs or transactions until expiration of the period of debarment or until a petition for early reinstatement has been submitted and approved by an authorized officer of the authority, whichever occurs first.

(2) Petitions for early reinstatement may only be submitted as follows:

(a) Upon discovery of new evidence that was not previously discoverable or upon the dismissal of criminal charges or a civil or administrative action, the reversal of a criminal conviction or a civil judgment, or the reversal of the debarment or other exclusion imposed by another governmental agency, upon which the authority debarment was based.

(b) Upon a bona fide change in ownership or management of the person debarred.

(c) Upon proof that the causes for debarment have been eliminated.

(3) A petition for early reinstatement may be submitted as follows:

(a) Immediately after the occurrence of events set forth in subrule (2)(a) of this rule.

(b) Not less than 6 months after the issuance of a final decision of debarment if the petition is based upon reasons set forth in subrule (2)(b) and (c) of this rule.

(4) The petition for early reinstatement must be submitted to the official who issued the final decision to debar, or to his or her successor. The petition must be accompanied by written evidence that supports the request. The official who issued the final decision may request a written response to the petition from the authorized officer that initiated the debarment proceedings. There shall not be a hearing upon a petition for early reinstatement unless ordered by the official ruling upon the petition. The official may refer a petition for early reinstatement, together with evidence submitted in connection with or in response to the petition, to a hearing officer for review and written recommendation.

History: 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.219 Suspension; causes.

Rule 219. Suspension may be imposed, pursuant to the provisions of this rule, if adequate evidence of any of the following exists:

(a) That the person has committed an offense set forth in R 125.213(a). Either of the following events shall, by itself, constitute adequate evidence for purposes of imposing suspension:

(i) Indictment for an offense listed in R 125.213(a).

(ii) Arraignment on the information in circuit court, or an equivalent state court in a state other than Michigan, for an offense listed in R 125.213(a). However, adequate evidence may exist although neither of the events listed in paragraphs (i) and (ii) of this subdivision has occurred.

(b) That cause for debarment under R 125.213 exists.

(c) Suspension by a federal agency or another state agency for any cause specified in R 125.213.

History: 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

R 125.220 Suspension; procedures.

Rule 220. (1) Suspension procedures must be initiated by an authorized officer. Procedures commence with sending a notice of suspension to the respondent.

(2) A notice of suspension must be sent to each respondent and contain all of the following information:

(a) That suspension has been proposed.

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- (b) The acts, events, or omissions upon which suspension is based.
 - (c) The particular provisions of law, regulation, rules, or program requirements involved.
 - (d) When the suspension becomes effective.
 - (e) The opportunity to request and schedule a hearing on the suspension.
 - (f) The potential effects of suspension.
- (3) A respondent who receives a notice of suspension is entitled to a hearing on the issue. The hearing must be conducted in accordance with the provisions of R 125.11 and the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, which governs all of the following:
- (a) Choice and scope of authority of hearing officers.
 - (b) Rules of conduct and evidence for hearing.
 - (c) Decisions of hearing officers.
 - (d) Burdens or levels of proof required.
 - (e) Rights of administrative and judicial appeal.
- (4) If the official who is to make the final decision has not heard the contested case or read the record, the decision, if adverse to the respondent, shall not be made until a written proposal for decision has been sent to all parties by the official who heard the contested case or read the record. Any party who is adversely affected has 10 days from the issuance of the proposal for decision to file written exceptions and arguments. If written exceptions or arguments are not submitted within 10 days, there shall be no further proceedings before the issuance of a final decision.
- (5) The final decision of the authority must be issued within 60 days after the date of the hearing or, if a proposal for decision is required pursuant to the provisions of subrule (4) of this rule, the closing date for submission of written exceptions to the proposal for decision, whichever is later.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.221 Suspension; scope and effect.

Rule 221. (1) A suspension must specify the scope of suspension. A person can be suspended from 1 or more particular authority programs or transactions or from all authority programs and transactions.

(2) The suspension may, unless prohibited by law, suspend the operation of existing contracts or agreements between the suspended persons and other nonsuspended participants or contractors. However, the decision may allow such contracts or agreements to remain in effect. A participant or contractor shall not renew or extend a contract or agreement with a suspended person.

(3) A suspension may also serve to suspend any affiliate of such person, if any such affiliate is named in the notice of suspension and given an opportunity to participate in the hearing. There need not be shown any participation in or knowledge of the improper conduct, by the affiliate, that led to the decision to suspend.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.222 Suspension; duration.

Rule 222. (1) Suspensions are for a temporary period pending the completion of the specified legal proceeding, administrative action, investigation, or other such event.

(2) A suspension becomes effective upon the issuance of the authority's final decision following a hearing on the notice of suspension or immediately upon the issuance of a notice of suspension if there exists cause for suspension pursuant to the provisions of R 125.219 and an authorized office determines that an immediate suspension is necessary to protect the public health, safety, or welfare.

(3) A suspension remains effective, unless overruled by the final decision following a hearing on a notice of suspension, until the expiration of the stated period of suspension or a petition for early reinstatement is granted, whichever occurs first.

(4) In cases based solely upon an alleged or suspected violation of federal or state law, a suspension terminates within 12 months, unless 1 of the following actions has been initiated:

- (a) Criminal prosecution.
- (b) Civil action.
- (c) An administrative hearing or action for the alleged or suspected violation of law.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

R 125.223 Suspension decision; time limitation.

Rule 223. A notice of suspension must be issued within 3 years after either of the following:

- (a) Criminal conviction or finding of liability as a result of civil action or administrative action.
- (b) Completion of the investigation or similar process that establishes the basis for the suspension.

History: 1991 AACCS; 2023 MR 6, Eff. March 21, 2023.

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R 125.224 Reinstatement after suspension.

Rule 224. (1) Suspended participants or contractors may not resume participation in authority programs or transactions until the expiration of the stated period of suspension or a petition for early reinstatement has been submitted and approved by an authorized officer, whichever occurs first.

(2) Petitions for early reinstatement may only be submitted as follows:

(a) Upon discovery of new evidence that was not previously discoverable, or upon the dismissal of criminal charges or civil or administrative action, the reversal of a criminal conviction or civil judgment, or the reversal of the suspension, debarment, or other exclusion imposed by another government agency, upon which the authority suspension was based.

(b) Upon a bona fide change in ownership or management of the person suspended.

(c) Upon proof that the causes for suspension have been eliminated.

(3) A petition for early reinstatement may be submitted immediately after the occurrence of the events set forth in subrule (2) of this rule.

(4) The petition for early reinstatement must be submitted to the official who issued the final decision of suspension or to his or her successor. The petition must be accompanied by written evidence in support. The official who issued the final suspension decision may request a written response to the petition from the authorized officer that requested initiation of the suspension proceedings. There may not be a hearing upon a petition for early reinstatement unless ordered by the official ruling upon the petition. The official may refer a petition for early reinstatement, together with evidence submitted in connection or in response to the petition, to a hearing officer for review and written recommendation.

History: 1991 AACS; 2023 MR 6, Eff. March 21, 2023.

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R 125.301

Source: 1998-2000 AACS.

R 125.302

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Source: 2014 AACS.

DEPARTMENT OF HUMAN SERVICES

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URBAN LAND ASSEMBLY FUND

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R 125.1002

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Source: 1998-2000 AACS.

R 125.1224b
Source: 1998-2000 AACS.

R 125.1225
Source: 1998-2000 AACS.

R 125.1225a
Source: 1998-2000 AACS.

R 125.1226
Source: 1998-2000 AACS.

R 125.1227
Source: 1998-2000 AACS.

R 125.1227a
Source: 1998-2000 AACS.

R 125.1228
Source: 1998-2000 AACS.

R 125.1229
Source: 1998-2000 AACS.

R 125.1230
Source: 1998-2000 AACS.

R 125.1231
Source: 1998-2000 AACS.

R 125.1232

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Source: 1998-2000 AACS.

PART 3. FEES

R 125.1301

Source: 1979 AC.

R 125.1302

Source: 2003 AACS.

R 125.1303

Source: 2008 AACS.

R 125.1305

Source: 2008 AACS.

R 125.1310

Source: 2003 AACS.

R 125.1315

Source: 1998-2000 AACS.

R 125.1320

Source: 2003 AACS.

PART 4. RETAILER BUSINESS PRACTICES

R 125.1401

Source: 2008 AACS.

R 125.1402

Source: 2003 AACS.

R 125.1403

Source: 2008 AACS.

R 125.1404

Source: 2003 AACS.

R 125.1405

Source: 2003 AACS.

R 125.1406

Source: 1997 AACS.

R 125.1407

Source: 2003 AACS.

R 125.1408

Source: 2008 AACS.

R 125.1409

Source: 2003 AACS.

R 125.1410

Source: 2003 AACS.

R 125.1411

Source: 2003 AACS.

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R 125.1412
Source: 1997 AACS.

R 125.1413
Source: 2003 AACS.

R 125.1414
Source: 1998-2000 AACS.

R 125.1415
Source: 2003 AACS.

R 125.1416
Source: 2003 AACS.

R 125.1417
Source: 2003 AACS.

R 125.1418
Source: 1998-2000 AACS.

R 125.1419
Source: 2003 AACS.

PART 5. INSTALLER AND REPAIRER BUSINESS PRACTICES

R 125.1501
Source: 1998-2000 AACS.

R 125.1501a
Source: 2003 AACS.

R 125.1502
Source: 1998-2000 AACS.

R 125.1503
Source: 2003 AACS.

R 125.1503a
Source: 2003 AACS.

R 125.1504
Source: 2003 AACS.

R 125.1505
Source: 2003 AACS.

R 125.1506
Source: 1998-2000 AACS.

R 125.1507
Source: 2003 AACS.

R 125.1508
Source: 2003 AACS.

PART 6. HOME INSTALLATION

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R 125.1601
Source: 2003 AACS.

R 125.1602
Source: 2008 AACS.

R 125.1602a
Source: 2003 AACS.

R 125.1603
Source: 2003 AACS.

R 125.1604
Source: 1998-2000 AACS.

R 125.1604a
Source: 2003 AACS.

R 125.1604b
Source: 2003 AACS.

R 125.1605
Source: 2008 AACS.

R 125.1606
Source: 2003 AACS.

R 125.1607
Source: 2003 AACS.

R 125.1608
Source: 2003 AACS.

R 125.1609
Source: 1997 AACS.

R 125.1610
Source: 2008 AACS.

PART 7. COMMUNITY SAFETY

R 125.1701
Source: 2008 AACS.

R 125.1701a
Source: 2008 AACS.

R 125.1702
Source: 2003 AACS.

R 125.1702a
Source: 2008 AACS.

R 125.1703
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R 125.1704
Source: 2003 AACS.

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- R 125.1705**
Source: 2008 AACS.
- R 125.1706**
Source: 1998-2000 AACS.
- R 125.1707**
Source: 1998-2000 AACS.
- R 125.1708**
Source: 2003 AACS.
- R 125.1709**
Source: 1998-2000 AACS.
- R 125.1710**
Source: 1998-2000 AACS.
- R 125.1711**
Source: 2008 AACS.
- R 125.1712**
Source: 2008 AACS.
- R 125.1713**
Source: 2008 AACS.
- R 125.1714**
Source: 2008 AACS.
- R 125.1715**
Source: 2008 AACS.
- R 125.1716**
Source: 2008 AACS.
- R 125.1717**
Source: 2008 AACS.
- R 125.1718**
Source: 2008 AACS.
- R 125.1719**
Source: 2008 AACS.
- R 125.1720**
Source: 2008 AACS.

PART 8. MOBILE HOME PARK LICENSING

- R 125.1801**
Source: 1998-2000 AACS.
- R 125.1802**
Source: 1998-2000 AACS.
- R 125.1803**
Source: 1998-2000 AACS.

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R 125.1804
Source: 1998-2000 AACS.

R 125.1805
Source: 1998-2000 AACS.

R 125.1806
Source: 1997 AACS.

R 125.1807
Source: 1998-2000 AACS.

R 125.1808
Source: 1998-2000 AACS.

R 125.1809
Source: 1998-2000 AACS.

R 125.1810
Source: 1998-2000 AACS.

R 125.1811
Source: 1998-2000 AACS.

R 125.1812
Source: 1998-2000 AACS.

R 125.1813
Source: 1998-2000 AACS.

R 125.1814
Source: 1998-2000 AACS.

R 125.1815
Source: 1998-2000 AACS.

R 125.1816
Source: 1998-2000 AACS.

R 125.1817
Source: 1998-2000 AACS.

R 125.1818
Source: 1998-2000 AACS.

PART 9. COMMUNITY CONSTRUCTION

R 125.1901
Source: 2008 AACS.

R 125.1902
Source: 1997 AACS.

R 125.1902a
Source: 2003 AACS.

R 125.1903

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Source: 1998-2000 AACCS.

R 125.1904

Source: 1998-2000 AACCS.

R 125.1904a

Source: 2008 AACCS.

R 125.1905

Source: 2008 AACCS.

R 125.1906

Source: 2008 AACCS.

R 125.1907

Source: 1998-2000 AACCS.

R 125.1908

Source: 2008 AACCS.

R 125.1909

Source: 1998-2000 AACCS.

R 125.1910

Source: 1998-2000 AACCS.

R 125.1911

Source: 1997 AACCS.

R 125.1912

Source: 2003 AACCS.

R 125.1913

Source: 2003 AACCS.

R 125.1914

Source: 1997 AACCS.

R 125.1915

Source: 1997 AACCS.

R 125.1916

Source: 1998-2000 AACCS.

R 125.1917

Source: 1998-2000 AACCS.

R 125.1918

Source: 2003 AACCS.

R 125.1919

Source: 1997 AACCS.

R 125.1920

Source: 2008 AACCS.

R 125.1921

Source: 1997 AACCS.

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- R 125.1922**
Source: 2008 AACS.
- R 125.1923**
Source: 1998-2000 AACS.
- R 125.1924**
Source: 1998-2000 AACS.
- R 125.1925**
Source: 2003 AACS.
- R 125.1926**
Source: 2003 AACS.
- R 125.1927**
Source: 1998-2000 AACS.
- R 125.1928**
Source: 2003 AACS.
- R 125.1929**
Source: 2003 AACS.
- R 125.1930**
Source: 1997 AACS.
- R 125.1931**
Source: 1998-2000 AACS.
- R 125.1932**
Source: 1998-2000 AACS.
- R 125.1933**
Source: 1998-2000 AACS.
- R 125.1934**
Source: 2003 AACS.
- R 125.1935**
Source: 2003 AACS.
- R 125.1936**
Source: 2003 AACS.
- R 125.1937**
Source: 2003 AACS.
- R 125.1938**
Source: 1998-2000 AACS.
- R 125.1939**
Source: 1998-2000 AACS.
- R 125.1940a**
Source: 2008 AACS.
- R 125.1940a**

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Source: 2003 AACS.

R 125.1941

Source: 2003 AACS.

R 125.1942

Source: 1998-2000 AACS.

R 125.1943

Source: 1998-2000 AACS.

R 125.1944

Source: 2003 AACS.

R 125.1945

Source: 1998-2000 AACS.

R 125.1946

Source: 1998-2000 AACS.

R 125.1947

Source: 2003 AACS.

R 125.1947a

Source: 2008 AACS.

R 125.1948

Source: 2003 AACS.

R 125.1949

Source: 1998-2000 AACS.

R 125.1950

Source: 2008 AACS.

PART 10. COMMUNITY BUSINESS PRACTICES

R 125.2001

Source: 2008 AACS.

R 125.2001a

Source: 2008 AACS.

R 125.2002

Source: 1998-2000 AACS.

R 125.2003

Source: 2003 AACS.

R 125.2004

Source: 1997 AACS.

R 125.2005

Source: 2003 AACS.

R 125.2005a

Source: 2008 AACS.

R 125.2006

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Source: 2003 AACS.

R 125.2006a

Source: 2008 AACS.

R 125.2006b

Source: 2003 AACS.

R 125.2007

Source: 2003 AACS.

R 125.2008

Source: 1997 AACS.

R 125.2009

Source: 2003 AACS.

PART 11. SEASONAL MOBILE HOME PARKS

R 125.3001

Source: 1998-2000 AACS.

R 125.3002

Source: 1998-2000 AACS.

R 125.3003

Source: 1998-2000 AACS.

R 125.3004

Source: 1998-2000 AACS.

R 125.3005

Source: 1998-2000 AACS.

R 125.3006

Source: 1998-2000 AACS.

R 125.3007

Source: 1998-2000 AACS.

R 125.3008

Source: 1998-2000 AACS.

R 125.3009

Source: 1998-2000 AACS.

R 125.3010

Source: 1998-2000 AACS.

R 125.3011

Source: 1998-2000 AACS.

R 125.3012

Source: 1998-2000 AACS.

R 125.3013

Source: 1998-2000 AACS.

R 125.3014

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Source: 1998-2000 AACCS.

R 125.3015

Source: 1997 AACCS.

R 125.3016

Source: 1998-2000 AACCS.

R 125.3017

Source: 1998-2000 AACCS.

R 125.3018

Source: 1998-2000 AACCS.

R 125.3019

Source: 1998-2000 AACCS.

R 125.3020

Source: 1998-2000 AACCS.

R 125.3021

Source: 1998-2000 AACCS.

R 125.3022

Source: 1998-2000 AACCS.

R 125.3023

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R 125.3024

Source: 1998-2000 AACCS.

R 125.3025

Source: 1998-2000 AACCS.

R 125.3026

Source: 1997 AACCS.

R 125.3027

Source: 1998-2000 AACCS.

R 125.3028

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R 125.3029

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R 125.3030

Source: 1998-2000 AACCS.

R 125.3031

Source: 1998-2000 AACCS.

R 125.3032

Source: 1998-2000 AACCS.

R 125.3033

Source: 1997 AACCS.

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R 125.3034
Source: 1998-2000 AACS.

R 125.3035
Source: 1997 AACS.

R 125.3036
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R 125.3037
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R 125.3038
Source: 1998-2000 AACS.

R 125.3039
Source: 1998-2000 AACS.

R 125.3042
Source: 1998-2000 AACS.

R 125.3043
Source: 1998-2000 AACS.

R 125.3044
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R 125.3045
Source: 1998-2000 AACS.

R 125.3046
Source: 1998-2000 AACS.

R 125.3047
Source: 1998-2000 AACS.

R 125.3048
Source: 1998-2000 AACS.

R 125.3049
Source: 1998-2000 AACS.

R 125.3050
Source: 1998-2000 AACS.

R 125.3051
Source: 1998-2000 AACS.

R 125.3051a
Source: 1998-2000 AACS.

R 125.3052
Source: 1998-2000 AACS.

R 125.3053
Source: 1998-2000 AACS.

R 125.3054

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Source: 1998-2000 AACS.

R 125.3055

Source: 1998-2000 AACS.

R 125.3056

Source: 1998-2000 AACS.

R 125.3057

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R 125.3058

Source: 1998-2000 AACS.

R 125.3059

Source: 1998-2000 AACS.

R 125.3060

Source: 1998-2000 AACS.

R 125.3061

Source: 1998-2000 AACS.

R 125.3062

Source: 1998-2000 AACS.

R 125.3063

Source: 1998-2000 AACS.

R 125.3064

Source: 1997 AACS.

R 125.3065

Source: 1998-2000 AACS.

R 125.3066

Source: 1998-2000 AACS.

R 125.3067

Source: 1998-2000 AACS.

R 125.3068

Source: 1998-2000 AACS.

R 125.3069

Source: 1998-2000 AACS.

MUNICIPAL FINANCE COMMISSION

BONDS

R 132.1

Source: 1997 AACS.

HEARINGS

R 132.101

Source: 1997 AACS.

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R 132.102
Source: 1997 AACS.

R 132.103
Source: 1997 AACS.

R 132.104
Source: 1997 AACS.

R 132.105
Source: 1997 AACS.

R 132.106
Source: 1997 AACS.

R 132.107
Source: 1997 AACS.

MUNICIPAL FINANCE DIVISION
GENERAL RULES

PART 1. GENERAL PROVISIONS

R 132.1101
Source: 2012 AACS.

R 132.1102
Source: 2012 AACS.

R 132.1103
Source: 2012 AACS.

R 132.1104
Source: 2012 AACS.

R 132.1105
Source: 2012 AACS.

R 132.1106
Source: 2012 AACS.

R 132.1107
Source: 2012 AACS.

R 132.1108
Source: 2012 AACS.

R 132.1109
Source: 2012 AACS.

R 132.1110
Source: 2012 AACS.

R 132.1111
Source: 2012 AACS.

R 132.1112
Source: 2012 AACS.

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R 132.1113
Source: 2012 AACS.

R 132.1114
Source: 2012 AACS.

R 132.1115
Source: 2012 AACS.

R 132.1116
Source: 2012 AACS.

R 132.1117
Source: 2012 AACS.

R 132.1118
Source: 2012 AACS.

R 132.1119
Source: 2012 AACS.

R 132.1120
Source: 2012 AACS.

R 132.1121
Source: 2012 AACS.

R 132.1122
Source: 2012 AACS.

R 132.1123
Source: 2012 AACS.

R 132.1124
Source: 2012 AACS.

R 132.1125
Source: 2012 AACS.

R 132.1126
Source: 1986 AACS.

PART 2. PRIOR APPROVAL EXCEPTIONS

R 132.1201
Source: 2012 AACS.

R 132.1202
Source: 2012 AACS.

R 132.1203
Source: 2012 AACS.

R 132.1204
Source: 2012 AACS.

R 132.1205
Source: 2012 AACS.

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R 132.1206
Source: 2012 AACS.

R 132.1207
Source: 2012 AACS.

R 132.1208
Source: 2012 AACS.

R 132.1209
Source: 2012 AACS.

R 132.1210
Source: 2012 AACS.

R 132.1211
Source: 2012 AACS.

R 132.1212
Source: 2012 AACS.

R 132.1213
Source: 2012 AACS.

R 132.1214
Source: 2012 AACS.

R 132.1215
Source: 2012 AACS.

R 132.1216
Source: 2012 AACS.

R 132.1217
Source: 2012 AACS.

R 132.1218
Source: 2012 AACS.

R 132.1219
Source: 2012 AACS.

R 132.1220
Source: 2012 AACS.

PART 3. BOND APPLICATIONS—PRIOR APPROVAL

R 132.1301
Source: 2012 AACS.

R 132.1302
Source: 2012 AACS.

R 132.1303
Source: 2012 AACS.

R 132.1304

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Source: 2012 AACS.

R 132.1305

Source: 2012 AACS.

R 132.1306

Source: 2012 AACS.

R 132.1307

Source: 2012 AACS.

R 132.1308

Source: 2012 AACS.

PART 4. REFUNDING OBLIGATIONS—PRIOR APPROVAL

R 132.1401

Source: 2012 AACS.

R 132.1402

Source: 2012 AACS.

R 132.1403

Source: 2012 AACS.

R 132.1404

Source: 2012 AACS.

R 132.1405

Source: 2012 AACS.

PART 5. TAX ANTICIPATION NOTES—PRIOR APPROVAL

R 132.1501

Source: 2012 AACS.

R 132.1502

Source: 2012 AACS.

R 132.1503

Source: 2012 AACS.

R 132.1504

Source: 2012 AACS.

R 132.1505

Source: 2012 AACS.

R 132.1506

Source: 2012 AACS.

R 132.1507

Source: 2012 AACS.

R 132.1508

Source: 2012 AACS.

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**PART 6. CONSOLIDATED TAX ANTICIPATION
NOTES - PRIOR APPROVAL**

R 132.1601
Source: 2012 AACS.

R 132.1602
Source: 2012 AACS.

R 132.1603
Source: 2012 AACS.

R 132.1604
Source: 2012 AACS.

PART 7. DEBT RETIREMENT FUND TRANSFERS

R 132.1701
Source: 2012 AACS.

R 132.1702
Source: 2012 AACS.

R 132.1703
Source: 2012 AACS.

R 132.1704
Source: 2012 AACS.

R 132.1705
Source: 2012 AACS.

PART 8. HEARINGS AND RECONSIDERATION

R 132.1801
Source: 2012 AACS.

R 132.1802
Source: 2012 AACS.

R 132.1803
Source: 2012 AACS.

R 132.1804
Source: 2012 AACS.

R 132.1805
Source: 2012 AACS.

R 132.1806
Source: 2012 AACS.

R 132.1807
Source: 2012 AACS.

R 132.1808
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R 132.1809

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Source: 2012 AACS.

R 132.1810

Source: 2012 AACS.

R 132.1811

Source: 2012 AACS.

R 132.1812

Source: 2012 AACS.

R 132.1813

Source: 2012 AACS.

R 132.1814

Source: 2012 AACS.

R 132.1815

Source: 2012 AACS.

R 132.1816

Source: 2012 AACS.

DEPARTMENT OF TREASURY
BUREAU OF REVENUE
CITY UTILITY USERS TAX
PART 1. GENERAL PROVISIONS

R 141.1

Source: 1995 AACS.

R 141.2

Source: 1995 AACS.

DEPARTMENT OF STATE
BUREAU OF ELECTIONS

DISQUALIFICATION FROM BALLOT BASED UPON CONTENTS OF AFFIDAVIT OF IDENTITY

R 168.1

Source: 2022 AACS.

R 168.2

Source: 2022 AACS.

R 168.3

Source: 2022 AACS.

R 168.4

Source: 2022 AACS.

DEPARTMENT OF STATE
BUREAU OF ELECTIONS

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SIGNATURE MATCHING FOR ABSENT VOTER BALLOT APPLICATIONS AND ABSENT VOTER BALLOT ENVELOPES

R 168.21
Source: 2022 AACS.

R 168.22
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R 168.23
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R 168.24
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R 168.25
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R 168.26
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DEPARTMENT OF STATE

BUREAU OF ELECTIONS

ONLINE ABSENT VOTER BALLOT APPLICATION

R 168.31
Source: 2022 AACS.

R 168.32
Source: 2022 AACS.

R 168.33
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R 168.34
Source: 2022 AACS.

R 168.35
Source: 2022 AACS.

DEPARTMENT OF STATE

BOARD OF STATE CANVASSERS

PROCEDURES

R 168.841
Source: 1997 AACS.

R 168.842
Source: 1997 AACS.

R 168.843
Source: 1997 AACS.

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R 168.844
Source: 1997 AACS.

R 168.845
Source: 1997 AACS.

DEPARTMENT OF STATE
BUREAU OF ELECTIONS
CAMPAIGN FINANCING

PART 1. GENERAL PROVISIONS

R 169.1
Source: 1979 AC.

R 169.2
Source: 1979 AC.

R 169.3
Source: 1982 AACS.

R 169.4
Source: 1982 AACS.

R 169.5
Source: 1982 AACS.

R 169.6
Source: 1979 AC.

PART 2. COMMITTEES

R 169.21
Source: 1979 AC.

R 169.22
Source: 1982 AACS.

R 169.23
Source: 1997 AACS.

R 169.24
Source: 1979 AACS.

R 169.25
Source: 1982 AACS.

R 169.26
Source: 1979 AACS.

R 169.27
Source: 1979 AACS.

R 169.28
Source: 1982 AACS.

R 169.29
Source: 1996 AACS.

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R 169.29a
Source: 1996 AACS.

R 169.29b
Source: 1996 AACS.

R 169.29c
Source: 1996 AACS.

R 169.29d
Source: 1997 AACS.

PART 3. REPORTS, CONTRIBUTIONS, AND EXPENDITURES

R 169.31
Source: 1979 AC.

R 169.32
Source: 1982 AACS.

R 169.33
Source: 1979 AACS.

R 169.34
Source: 1982 AACS.

R 169.35
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R 169.35a
Source: 1982 AACS.

R 169.36
Source: 1982 AACS.

R 169.37
Source: 1982 AACS.

R 169.38
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R 169.39
Source: 1997 AACS.

R 169.39a
Source: 1982 AACS.

R 169.39b
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R 169.39c
Source: 1998-2000 AACS.

R 169.39d
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R 169.39e
Source: 1998-2000 AACS.

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PART 4. STATE CAMPAIGN FUND

- R 169.41**
Source: 1979 AC.
- R 169.42**
Source: 1979 AC.
- R 169.43**
Source: 1979 AC.
- R 169.44**
Source: 1982 AACS.
- R 169.45**
Source: 1982 AACS.
- R 169.46**
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- R 169.47**
Source: 1982 AACS.
- R 169.48**
Source: 1982 AACS.

PART 5. COMPLAINTS AND INVESTIGATIONS

- R 169.51**
Source: 1979 AC.
- R 169.52**
Source: 1979 AC.
- R 169.53**
Source: 1979 AC.
- R 169.54**
Source: 1979 AC.
- R 169.55**
Source: 1982 AACS.
- R 169.56**
Source: 1982 AACS.

PART 6. OFFICEHOLDER'S EXPENSE FUND

- R 169.61**
Source: 1989 AACS.
- R 169.62**
Source: 1989 AACS.
- R 169.63**
Source: 1989 AACS.
- R 169.64**

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Source: 1989 AACS.

R 169.65

Source: 1989 AACS.

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

MILITARY FAMILY RELIEF FUND

**PROCEDURE FOR REVIEW OF APPLICATIONS AND
DISBURSEMENT OF FUNDS**

R 200.5

Source: 2005 AACS.

R 200.10

Source: 2005 AACS.

R 200.20

Source: 2006 AACS.

R 200.50

Source: 2005 AACS.

R 200.80

Source: 2005 AACS.

R 200.90

Source: 2005 AACS.

R 200.95

Source: 2005 AACS.

DEPARTMENT OF TREASURY

STATE TREASURER

GENERAL SALES AND USE TAX RULES

SPECIFIC SALES AND USE TAX RULES

GENERAL SALES AND USE TAX RULES

R 205.1 Sales tax licenses.

Rule 1. (1) Except as provided in subrules (7) and (8) of this rule, a Michigan sales tax license must be obtained by every person engaged in the business of selling tangible personal property at retail in this state. A person shall not engage or continue in the business of making sales at retail in this state without securing a license, regardless of the amount of sales or the manner of obtaining goods for sale. An application for a license, before or at the time of beginning business, must be made to the department of treasury on a form or in a manner prescribed by the department of treasury. All licenses must be displayed on the licensed premises.

(2) Every sales tax license expires on September 30 of each year, regardless of the date the license is issued, and must be renewed by furnishing the information as the department of treasury may require. A person selling at retail at more than 1 location or place of business shall display a copy of the license at each location. If a valid license is lost or destroyed, it may be replaced without charge by notifying the department of treasury.

(3) A license is not transferable and a new license must be secured immediately if there is a change of ownership of the business. For example, if a partner is added or dropped, or if a corporation is formed or dissolved, this constitutes a change of ownership

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necessitating application in the name of the new ownership for a sales tax license to sell at retail. If the new owner fails to apply for a license, the new owner may be subjected to penalty for operating without a valid sales tax license.

(4) The fact that a person is licensed by the department of treasury to sell at retail does not automatically mean that sales to the licensed person are exempt from sales tax as sales for resale.

(5) The department of treasury may deny a license to an applicant if the department of treasury considers the applicant to be the agent or representative of a principal required to be licensed and responsible for filing the sales tax returns.

(6) The department of treasury may require an applicant for a sales tax license to submit a surety bond as provided by statute.

(7) A person making retail sales at 2 or fewer events per calendar year is not required to obtain a license, but instead shall file a per event tax return as follows

(a) If the 2 or fewer events are for purposes of fundraising, a special events sales tax return must be filed.

(b) If the 2 or fewer sales events are not for fundraising purposes, a concessionaire's sales tax return must be filed.

(8) A person only making casual and isolated sales as described in R 205.13 is not required to obtain a Michigan sales tax license.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 11, 2023.

R 205.2

Source: 1997 AACS.

R 205.3

Source: 1997 AACS.

R 205.4

Source: 1997 AACS.

R 205.5

Source: 2013 AACS.

R 205.6

Source: 1997 AACS.

R 205.7

Source: 1997 AACS.

R 205.8 Rescinded.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 11, 2023.

R 205.9

Source: 2013 AACS.

R 205.10

Source: 1997 AACS.

R 205.11

Source: 1997 AACS.

R 205.12

Source: 1997 AACS.

R 205.13 Casual or isolated sales.

Rule 13. (1) Sales at retail must not include an isolated transaction made other than in the ordinary course of repeated and successive transactions of a like character, which includes, but is not limited to, a situation where an individual sells personal household furniture, a farmer sells farm machinery or other farm equipment, or a merchant sells a cash register, counters or other store fixtures at auction or otherwise. These sales are casual or isolated transactions and are not subject to tax. However, any individual who in any manner or at any time advertises, solicits, or offers tangible personal property for sale for the purpose of repeated sales is determined to be regularly engaged in business and those sales are not considered casual or isolated, even though they may be few or infrequent.

(2) Vehicles, aircraft other than a qualified aircraft under section 11 of the streamlined sales and use tax revenue equalization

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act, 2004 PA 175, MCL 205.181, ORVs, manufactured housing, snowmobiles, and watercraft acquired in an isolated transaction from a person that is not a retailer are subject to an equalization tax. The equalization tax on vehicles, snowmobiles, and watercraft must be paid to the secretary of state before the transfer of a vehicle title, snowmobile registration, or watercraft registration. The equalization tax on the transactions is imposed at a rate of 6% of the retail dollar value of the item at the time of acquisition. The equalization tax on the transfer of aircraft, other than a qualified aircraft under section 11 of the streamlined sales and use tax revenue equalization act, 2004 PA 175, MCL 205.181, must be paid directly to the department of treasury by the purchaser. The equalization tax on manufactured housing must be collected by the secretary of state before the transfer of the certificate of title. All use tax exemptions also apply to the equalization tax. Credit is given for any use tax paid against equalization tax that is due on the same transaction.

(3) A person that is not licensed as an automobile dealer by the secretary of state is presumed to be in the business of making retail sales when selling or offering for sale 3 or more used vehicles in the previous 12 months.

(4) A person that holds a single sales event per calendar year, such as a garage or yard sale to sell personal household items, that lasts no longer than 3 consecutive days, is not making sales at retail and is not liable for tax on the transactions.

(5) The tax base under the streamlined sales and use tax revenue equalization act, 2004 PA 175, MCL 205.179, is the retail dollar value of the property as listed in an industry accepted pricing guide applicable to the property. It is solely within the department of treasury's discretion to determine if a pricing guide is industry accepted.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.14

Source: 1997 AACS.

R 205.15 Trade-in deduction and core charges.

Rule 15. (1) Except as provided in subrules (2) and (3) of this rule, no deduction from the sales price of a retail sale is allowed for any credit given by the seller for a trade-in taken in exchange or as partial payment for tangible personal property and the tax applies to the full selling price.

Example: A customer purchases an LP tank filled with propane gas for the sales price of \$49.95. Tax is due on the sales price of \$49.95. Months later, the customer returns for more propane gas, trades in an empty LP tank, and receives an LP tank full of propane gas. The customer is charged \$24.95, and the seller credits \$25.00 for the empty LP tank traded in. No deduction is allowed for the empty LP tank taken in trade on the transaction. Tax is due on the total amount of \$49.95, \$24.95 plus \$25.00, without a reduction for the trade-in amount.

(2) Credit given by a seller, except for rentals and leases, is not part of the sales price and is not subject to tax if the agreed-upon value is separately stated on the invoice, bill of sale, or similar document given to the purchaser, in the following circumstances:

(a) Credit for the agreed-upon value of a titled watercraft used as part payment of the purchase price of a new titled watercraft or used titled watercraft purchased from a watercraft dealer.

(b) Credit for the agreed-upon value of a motor vehicle used as part payment of the purchase price of a new or used motor vehicle or new or used recreational vehicle purchased from a dealer. This deduction does not apply to a recreational vehicle used as part payment for a motor vehicle. This deduction is limited, as follows:

(i) Beginning January 1, 2019, the lesser of the following:

(A) \$5,000.00. Beginning January 1, 2020, and each January 1 after that, this limit is increased by \$1,000.00.

(B) The agreed-upon value of the motor vehicle used as part payment.

(ii) Beginning January 1, 2029, the full agreed-upon value of the traded-in motor vehicle is eligible for the deduction.

(iii) Beginning January 1, 2018, credit for the full agreed-upon value of a recreational vehicle used as part payment for a new or used recreational vehicle purchased from a dealer.

Example: A customer purchases a new motor vehicle on February 1, 2019 from a dealer for \$25,000.00. The dealer agrees to take the customer's used motor vehicle in on trade and agrees to credit the customer \$10,000.00 for the traded in vehicle. The customer pays the remaining \$15,000.00 through a financing agreement. Only up to \$5,000.00 of the trade-in vehicle is eligible for the deduction, therefore, the taxable sales price of the vehicle is \$20,000.00.

(3) Beginning January 1, 2017, credit for the core charge attributable to a recycling fee, deposit, or disposal fee for a motor vehicle or recreational vehicle part or battery is deductible from the sales price if the recycling fee, deposit, or disposal fee is separately stated on the invoice, bill of sale, or similar document given to the purchaser.

Example: A retailer sells a customer a car battery for \$100.00. The invoice given to the customer separately itemizes a \$20.00 charge for a recycling fee for the battery. The taxable sales price of the battery is \$80.00.

(4) Tangible personal property acquired by the seller through a trade-in that is later sold at retail is subject to sales tax on the full sales price.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 11, 2023.

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R 205.16 Returned goods.

Rule 16. (1) The term “returned goods” does not include repossession or recapture of merchandise by legal process, abandonment of contract, voluntary surrender of goods without a refund or credit being given for the amount paid, or goods accepted in trade or barter.

(2) If the seller provides a full or partial refund or credit on returned goods within the time period for returns stated in the seller’s refund policy or 180 days after the initial sale, whichever is sooner, the seller shall refund tax on the full amount or that portion of the purchase price that was refunded or credited. If the seller allows for a full or partial refund or credit on returned goods after the time period for returns stated in the seller’s refund policy or 180 days after the initial sale, the seller may refund tax on the full amount or that portion of the purchase price that was refunded or credited. The seller may claim a refund or credit of the tax paid to the department of treasury on all or that portion of the purchase price that was refunded or credited to the seller’s customer. The seller’s claim for refund must be submitted to the department of treasury within 4 years after the date set for the filing of the original return for the period in which the tax was due.

(3) A refund or credit of tax must not be given on goods returned to the seller for a refund or exchange without proof that Michigan tax was paid on the original sale.

(4) A rehandling or restocking charge by the seller in connection with returned goods is not a reduction of the sales or purchase price for refund purposes. Charges attributable to use of the returned goods by the purchaser are taxable.

(5) A credit or refund of tax is allowed for a motor vehicle returned to a manufacturer under 1986 PA 87, MCL 257.1401 to 257.1410, less allowances for use certified by the manufacturer on a form provided by the department of treasury.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 11, 2023.

R 205.17

Source: 1997 AACS.

R 205.18

Source: 1997 AACS.

R 205.19

Source: 1997 AACS.

R 205.20 Interpretation of rules.

Rule 20. These rules must be read and interpreted in their entirety, taking into account the effect of all pertinent legislation, rules, and court decisions.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 11, 2023.

R 205.21

Source: 1997 AACS.

R 205.22 Discounts, coupons, and rebates generally; discounts on certain motor vehicle sales.

Rule 22. (1) Except as provided in subrule (2) of this rule, trade, quantity, or other discounts given directly by a seller to a purchaser are deductible in arriving at the net sales price subject to tax. These discounts are not deductible until the actual discount has been given to the purchaser. For discounts offered directly by a seller after the time of sale, through the mail or other means, the purchaser may seek a refund of the sales tax paid on the discount or rebate amount from the seller if the seller collected the tax from the purchaser. The seller may request a refund from the department of treasury after the seller has refunded the tax to its customer. The discounts must appear on the invoices, records, and accounts of the seller and be substantiated to the satisfaction of the department of treasury.

Example 1: ABC is a retailer that sells widgets for a sales price of \$10.00 each. ABC offers a quantity discount of \$2.00 per widget if the customer purchases 10 widgets. Customer purchases 10 widgets at a sales price of \$80.00. The taxable sales price of the widgets is \$80.00.

Example 2: ABC is a retailer that sells musical instruments. ABC sells a baby grand piano to a customer for a sales price of \$25,000.00. ABC’s contract with the customer provides that if the customer pays \$20,000.00 within 60 days, ABC must reduce the price of the piano to \$20,000.00. The customer pays in 59 days. The taxable sales price of the property is \$20,000.00. However, when the sale is first reported by ABC it must include gross proceeds of \$25,000.00 on its return and remit the appropriate tax. If ABC collected tax from the customer on the \$5,000.00 discount, ABC shall refund its customer before taking a credit or seeking a refund.

(2) A discount or rebate does not reduce the taxable sales price of a sale at retail and is subject to tax, if all the following conditions are met:

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- (a) The seller receives consideration from a person other than the purchaser, for example, from a manufacturer, and the consideration is directly related to the price reduction or discount.
- (b) The seller is obligated to pass the price reduction or discount through to the purchaser.
- (c) The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser.
- (d) One of the following criteria are met:
 - (i) The purchaser presents documentation to the seller to claim a price reduction or discount granted by a third-party with the understanding that the third-party will reimburse any seller to whom the documentation is presented.
 - (ii) The purchaser identifies himself or herself as a member of a group or organization entitled to a reduction or discount. Preferred customer cards that are available to any patron do not constitute membership in a group or organization.
 - (iii) The price reduction or discount is identified as a third-party reduction or discount on the invoice received by the purchaser or on other documentation presented by the purchaser.

Example 3: ABC is a retailer that sells widgets manufactured by XYZ for a sales price of \$10.00. XYZ mails manufacturer coupons to the public for \$2.00 off per widget. ABC and XYZ have an agreement that XYZ will reimburse ABC \$2.00 per widget sold when the coupon is presented. The agreement requires ABC to pass this discount on to its customers. A customer presents XYZ's coupon to ABC and ABC sells the customer a widget for \$8.00. The taxable sales price of the widget for purposes of the seller's liability is \$10.00. Even though the retailer only charged the purchaser a sales price of \$8.00, the seller may collect the full 60 cents from the purchaser to reimburse itself for the sales tax due on the transaction in accordance with section 23(1) of the General Sales Tax Act, 1933 PA 167, MCL 205.73.

Example 4: XYZ, a non-profit member association and service organization, has agreements with various merchants and service providers under which XYZ's members are entitled to discounts. Membership in XYZ is based on a fee and is not available to the public free of charge. ACME Hotel Group is a merchant that provides its accommodations throughout this state to XYZ members at a discount under such an agreement. Depending on the location within this state, XYZ reimburses ACME Hotel Group in an amount equal to or less than the amount of the discount. At one of ACME Hotel Group's locations, a \$100.00 hotel room is rented at a 10% discount to a XYZ member who pays \$90.00 with the remaining \$10.00 paid to ACME Hotel Group by XYZ. At another ACME Hotel Group location, a \$100.00 hotel room is rented at a 10% discount to a XYZ member who pays \$90.00 with only \$6.00 of the remaining \$10.00 paid by XYZ to ACME Hotel Group. ACME Hotel Group absorbs the remaining \$4.00 to have the hotel room rented out. Use tax is due on the full consideration paid to ACME Hotel Group by the XYZ member and XYZ. In the first transaction, use tax of \$6.00 is due on the consideration received by ACME Hotel Group of the \$100.00 purchase price, while in the second transaction, use tax of \$5.76 is due on the consideration of \$96.00 received by ACME Hotel Group.

- (3) For the sale of a motor vehicle, a discount given to a purchaser because of the purchaser's status as a current employee, where the amount of the discount is reimbursed to the seller by a third-party, is not included in sales price and is not subject to tax. Retired employees and relatives of an employee are not considered current employees.
- (4) An automobile dealer may reduce the taxable sales price, calculate a credit, or seek a refund for consideration received from an automobile manufacturer to reimburse the dealer for a discount or price reduction given on the sale of a motor vehicle, to a member of a group designated by the manufacturer as entitled to a price identified on the manufacturer's invoice to the automobile dealer that the manufacturer requires the dealer to charge the purchaser of that vehicle, if all of the following conditions are met:
 - (a) The purchaser is not employed by the manufacturer when the discount or price reduction is given.
 - (b) The dealer did not reimburse itself tax on the portion of the sales price it receives from the manufacturer.
 - (c) The amount of the credit or refund does not exceed the actual amount of sales tax paid on the portion of the sales price received from the manufacturer.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 11, 2023.

R 205.23

Source: 2013 AACS.

R 205.24

Source: 1997 AACS.

R 205.25

Source: 1997 AACS.

R 205.26 Use tax registration.

Rule 26. (1) Except as provided in subrules (5) and (6) of this rule, activities that require a registration under the Use Tax Act,

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1937 PA 94, MCL 205.91 to 205.111, include, but are not limited to, the following:

- (a) An out-of-state seller making sales into this state that has nexus with this state if the transfer of ownership of the tangible personal property occurs outside of this state.
 - (b) An out-of-state seller making sales into this state that voluntarily collects and remits use tax that does not have nexus with this state.
 - (c) A business in this state that purchases tangible personal property from a seller that does not provide proof that sales or use tax was due and paid on the transaction.
 - (d) A lessor of tangible personal property that elects to collect and remit use tax on its rental receipts.
 - (e) A provider of intrastate or interstate telecommunications services.
 - (f) A provider of rental accommodations for a continuous period of 1 month or less.
 - (g) A provider of laundering or textile cleaning service under a sale, rental, or service agreement with a term of not less than 5 days.
 - (h) A provider of mobile wireless services.
 - (i) A person holding a direct payment authorization.
- (2) A use tax registration must be obtained as prescribed by the department of treasury.
- (3) A use tax registration is not transferable.
- (4) Registration under the Use Tax Act, 1937 PA 94, MCL 205.91 to 205.111, requires the filing of returns on forms and at a frequency required by the department of treasury. Filing by electronic means, by accelerated filing, or by other methods approved by the department of treasury may be required. Failure to register and file returns may subject the taxpayer to penalties.
- (5) A seller holding a sales tax license under the General Sales Tax Act, 1933 PA 167, MCL 205.51 to MCL 205.78, is not required to register for use tax.
- (6) A seller registered under the Streamlined Sales and Use Tax Agreement who is not otherwise subject to use tax under the Use Tax Act, 1937 PA 94, MCL 205.91 to 205.111, is not required to register for use tax because of the registration under the Streamlined Sales and Use Tax Agreement.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 11, 2023.

R 205.27

Source: 1997 AACS.

R 205.28

Source: 2013 AACS.

R 205.29 Exemption for use tax already paid on tangible personal property or services.

Rule 29. (1) A person in this state that purchases or otherwise acquires from a seller located in another state tangible personal property that is used, stored, or consumed in this state is not liable for the tax levied under the Use Tax Act, 1937 PA 94, MCL 205.91 to 205.111, if the use tax was already paid to the seller by that person for the tangible personal property. In addition, a person who uses or consumes a service in this state that is taxable to that person under the Use Tax Act, 1937 PA 94, MCL 205.91 to 205.111, is not liable for the use tax if the seller or provider of the service collected the use tax from that person in connection with the sale or provision of the service or the person otherwise paid the use tax that was billed by the provider of the service.

(2) For purposes of subrule (1) of this rule, it is the responsibility of the person using, storing, or consuming the tangible personal property in this state, or using or consuming the service in this state, to retain proof that the use tax was paid by that person for the purchase or acquisition of the tangible personal property or service, or was otherwise collected from that person by the seller or provider of the tangible personal property or service.

History: 2023 MR 15, Eff. August 11, 2023.

R 205.51

Source: 1979 AC.

R 205.52 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.53

Source: 1979 AC.

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R 205.54 Automobile and other vehicle sales.

Rule 4. (1) Sales of new and used automobiles, buses, trucks, tractors, trailers, housetrailer, motorcycles, motor scooters, and other vehicles for consumption or use are subject to the tax on the full retail sales price. The sales price includes the total amount of consideration, including cash, credit, property, and services, for which the vehicle is sold, whether received in money or otherwise, and without any deductions for federal taxes, freight, handling, delivery, commissions, repossessions, advertising, future free service, or any expense incurred as part of the cost of doing business. The sales tax must be paid to the secretary of state when the application of title is submitted by the dealer.

(2) In calculating the retail sales price of a motor vehicle subject to tax, if separately stated on the invoice, bill of sale, or similar document given to the purchaser, the following may be excluded:

- (a) The agreed-upon value of a vehicle used as partial payment to a dealer, subject to the limitations set forth in R 205.15.
- (b) Interest, financing, or carrying charges from credit extended on the sale of the vehicle.
- (c) Taxes legally imposed directly on the consumer.

(3) Unless otherwise exempt, vehicle transfers between individuals are subject to use tax on the purchase price of the vehicle. In addition, equalization tax as computed under section 9 of the streamlined sales and use tax revenue equalization act, 2004 PA 175, MCL 205.179, is imposed to the extent that the retail dollar value at the time of acquisition exceeds the purchase price of the vehicle. The use tax and equalization tax due in a vehicle transfer between individuals is payable to the secretary of state when the application for title is submitted by the purchaser.

(4) When a vehicle is sold by a dealer, the sales price, together with the amount of sales tax to be paid to the secretary of state, must be indicated on the invoice, sales order, the statement of this state's retail sales tax paid as provided by the secretary of state, and on the records of the dealer. Authorized discounts are deductible only when given to the purchaser by the dealer at the time of sale and shown on the invoice, sales order, the statement of sales tax paid as provided by the secretary of state, and on the records of the dealer. See R 205.22.

(5) The sale of a vehicle for delivery and use outside this state is not subject to tax if all the following conditions exist:

- (a) The dealer delivers and assumes all responsibility for delivery without knowledge that the vehicle will be returned to this state, except for a temporary use in this state.
- (b) Title to the vehicle passes to the purchaser at a point outside this state.
- (c) A vehicle registration for this state is not required.
- (d) The dealer's records substantiate subdivisions (a) to (c) of this subrule.

(6) For a vehicle sold and delivered in this state to a person securing special registration under section 226 of the Michigan vehicle code, 1949 PA 300, MCL 257.226, to register and use that vehicle in a state that does not impose use tax upon registration in that state or that does not have a sales tax reciprocity agreement with this state, no tax is collected upon the sale and delivery of that vehicle in this state.

(7) Unless otherwise exempt, tax is levied on any vehicle sold and delivered in this state if the purchaser intends to register and use that vehicle in another country or does not qualify for special registration issued by the secretary of state. (See MCL 257.226.) A vehicle purchased and remaining in this state for a period of more than 30 days is subject to sales tax even if the purchaser is not a legal resident of this state or the vehicle will be registered in another state. If the purchaser is not a resident and is actively serving in the Armed Forces of the United States, the sale may be exempt from tax if that purchaser provides a sworn statement of nonresidency from that purchaser's commanding officer and registers the vehicle in the purchaser's state of residency or domicile.

(8) For a vehicle sold and delivered in this state to a person securing special registration under section 226 of the Michigan vehicle code, 1949 PA 300, MCL 257.226, to register and use that vehicle in a state having a sales tax reciprocity agreement with this state, tax is imposed on the lesser of the tax to be imposed on the vehicle by the state in which the vehicle will be registered and the amount of Michigan sales tax due on the sale of the vehicle. In computing the tax due in each state under this provision, the value of any trade-in should be deducted in accordance with the respective law of each state. See R 205.15.

(9) When a vehicle that has been sold is returned to the dealer voluntarily by the purchaser and the dealer refunds money or other consideration given by the purchaser, the dealer may receive a refund or credit for the amount of sales tax paid to the state on the portion of the original price that was refunded. When a vehicle that has been sold is returned to the manufacturer under 1986 PA 87, MCL 257.1401 to 257.1410, and the manufacturer certifies the amount of money or consideration paid by the purchaser that has been refunded, less an allowance for the purchaser's use of the vehicle, a refund for the amount of sales tax paid to the state may be issued to the manufacturer.

(10) Each new vehicle dealer is allowed a maximum number of tax-free demonstrators in a calendar year in accordance with the total number of new cars and trucks sold in the current calendar year or the immediately preceding calendar year as follows:

- (a) Zero to 25 2 tax-free demonstrators
- (b) 26-100 7 tax-free demonstrators
- (c) 101-500 20 tax-free demonstrators
- (d) 501 or more 25 tax-free demonstrators

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(11) To qualify as a demonstrator the vehicle must be registered in the name of a dealer as provided on an affidavit prescribed the department of treasury.

(12) A vehicle dealer that is engaged in the business of renting or leasing vehicles shall pay tax on the vehicle at the time of purchase, unless that dealer elects to pay use tax on rental receipts. See R 205.132(5).

(13) The annual surety bond required of each new and used vehicle dealer under this state's vehicle code must provide for indemnification or reimbursement to the state for sales or use tax deficiencies for the year in which the bond was in effect upon the entry of a final judgment in a court of record against the dealer.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.55 Sale of Automotive Parts.

Rule 5. (1) Sales at retail of automotive parts for consumption or use are taxable. Every retailer of automotive parts, such as a garage, car dealer, or service station, shall have a sales tax license. Sales for resale by a wholesaler to a licensed retailer are exempt. A wholesaler is liable for the tax for retail sales to the consumer or user, including a person with a sales tax license who purchases automotive parts or tools, equipment, and supplies for consumption or use. For instance, the sale of piston rings to a duly licensed garage operator is exempt if the rings are to be resold over the counter to a person that will install them, sold in connection with repair work for a customer, or installed in a used car that the retailer has purchased or taken as trade-in, which is being reconditioned for sale. However, the sale of the rings to the retailer is taxable if the retailer installs them in a vehicle maintained for the retailer's own use, such as a wrecker used in the retailer's business or a car maintained for use by the retailer's family.

(2) Any amount allowed or allowable as a trade-in, exchange, or deposit is part of the gross proceeds subject to tax. Beginning January 1, 2017, any core charges attributable to a recycling fee, deposit, or disposal fee for a motor vehicle or recreational vehicle part or battery are excluded if the core charge is separately stated on the invoice, bill of sale, or similar document given to the purchaser. See R 205.15.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.56 Rescinded.

History: 1944 AC; 1954 AC; 1979 AC; 2007 AACs; 2023 MR 15, Eff. August 11, 2023.

R 205.57 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.58 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.59

Source: 1997 AACs.

R 205.60 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.61

Source: 1997 AACs.

R 205.62 Aircraft.

Rule 12. (1) Except for exempt sales under section 4x of the General Sales Tax Act, 1933 PA 167, MCL 205.54x, and sales to a purchaser that has made a valid lessor election under section 5(4) of the Use Tax Act, 1937 PA 94, MCL 205.95, sales of new and used aircraft are subject to sales tax on the full selling price without deductions for expenses incurred as part of the cost of doing business or trade-in credit given to a purchaser. To make a valid election under section 5(4) of the Use Tax Act, 1937 PA 94, MCL 204.95, a lessor of an aircraft must register for use tax by the earlier of the date set for the first payment of use tax under the lease or rental agreement or 90 days after the lessor first brings the aircraft into this state.

(2) Unless exempt under section 4x of the General Sales Tax Act, 1933 PA 167, MCL 205.54x, gasoline, jet fuel, oil, repair parts, and other tangible personal property sold and delivered in this state for operation of aircraft are subject to sales tax regardless of where the plane will be flown or used.

(3) A seller in the ordinary course of business, including an aircraft dealer engaged in the purchasing, selling, brokering, exchanging, or dealing in aircraft parts or in aircraft of a type required to be registered under the Aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208, shall remit sales tax on the full sales price of an aircraft, regardless of

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whether the sales are on its own behalf or on behalf of the aircraft owner.

(4) Aircraft purchased for consumption or use in this state from sellers outside this state are subject to use tax.

(5) A dealer, as that term is defined in section 3 of the Aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.3, that uses the property solely for demonstration and for which no charge is made while holding it for sale is exempt from tax on account of such use.

(6) When an aircraft used for demonstration is converted to a taxable use, such as for personal use, use tax is owed on the dealer's original purchase price, if the aircraft was converted to a purpose other than selling, brokering, exchanging, or dealing in aircraft parts or in sales of aircraft.

(7) Sales tax applies to the retail sale of the aircraft following its use for demonstration without deduction for use tax previously paid under subrule (6) of this rule.

(8) A specific tax under the streamlined sales and use tax revenue equalization act, 2004 PA 175, MCL 205.171 to 205.191, of 6% is owed, less an amount equal to the use tax paid, on the retail value of a qualified aircraft for the privilege of storing, registering, or transferring ownership in this state, unless exempt from sales or use tax, including for purposes of resale. The retail value is determined at the time the aircraft first enters this state and is to be based on an industry accepted pricing guide applicable to the aircraft. It is solely within the department of treasury's discretion to determine if a pricing guide is industry accepted. As used in this subrule, "qualified aircraft" means an aircraft purchased outside of this state, used solely for personal, non-business purposes, and either brought into this state more than 90 days after the date of purchase by a nonresident or brought into this state more than 360 days after the date of purchase by a resident.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.63 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.64 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.65

Source: 1979 AC.

R 205.66 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.67 Fuel dealers.

Rule 17. (1) The sale of coal, coke, wood, fuel oil, liquid petroleum gas, and other fuel that is not otherwise exempt is taxable based on the sales or purchase price. The sale for residential use of electricity, natural or artificial gas, or home heating fuels is exempt from the sales tax at the additional rate of 2%, as approved by the electors on March 15, 1994.

(2) The sale of equipment, tools, materials and supplies, consumed or used in handling and preparing fuel for market or delivery is taxable.

(3) The sale of bottled gas cylinders by dealers and distributors is subject to tax at the time of sale. A dealer or distributor that rents bottled gas cylinders to its customers may elect to pay use tax on the rental receipts instead of paying sales tax when the dealer or distributor purchases the cylinder for use in its rental business. See R 205.132.

(4) The sale of fuel used in rail operations is exempt from tax, except for use in vehicles licensed and titled for use on public highways.

(5) The sale of fuel used or consumed in the manufacturing of power, heat, light, or gas to be sold at retail is not taxable.

(6) The sale of fuel used for an exempt agricultural purpose or industrial processing is exempt from tax.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.68 Containers, cartons, and wrapping materials.

Rule 18. (1) As used in this rule, "containers" means the articles and devices in which tangible personal property is placed for shipment and delivery, such as wrapping materials, bags, cans, twines, gummed tapes, barrels, boxes, tote boxes, pallets, racks, bottles, drums, carboys, cartons, sacks, and materials from which the containers are manufactured.

(2) Sales of containers to persons engaged in rendering a service are taxable.

(3) Sales of containers that will be resold with the product are eligible for a resale exemption. If a separate charge is made for the sale of a container to a person, other than for resale, it is taxable. Sales of containers that are not resold with the property it contains are taxable.

Example 1: ABC manufactures golf balls. ABC sells its golf balls for resale to retailers. When a retailer places an order, ABC

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packages its golf balls by the dozen into boxes that are intended to be sold with the golf balls. When ABC receives an order from a retailer it places multiple boxes of golf balls into a larger box for shipment. The box that is sold with the golf balls is eligible for the resale exemption. However, the larger box used to ship multiple boxes of golf balls is taxable because it is not resold. ABC shall pay sales tax when it purchases the larger box or remit use tax on the purchase price of the box.

Example 2: Same facts as Example 1 except that ABC packages a gross of golf balls, a dozen boxes of a dozen golf balls, for shipment to retailers with the packaging into the larger box occurring before the packages of golf balls first come to rest in finished goods inventory. The larger box, and associated packing materials such as popcorn, styrofoam, and peanuts, are exempt as it was used in the packaging before the golf ball boxes came to rest in finished goods inventory.

(4) Sales of containers to a person, such as a manufacturer, wholesaler, jobber, or retailer, who uses the containers to ship or deliver goods, and retains the ownership or legal right of possession of the containers, are taxable.

(5) Sales or purchases, for a single use only, of bracings, blocking, skidding, shoring, and other materials, commonly known as dunnage are taxable when used in the shipment of a product to a customer.

(6) Deposits on a returnable container for a beverage, or the deposit on a carton or case which is used for returnable beverage containers, are not taxable when sold in conjunction with a sale of a beverage.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.69

Source: 1979 AC.

R 205.70 Consignments.

Rule 20. (1) Sales of tangible personal property consigned, delivered, or entrusted to a retailer for the purpose of selling at retail are taxable to the retailer on the total retail sale price without deduction for any expense, such as storage, rental, commission, or repairs. It is immaterial whether the goods are different from those sold in the regular business of the retailer.

(2) Where a retailer selling tangible personal property belonging to another has the right to withhold or claim a portion of the sale price as compensation, the retailer shall include the total amount received from the sale of the goods in its tax return.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.71 Contractors

Rule 21. A contractor includes only prime, general, and subcontractors directly engaged in the business of constructing, altering, repairing, or improving real estate for others.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.72 Rescinded.

History: 1979 AC; 2007 AACs; 2023 MR 15, Eff. August 11, 2023.

R 205.73 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.74

Source: 1979 AC.

R 205.75 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.76 Employer sales and employer-sponsored incentive programs.

Rule 26. (1) When an employer sells tangible personal property to employees, allows them to purchase through the organization or to buy from others on discounts available to the employer, or in another manner obtain goods through the employer, the sales are taxable.

(2) An employer shall report and pay tax on sales to employees under subrule (1) of this rule, even if the employer is exempt from tax on the employer's regular business.

(3) Tax applies on the sale of tangible personal property to an employer who purchases that tangible personal property for free distribution to employees, unless the tangible personal property is otherwise exempt. For example, tax would not apply to the sale of goggles, protective gear, and other safety equipment to a manufacturer for use by employees engaged in an exempt industrial process.

(4) The sale of tangible personal property to an employee by a third-party retailer through an employer-sponsored rewards, performance improvement, or other incentive program is taxable. The tax on any such transaction is imposed on the total value

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of the points, rewards, or other consideration redeemed in the transaction for the tangible personal property. Tax is not imposed on the redemption of any product that is not tangible personal property.

Example: An employer contracts with a company to operate a points-based incentive plan for employees. Under the plan, employees accumulate points that may be used to redeem certain prizes from the company, including tangible personal property and travel packages. Under the service agreement, the company then bills the employer based upon the value of points redeemed each period. Under this arrangement, tax is imposed on any redemption of tangible personal property by the employee based upon the total value of the points used to redeem that tangible personal property. Tax is not imposed on any redemption of prizes that does not involve tangible personal property, such as travel packages. The payments from the employer to the company for the points redeemed each period relate to the operation of the service agreement and are not taxable.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.77 Fairs, circuses, carnivals, and other public exhibitions.

Rule 27. Persons operating or sponsoring a fair, circus, carnival, exposition, bazaar, or similar event are liable, as the principal, for the tax upon the sale or use of tangible personal property sold, given as prizes, or otherwise disposed of by a person engaged in business without a sales tax license at the exhibition, unless the tax is paid by the dispenser of the property.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.78 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.79 Federal and state governments.

Rule 29. (1) Sales to the United States government, its unincorporated agencies and instrumentalities, any incorporated agency wholly owned by the United States or by a corporation wholly owned by the United States, the American Red Cross and its chapters and branches, and this state and its political subdivisions, departments, and institutions are not taxable if the sales are paid for directly to the seller with government funds.

(2) When the sales are made without the required purchase order form being supplied in advance, the sale is taxable, but the licensee may later take credit for the tax payment upon the licensee's receipt of purchase order and warrant covering the sales.

(3) Sales to governmental employees for their own consumption or use are taxable.

(4) Sales to and purchases by non-governmental entities doing business on federal areas are taxable, if the sale is not made directly to an exempt federal instrumentality.

(5) A person subject to a tax under this act need not include in the amount of his or her gross proceeds used for the computation of the tax any proceeds of his or her business derived from sales to the United States, its unincorporated agencies and instrumentalities, any incorporated agency or instrumentality of the United States wholly owned by the United States or by a corporation wholly owned by the United States, the American Red Cross and its chapters and branches, and this state or its departments and institutions or any of its political subdivisions.

(6) Sales to and purchases by national banks are taxable.

(7) Sales made by political subdivisions of this state, including counties, municipalities, villages, school districts, water districts, and airport districts, are taxable, unless otherwise specifically exempted.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.80 Florists and nurserymen.

Rule 30. (1) Flowers, trees, plants, shrubs, seeds, grass, and other similar property are tangible personal property subject to tax. Florists, nurserymen, and other persons engaged in the business of selling such tangible personal property are liable for the tax on their gross sales. The tax applies regardless of where or how the items are grown or produced and regardless of whether sold from a store, curb, market, greenhouse, farm, or other place.

(2) The following apply only to sales made through telegraphic delivery association, wire service, or in similar manner:

(a) On all orders taken by a florist in this state and communicated to a second florist, either located in this state or another state, the florist taking the order is liable for the tax.

(b) Where florists in this state receive instructions from other florists either located in this state or another state for the delivery of flowers, the florist receiving the instructions is not held liable for the tax with respect to any proceeds from the transaction.

(3) A florist or nurseryman that contracts to provide and plant flowers, trees, plants, shrubs, seeds, grass, and other similar property for others is improving real estate and use tax will apply based on the purchase price of the property consumed.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.81 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

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R 205.82

Source: 1997 AACS.

R 205.83 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.84 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.85

Source: 1997 AACS.

R 205.86

Source: 1997 AACS.

R 205.87

Source: 1979 AC.

R 205.88 Lodging provided by hotels, motels, cabins and camps.

Rule 38. (1) Use tax is imposed on rental receipts from rooms or lodgings furnished by hotel keepers, motel operators, and other persons furnishing accommodations that are available to the public based on commercial and business enterprise, irrespective of whether membership is required for use of the accommodations.

(2) The following rentals are not taxable:

(a) Rooms or lodging rented for a continuous period of more than 1 month to the same tenant. As used in this subdivision, "1 month" means 30 days or the calendar month of the rental period, whichever is shorter.

(b) Rooms or lodging furnished by hospitals, nursing homes, convalescent homes, and mental institutions or similar institutions dedicated to the care and treatment of the sick under medical supervision.

(c) Rooms or lodging furnished by camps operated by a nonprofit organization and camps licensed under 1973 PA 116, MCL 722.111 to 722.128.

(3) The following rentals are exempt from the tax:

(a) Rooms or lodging furnished directly to the United States government, its unincorporated agencies or instrumentalities, any incorporated agency wholly owned by the United States or by a corporation wholly owned by the United States, the American Red Cross or its chapters or branches, if paid for directly to the seller with government funds.

(b) Rooms or lodging furnished directly to this state or its political subdivisions, departments, or institutions, if paid for directly to the seller with government funds.

(c) Rooms or lodging furnished directly to nonprofit organizations, as provided under the Use Tax Act, 1937 PA 94, MCL 205.91 to 205.111.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.89 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.90 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.91 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.92 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.93 Sales and breeding of animals.

Rule 43. (1) Unless otherwise exempt, sales of horses, dogs, cats, birds, goldfish, guinea pigs, reptiles, and other animals, including household pets, are taxable sales of tangible personal property.

(2) Persons that breed and sell animals as pets, including those who engage in the activities merely as a hobby or pastime, are engaged in the business of making retail sales and are required to pay sales tax on all sales of animals not for resale. While a

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single, isolated sale of an animal would not be subject to tax, a breeder who advertises or offers animals for sale at any time and in any manner, including on the internet, for purposes of repeated sales is determined to be regularly engaged in the business of making retail sales, and their sales are not considered casual or isolated, even if they are few or infrequent as described under R 205.13.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.94 Labels, tags, and other property included in or affixed to containers.

Rule 44. (1) Sales of labels, tags, or nameplates to persons using them in rendering services or for personal or business use or which do not accompany products sold, are sales for consumption and are taxable.

(2) Sales of labels, tags, or nameplates is not subject to tax if the labels, tags, or nameplates will be affixed to tangible personal property that will be sold at retail or affixed to the containers sold with the property.

(3) Sales of labels to persons retaining title to containers to which the labels are affixed are not sales for resale but are sales for consumption and subject to tax.

(4) Sales of manuals, pamphlets, warranty cards, and other similar tangible personal property that is included in the container or packaged with a product that is sold at retail is not subject to tax.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.95

Source: 1979 AC.

R 205.96

Source: 1997 AACS.

R 205.97 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.98 Sales made in transit.

Rule 48. Prepared food or other tangible personal property sold or otherwise provided on any form of transportation, including, but not limited to, a railcar, watercraft, or airplane while operating in this state, or upon this state's waters, is subject to tax as described under R 205.136.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.99 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.100 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.101 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.102 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.103

Source: 1997 AACS.

R 205.104 Optometrists, ophthalmologists, opticians, and optical supply houses.

Rule 54. (1) Licensed optometrists and ophthalmologists that examine, prescribe, and dispense eyeglasses and contact lenses are considered, for sales tax purposes, to be making retail sales. A sales tax license is required for this activity.

(2) Eyeglasses dispensed to a patient by an ophthalmologist, optometrist, or optician pursuant to a prescription to correct that patient's vision, and repair and replacement parts for the eyeglasses, are exempt. Contact lenses are taxable. If necessary to complete the sale of contact lenses, examination charges or other service charges are taxable, even if billed separately.

(3) Sales by opticians and optical supply houses to optometrists and ophthalmologists are exempt when sold for resale, provided the optometrist or ophthalmologist is properly licensed as a retailer as noted in subrule (1) of this rule.

(4) Physicians acting in the capacity of optometrists or ophthalmologists are subject to this rule, see R 205.111.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

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R 205.105

Source: 1997 AACS.

R 205.106 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.107 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.108 Postage stamps.

Rule 58. (1) Sales by the United States Postal Service or by an approved postal provider of uncanceled United States postage valid for transportation of mail are not taxable. Sales of these items made by other sellers are subject to tax. Sales of cancelled domestic or foreign stamps or of uncanceled foreign postage stamps not valid for transportation of mail in the United States are taxable.

(2) As used in this rule, “approved postal provider” means a business that has entered into a contractual agreement with the United States Postal Service to provide authorized postal services, including the sale of postage stamps, to the public.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.109 Photographers and photo processors.

Rule 59. (1) If a photographer’s sitting fee or session fee is part of a package that includes tangible personal property, such as prints, the total amount charged for the package is taxable, even if the packaged parts are separately itemized on the invoice. If a sitting fee or session fee is charged as a separate transaction, and the customer is not required to also purchase prints or other products, then the sitting fee or session fee is not taxable.

(2) The development and processing of photographic images, whether using a physical or digital process, together with the production of prints, film strips, slides, or other tangible personal property, are subject to sales tax on the total price charged to the customer. Whether equipment, materials, and supplies purchased for use in the creation and development of photographic images are used in industrial processing and are therefore exempt from tax, depends upon the process used to develop the photographic images. Equipment, materials, and supplies purchased for use in the creation, development, and sale of digital products, including digital photographic images, are not used in industrial processing, and are taxable. However, equipment, materials, and supplies purchased for use in the physical processing of non-digital photographic images, such as the development of exposed film or film negatives, may be used in industrial processing and are exempt from tax, as described in section 4t of the General Sales Tax Act, 1933 PA 167, MCL 205.54t and section 4o of the Use Tax Act, 1937 PA 94, MCL 205.94o.

(3) Coloring, tinting, retouching, restoration, and similar services, if performed on photographs or images owned by the customer, are nontaxable. If the services are performed as part of a package that includes tangible personal property, or in connection with the photographer’s creation of photographic images to be sold as prints or other tangible personal property, the total amount charged to the customer is taxable.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.110 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.111 Physicians, surgeons, dentists, veterinarians, osteopaths, and other health professionals.

Rule 61. (1) Physicians, surgeons, dentists, veterinarians, osteopaths or other health professionals not otherwise specifically provided for in these rules render nontaxable services.

(2) Unless otherwise exempt, sales of drugs, medications, instruments, equipment, and other tangible personal property to persons for use in rendering professional services or for use within their offices, laboratories, or other similar quarters are taxable.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.112 Premiums and gifts.

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Rule 62. (1) Unless an exemption applies, donors of tangible personal property are regarded as consumers of that tangible personal property and the sale of that property to them is taxable. Similarly, the sale to an employer of tangible personal property for free distribution to its employees may also be taxable, under R 205.76. The sale of goods to be given away for advertising purposes is also taxable.

(2) If goods purchased for resale are subsequently given away or used by the retailer, the retailer is liable for use tax on the purchase price of the goods, unless otherwise exempt.

(3) The redemption of scrips, whether in the form of punch cards, certificates, box tops, tokens, proofs of purchase, points, or similar promotional consideration for premiums is a taxable sale at retail and sales tax must be paid on the redemption value of the scrips. Sales tax does not apply if the consideration is redeemed for cash rather than for tangible personal property. Premiums acquired for resale purposes are not subject to sales or use tax.

(4) Purchasers of tangible personal property to be awarded as prizes, the winning of which depends upon chance or skill, are regarded as consumers of that property and the tax applies to sales of the property to them. Similarly, purchasers of tangible personal property for use in games, promotions, and similar operations, in which each customer receives some merchandise or prize regardless of skill or chance, are regarded as the consumers of that property and the tax applies to sales of the property to them.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.113 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.114 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.115 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.116 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.117 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.118 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.119 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.120

Source: 1997 AACS.

R 205.121

Source: 1997 AACS.

R 205.122

Source: 1997 AACS.

R 205.123

Source: 1997 AACS.

R 205.124 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.125

Source: 1997 AACS.

R 205.126 Rescinded.

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History: 1979 AC; 2007 AACS; 2023 MR 15, Eff. August 11, 2023.

R 205.127

Source: 2020 AACS.

R 205.128

Source: 1979 AC.

R 205.129

Source: 1997 AACS.

R 205.130 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.131 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.132 Lease or rental.

Rule 82. (1) A lessor is a person engaged in the business of renting or leasing tangible personal property.

(2) The terms “lease” and “rental” have the same meaning and may be used interchangeably. For agreements entered into after September 1, 2004, a lease or rental means either of the following:

(a) Any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration and may include future options to purchase or extend.

(b) An agreement covering motor vehicles or trailers if the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property, as that term is defined in 26 USC 7701(h)(1).

(3) A lease or rental does not include any of the following:

(a) A transfer of possession or control of tangible personal property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments.

(b) A transfer of possession or control of tangible personal property under an agreement requiring transfer of title upon completion of the required payments and payment of an option price that does not exceed \$100.00 or 1% of the total required payments, whichever is greater.

(c) Except as provided in subrule (4) of this rule, the provision of tangible personal property along with an operator for a fixed or indeterminate period of time, where that operator is necessary for the equipment to perform as designed. To be necessary, an operator shall do more than maintain, inspect, or set up the tangible personal property.

(4) Beginning March 29, 2019, a lease also includes the transfer of possession or control for consideration, for a fixed or indeterminate term and including future options to purchase or extend, of a school bus primarily used in the performance of a contract entered into with an authorized representative of a school for the transportation of preprimary, primary, or secondary school pupils to or from a school or school-related events authorized by the administration of the school. A transaction described in this subrule qualifies as a lease even if the operator of the school bus is also provided under the lease.

(5) A lessor may elect to pay use tax on the rental receipts for tangible personal property that would otherwise be taxed on the full cost at the time of purchase. The election to pay on rental receipts is made on each item of tangible personal property. The election is made by claiming an exemption from sales or use tax at the time of purchase and paying use tax on the rental receipts.

(6) A lessor remitting tax on rental receipts must hold a sales tax license, or register under the Use Tax Act, 1937 PA 94, MCL 205.91 to 205.111. For aircraft, a person shall register for use tax with the department of treasury by the earlier of the date set for the first payment of use tax under the lease or rental agreement or 90 days after the lessor first brings the aircraft into this state.

(7) The remittance of use tax on rental receipts is the obligation of the lessor. If the lessor places the economic burden of the tax on the lessee, the charge must be separately itemized.

(8) A taxpayer that makes the lessor election will lose that election if tangible personal property is converted to personal use. Tax is owed at the time of conversion on the original purchase price of the property.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.133 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.134 Rescinded.

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History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.135 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.136

Source: 2013 AACS.

R 205.137 Air and water pollution control facility.

Rule 87. (1) Tangible personal property purchased for installation as a component part of a water pollution control facility or an air pollution control facility for which a tax exemption certificate is issued by the state tax commission is exempt from sales and use tax. The exemption is effective for dates on and after the date the certificate is issued by the state tax commission. If a tax exemption certificate previously issued is revoked by the state tax commission, the exemption may no longer be claimed beginning on the effective date of the revocation.

(2) When sales or use tax has been paid on tangible personal property, which later qualifies for exemption as a result of obtaining a certificate of exemption from the state tax commission, a refund may be requested by the purchaser upon submission of both of the following documents to the department of treasury:

(a) A copy of the exemption certificate issued by the tax commission indicating the approved cost of the tangible personal property installed and entitled to exemption.

(b) A copy of the seller's invoice showing the name and address of the seller, identification of purchaser, identification of the items purchased, the date of purchase, and amount of tax paid to seller.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.138

Source: 1997 AACS.

R 205.139 Rescinded.

History: 1979 AC; 2023 MR 15, Eff. August 11, 2023.

R 205.140

Source: 1979 AC.

R 205.141

Source: 2020 AACS.

R 205.142 Exemption for Diesel Fuel Used in Certain Vehicles Operated for Hire.

Rule 92. Sales or use tax does not apply on retail sales or purchases of diesel fuel for use in passenger vehicles of a capacity of 10 or more operated for hire under a certificate of authority issued by the state transportation department. As used in this rule, "diesel fuel" means that term as defined in section 2 of the motor fuel tax act, 2000 PA 403, MCL 207.1002.

History: 2023 MR 15, Eff. August 11, 2023.

DEPARTMENT OF TREASURY

STATE TREASURER

TAXATION OF ADULT-USE (RECREATIONAL) MARIHUANA RULES

R 205.150

Source: 2020 AACS.

R 205.151

Source: 2020 AACS.

DEPARTMENT OF TREASURY

BUREAU OF REVENUE

INTANGIBLES TAX

- R 205.201**
Source: 1998-2000 AACS.
- R 205.202**
Source: 1998-2000 AACS.
- R 205.203**
Source: 1998-2000 AACS.
- R 205.204**
Source: 1998-2000 AACS.
- R 205.205**
Source: 1998-2000 AACS.
- R 205.206**
Source: 1998-2000 AACS.
- R 205.207**
Source: 1998-2000 AACS.
- R 205.208**
Source: 1998-2000 AACS.
- R 205.209**
Source: 1998-2000 AACS.
- R 205.210**
Source: 1998-2000 AACS.
- R 205.211**
Source: 1998-2000 AACS.
- R 205.212**
Source: 1998-2000 AACS.
- R 205.213**
Source: 1998-2000 AACS.
- R 205.214**
Source: 1998-2000 AACS.
- R 205.215**
Source: 1998-2000 AACS.
- R 205.216**
Source: 1998-2000 AACS.
- R 205.217**
Source: 1998-2000 AACS.
- R 205.218**
Source: 1998-2000 AACS.
- R 205.219**
Source: 1998-2000 AACS.

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- R 205.220**
Source: 1998-2000 AACS.
- R 205.221**
Source: 1998-2000 AACS.
- R 205.222**
Source: 1998-2000 AACS.
- R 205.223**
Source: 1998-2000 AACS.
- R 205.224**
Source: 1998-2000 AACS.
- R 205.225**
Source: 1998-2000 AACS.
- R 205.226**
Source: 1998-2000 AACS.
- R 205.227**
Source: 1998-2000 AACS.
- R 205.228**
Source: 1998-2000 AACS.
- R 205.229**
Source: 1998-2000 AACS.
- R 205.230**
Source: 1998-2000 AACS.
- R 205.231**
Source: 1998-2000 AACS.

STATE BOARD OF TAX APPEALS
PRACTICE AND PROCEDURE

- R 205.301**
Source: 1997 AACS.
- R 205.302**
Source: 1997 AACS.
- R 205.303**
Source: 1997 AACS.
- R 205.304**
Source: 1997 AACS.
- R 205.305**
Source: 1997 AACS.
- R 205.306**
Source: 1997 AACS.

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R 205.307
Source: 1997 AACS.

R 205.308
Source: 1997 AACS.

R 205.309
Source: 1997 AACS.

R 205.310
Source: 1997 AACS.

R 205.311
Source: 1997 AACS.

R 205.312
Source: 1997 AACS.

R 205.313
Source: 1997 AACS.

R 205.314
Source: 1997 AACS.

R 205.315
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R 205.316
Source: 1997 AACS.

R 205.317
Source: 1997 AACS.

R 205.318
Source: 1997 AACS.

R 205.319
Source: 1997 AACS.

R 205.320
Source: 1997 AACS.

R 205.321
Source: 1997 AACS.

REVENUE DIVISION

CIGARETTE TAX

R 205.401
Source: 1998-2000 AACS.

R 205.402
Source: 1980 AACS.

R 205.403
Source: 1980 AACS.

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R 205.404
Source: 1998-2000 AACS.

R 205.405
Source: 1980 AACS.

R 205.406
Source: 1998-2000 AACS.

R 205.407
Source: 1980 AACS.

R 205.408
Source: 1998-2000 AACS.

R 205.409
Source: 1980 AACS.

R 205.410
Source: 1998-2000 AACS.

R 205.411
Source: 1998-2000 AACS.

R 205.412
Source: 1998-2000 AACS.

R 205.413
Source: 1998-2000 AACS.

R 205.414
Source: 1998-2000 AACS.

R 205.415
Source: 1998-2000 AACS.

R 205.416
Source: 1980 AACS.

DEPARTMENT OF TREASURY

BUREAU OF REVENUE

TOBACCO PRODUCTS TAX

R 205.451
Source: 1998-2000 AACS.

R 205.452
Source: 1998-2000 AACS.

R 205.453
Source: 1998-2000 AACS.

R 205.454
Source: 1998-2000 AACS.

R 205.455

Annual Administrative Code Supplement
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Source: 1998-2000 AACS.

BUSINESS ACTIVITIES TAX

R 205.551

Source: 1997 AACS.

R 205.552

Source: 1997 AACS.

R 205.553

Source: 1997 AACS.

R 205.554

Source: 1997 AACS.

R 205.555

Source: 1997 AACS.

R 205.556

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R 205.557

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R 205.558

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R 205.559

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R 205.560

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R 205.561

Source: 1997 AACS.

R 205.562

Source: 1997 AACS.

R 205.563

Source: 1997 AACS.

R 205.564

Source: 1997 AACS.

R 205.565

Source: 1997 AACS.

R 205.566

Source: 1997 AACS.

BUREAU OF REVENUE
TAXPAYER BILL OF RIGHTS

R 205.901

Annual Administrative Code Supplement
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Source: 1979 AC.

R 205.902

Source: 1979 AC.

R 205.903

Source: 1979 AC.

R 205.904

Source: 1979 AC.

R 205.905

Source: 1979 AC.

R 205.906

Source: 1979 AC.

R 205.907

Source: 1979 AC.

R 205.908

Source: 1979 AC.

R 205.909

Source: 1979 AC.

R 205.910

Source: 1979 AC.

R 205.911

Source: 1979 AC.

R 205.912

Source: 1979 AC.

R 205.913

Source: 1979 AC.

R 205.914

Source: 1979 AC.

R 205.915

Source: 1979 AC.

R 205.916

Source: 1979 AC.

R 205.917

Source: 1979 AC.

DEPARTMENT OF TREASURY

STATE TREASURER

TAXPAYER BILL OF RIGHTS

R 205.1001

Source: 2018 AACS.

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R 205.1002
Source: 2018 AACS.

R 205.1003
Source: 2018 AACS.

R 205.1004
Source: 2018 AACS.

R 205.1005
Source: 1996 AACS.

R 205.1006
Source: 2018 AACS.

R 205.1006a
Source: 2018 AACS.

R 205.1006b
Source: 2018 AACS.

R 205.1006c
Source: 2018 AACS.

R 205.1006d
Source: 2018 AACS.

R 205.1007
Source: 2018 AACS.

R 205.1008
Source: 2018 AACS.

R 205.1009
Source: 2018 AACS.

R 205.1010
Source: 2018 AACS.

R 205.1011
Source: 2018 AACS.

R 205.1012
Source: 1996 AACS.

R 205.1013
Source: 1996 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
TAX TRIBUNAL
PRACTICE AND PROCEDURE
PART 1. GENERAL PROVISIONS

R 205.1101

Annual Administrative Code Supplement
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Source: 2013 AACS.

R 205.1111

Source: 2013 AACS.

R 205.1115

Source: 2013 AACS.

R 205.1120

Source: 2013 AACS.

R 205.1125

Source: 2013 AACS.

R 205.1130

Source: 2013 AACS.

R 205.1135

Source: 2013 AACS.

R 205.1140

Source: 2013 AACS.

R 205.1145

Source: 2013 AACS.

R 205.1150

Source: 2013 AACS.

R 205.1155

Source: 2013 AACS.

PART 2. MATTERS BEFORE ENTIRE TRIBUNAL

R 205.1201

Source: 2013 AACS.

R 205.1202

Source: 2013 AACS.

R 205.1205

Source: 2013 AACS.

R 205.1208

Source: 2013 AACS.

R 205.1210

Source: 2013 AACS.

R 205.1215

Source: 2013 AACS.

R 205.1220

Source: 2013 AACS.

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R 205.1222
Source: 2013 AACS.

R 205.1225
Source: 2013 AACS.

R 205.1230
Source: 2013 AACS.

R 205.1235
Source: 2013 AACS.

R 205.1240
Source: 2013 AACS.

R 205.1245
Source: 2013 AACS.

R 205.1247
Source: 2013 AACS.

R 205.1249
Source: 2013 AACS.

R 205.1250
Source: 2013 AACS.

R 205.1252
Source: 2013 AACS.

R 205.1255
Source: 2013 AACS.

R 205.1257
Source: 2013 AACS.

R 205.1260
Source: 2013 AACS.

R 205.1262
Source: 1979 AC.

R 205.1264
Source: 2013 AACS.

R 205.1270
Source: 2013 AACS.

R 205.1275
Source: 2013 AACS.

R 205.1278
Source: 2013 AACS.

R 205.1280
Source: 2013 AACS.

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R 205.1281
Source: 2013 AACS.

R 205.1283
Source: 2013 AACS.

R 205.1285
Source: 2013 AACS.

R 205.1288
Source: 2013 AACS.

R 205.1290
Source: 2013 AACS.

PART 3. SMALL CLAIMS DIVISION RULES

R 205.1301
Source: 2013 AACS.

R 205.1303
Source: 2013 AACS.

R 205.1305
Source: 2013 AACS.

R 205.1307
Source: 2013 AACS.

R 205.1310
Source: 2013 AACS.

R 205.1312
Source: 2013 AACS.

R 205.1313
Source: 2013 AACS.

R 205.1315
Source: 2013 AACS.

R 205.1317
Source: 2013 AACS.

R 205.1320
Source: 2013 AACS.

R 205.1330
Source: 2013 AACS.

R 205.1332
Source: 2013 AACS.

R 205.1333
Source: 2013 AACS.

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R 205.1335
Source: 2013 AACS.

R 205.1340
Source: 2013 AACS.

R 205.1342
Source: 2013 AACS.

R 205.1345
Source: 2013 AACS.

R 205.1348
Source: 2013 AACS.

PART 4. HEARING AND POSTHEARING PROCEDURES

R 205.1401
Source: 1996 AACS.

R 205.1405
Source: 1996 AACS.

R 205.1410
Source: 1996 AACS.

R 205.1430
Source: 1996 AACS.

R 205.1435
Source: 1996 AACS.

R 205.1440
Source: 1996 AACS.

R 205.1445
Source: 1996 AACS.

R 205.1450
Source: 1996 AACS.

R 205.1455
Source: 1996 AACS.

R 205.1460
Source: 1996 AACS.

R 205.1462
Source: 1996 AACS.

R 205.1471
Source: 1996 AACS.

R 205.1475

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Source: 1996 AACS.

PART 6. SMALL CLAIMS DIVISION

R 205.1601

Source: 1996 AACS.

R 205.1603

Source: 1996 AACS.

R 205.1605

Source: 1996 AACS.

R 205.1610

Source: 1996 AACS.

R 205.1612

Source: 1996 AACS.

R 205.1613

Source: 1996 AACS.

R 205.1615

Source: 1996 AACS.

R 205.1617

Source: 1996 AACS.

R 205.1620

Source: 1996 AACS.

R 205.1630

Source: 1996 AACS.

R 205.1632

Source: 1996 AACS.

R 205.1633

Source: 1996 AACS.

R 205.1635

Source: 1996 AACS.

R 205.1640

Source: 1996 AACS.

R 205.1642

Source: 1996 AACS.

R 205.1645

Source: 1996 AACS.

R 205.1648

Source: 1996 AACS.

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PART 4. HEARING AND POSTHEARING PROCEDURES

R 205.1401
Source: 1997 AACS.

R 205.1405
Source: 1997 AACS.

R 205.1410
Source: 1997 AACS.

R 205.1430,
Source: 1997 AACS.

R 205.1435
Source: 1997 AACS.

R 205.1440
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R 205.1445
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R 205.1450
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R 205.1455
Source: 1997 AACS.

R 205.1460
Source: 1997 AACS.

R 205.1462
Source: 1997 AACS.

R 205.1471
Source: 1997 AACS.

R 205.1475
Source: 1997 AACS.

PART 6. SMALL CLAIMS DIVISION

R 205.1601
Source: 1997 AACS.

R 205.1603
Source: 1997 AACS.

R 205.1605
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R 205.1610
Source: 1997 AACS.

R 205.1612
Source: 1997 AACS.

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R 205.1613
Source: 1997 AACS.

R 205.1615
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R 205.1617
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R 205.1620
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R 205.1630
Source: 1997 AACS.

R 205.1632
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R 205.1635
Source: 1997 AACS.

R 205.1640
Source: 1997 AACS.

R 205.1642
Source: 1997 AACS.

R 205.1645
Source: 1997 AACS.

R 205.1648
Source: 1997 AACS.

R 205.1650
Source: 1997 AACS.

DEPARTMENT OF TREASURY

STATE TREASURER

AUDIT STANDARDS FOR FIELD AUDITS

R 205.2001
Source: 2015 AACS.

R 205.2002
Source: 2015 AACS.

R 205.2003
Source: 2015 AACS.

R 205.2004
Source: 2015 AACS.

R 205.2005
Source: 2015 AACS.

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R 205.2006
Source: 2015 AACS.

R 205.2007
Source: 2015 AACS.

R 205.2008
Source: 2015 AACS.

R 205.2009
Source: 2015 AACS.

R 205.2010
Source: 2015 AACS.

R 205.2011
Source: 2015 AACS.

DEPARTMENT OF TREASURY
BUREAU OF REVENUE
CONTESTED CASE PROCEDURES
PART 1. GENERAL PROVISIONS

R 205.3101
Source: 1995 AACS.

R 205.3102
Source: 1995 AACS.

R 205.3103
Source: 1995 AACS.

PART 2. COMMENCEMENT OF APPEAL PROCEEDING

R 205.3201
Source: 1995 AACS.

R 205.3202
Source: 1995 AACS.

R 205.3203
Source: 1995 AACS.

R 205.3204
Source: 1995 AACS.

R 205.3205
Source: 1995 AACS.

R 205.3206
Source: 1995 AACS.

R 205.3207
Source: 1995 AACS.

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R 205.3208
Source: 1995 AACS.

R 205.3209
Source: 1995 AACS.

R 205.3210
Source: 1995 AACS.

R 205.3211
Source: 1995 AACS.

PART 3. PLEADINGS, MOTION PRACTICE, AND INTERVENTION

R 205.3301
Source: 1995 AACS.

R 205.3302
Source: 1995 AACS.

R 205.3303
Source: 1995 AACS.

R 205.3304
Source: 1995 AACS.

R 205.3305
Source: 1995 AACS.

R 205.3306
Source: 1995 AACS.

R 205.3307
Source: 1995 AACS.

R 205.3308
Source: 1995 AACS.

R 205.3309
Source: 1995 AACS.

R 205.3310
Source: 1995 AACS.

R 205.3311
Source: 1995 AACS.

R 205.3312
Source: 1995 AACS.

R 205.3313
Source: 1995 AACS.

R 205.3314
Source: 1995 AACS.

R 205.3315
Source: 1995 AACS.

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R 205.3316
Source: 1995 AACS.

PART 4. JOINT AND CONSOLIDATED PROCEEDINGS

R 205.3401
Source: 1995 AACS.

R 205.3402
Source: 1995 AACS.

PART 5. PREHEARING CONFERENCES

R 205.3501
Source: 1995 AACS.

R 205.3502
Source: 1995 AACS.

R 205.3503
Source: 1995 AACS.

R 205.3504
Source: 1995 AACS.

R 205.3505
Source: 1995 AACS.

PART 6. CONDUCT OF HEARINGS

R 205.3601
Source: 1995 AACS.

R 205.3602
Source: 1995 AACS.

R 205.3603
Source: 1995 AACS.

R 205.3604
Source: 1995 AACS.

R 205.3605
Source: 1995 AACS.

R 205.3606
Source: 1995 AACS.

R 205.3607
Source: 1995 AACS.

R 205.3608
Source: 1995 AACS.

R 205.3609
Source: 1995 AACS.

R 205.3610

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Source: 1995 AACS.

R 205.3611

Source: 1995 AACS.

R 205.3612

Source: 1995 AACS.

R 205.3613

Source: 1995 AACS.

R 205.3614

Source: 1995 AACS.

R 205.3615

Source: 1995 AACS.

R 205.3616

Source: 1995 AACS.

R 205.3617

Source: 1995 AACS.

R 205.3618

Source: 1995 AACS.

PART 7. DECISIONS

R 205.3701

Source: 1995 AACS.

R 205.3702

Source: 1995 AACS.

R 205.3703

Source: 1995 AACS.

PART 8. REMAND PROCEEDINGS

R 205.3801

Source: 1995 AACS.

R 205.3802

Source: 1995 AACS.

DEPARTMENT OF TREASURY

BUREAU OF REVENUE

RECORDKEEPING AND RETENTION RULES

PART 1. GENERAL PROVISIONS

R 205.4101

Source: 1998-2000 AACS.

R 205.4102

Source: 1998-2000 AACS.

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R 205.4103
Source: 1998-2000 AACS.

PART 2. RECORDKEEPING REQUIREMENTS FOR MACHINE-SENSIBLE RECORDS

R 205.4104
Source: 1998-2000 AACS.

R 205.4105
Source: 1998-2000 AACS.

R 205.4106
Source: 1998-2000 AACS.

R 205.4107
Source: 1998-2000 AACS.

PART 3. RECORDS MAINTENANCE

R 205.4108
Source: 1998-2000 AACS.

PART 4. ACCESS TO MACHINE-SENSIBLE RECORDS

R 205.4109
Source: 1998-2000 AACS.

PART 5. TAXPAYER RESPONSIBILITY AND DISCRETIONARY AUTHORITY

R 205.4110
Source: 1998-2000 AACS.

PART 6. ALTERNATIVE STORAGE MEDIA

R 205.4111
Source: 1998-2000 AACS.

R 205.4112
Source: 1998-2000 AACS.

R 205.4113
Source: 1998-2000 AACS.

R. 205.4114
Source: 1998-2000 AACS.

DEPARTMENT OF TREASURY

CUSTOMER SERVICE BUREAU

INCOME TAX

R 206.1
Source: 1979 AC.

R 206.2
Source: 1979 AC.

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R 206.3
Source: 1979 AC.

R 206.4
Source: 1979 AC.

R 206.5
Source: 1979 AC.

R 206.6
Source: 1979 AC.

R 206.7
Source: 1979 AC.

R 206.8
Source: 1979 AC.

R 206.9
Source: 1979 AC.

R 206.10
Source: 1979 AC.

R 206.11
Source: 1998-2000 AACS.

R 206.12
Source: 1998-2000 AACS.

R 206.13
Source: 1998-2000 AACS.

R 206.14
Source: 1979 AC.

R 206.15
Source: 1979 AC.

R 206.16
Source: 1979 AC.

R 206.17
Source: 1998-2000 AACS.

R 206.18
Source: 1998-2000 AACS.

R 206.19
Source: 1979 AC.

R 206.20
Source: 1979 AC.

R 206.21
Source: 1979 AC.

R 206.22
Source: 1979 AC.

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- R 206.23**
Source: 1979 AC.
- R 206.24**
Source: 1979 AC.
- R 206.25**
Source: 1979 AC.
- R 206.26**
Source: 1979 AC.
- R 206.27**
Source: 1979 AC.
- R 206.28**
Source: 2016 AACS.
- R 206.29**
Source: 1979 AC.
- R 206.30**
Source: 1979 AC.
- R 206.31**
Source: 1979 AC.
- R 206.32**
Source: 1979 AC.
- R 206.33**
Source: 1979 AC.
- R 206.101**
Source: 1997 AACS.
- R 206.102**
Source: 1997 AACS.
- R 206.103**
Source: 1997 AACS.
- R 206.104**
Source: 1997 AACS.
- R 206.105**
Source: 1997 AACS.
- R 206.106**
Source: 1997 AACS.
- R 206.107**
Source: 1997 AACS.
- R 206.108**
Source: 1997 AACS.
- R 206.109**
Source: 1997 AACS.

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R 206.110
Source: 1997 AACS.

R 206.111
Source: 1997 AACS.

R 206.112
Source: 1997 AACS.

R 206.113
Source: 1997 AACS.

R 206.114
Source: 1997 AACS.

R 206.115
Source: 1997 AACS.

R 206.116
Source: 1997 AACS.

R 206.117
Source: 1997 AACS.

R 206.118
Source: 1997 AACS.

R 206.119
Source: 1997 AACS.

R 206.120
Source: 1997 AACS.

R 206.121
Source: 1997 AACS.

DEPARTMENT OF STATE
MICHIGAN HISTORICAL CENTER
HISTORIC PRESERVATION CERTIFICATION

R 206.151
Source: 1998-2000 AACS.

R 206.152
Source: 1998-2000 AACS.

R 206.153
Source: 1998-2000 AACS.

R 206.154
Source: 1998-2000 AACS.

R 206.155
Source: 1998-2000 AACS.

R 206.156

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Source: 1998-2000 AACS.

R 206.157

Source: 1998-2000 AACS.

R 206.158

Source: 1998-2000 AACS.

R 206.159

Source: 1998-2000 AACS.

R 206.160

Source: 1998-2000 AACS.

MICHIGAN STRATEGIC FUND
STATE HISTORIC PRESERVATION OFFICE
HISTORIC PRESERVATION CERTIFICATION

R 206.201

Source: 2022 AACS.

R 206.202

Source: 2022 AACS.

R 206.203

Source: 2022 AACS.

R 206.204

Source: 2022 AACS.

R 206.205

Source: 2022 AACS.

R 206.206

Source: 2022 AACS.

R 206.207

Source: 2022 AACS.

R 206.208

Source: 2022 AACS.

R 206.209

Source: 2022 AACS.

R 206.210

Source: 2022 AACS.

R 206.211

Source: 2022 AACS.

R 206.212

Source: 2022 AACS.

DEPARTMENT OF TREASURY

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BUREAU OF CONTROLLER OPERATIONS

MOTOR FUEL TAX

R 207.1
Source: 2019 AACS.

R 207.2
Source: 2019 AACS.

R 207.3
Source: 2019 AACS.

R 207.4
Source: 2019 AACS.

R 207.5
Source: 1996 AACS.

R 207.6
Source: 1997 AACS.

R 207.7
Source: 2019 AACS.

R 207.8
Source: 2019 AACS.

R 207.9
Source: 2019 AACS.

R 207.10
Source: 2019 AACS.

R 207.11
Source: 2019 AACS.

R 207.12
Source: 1997 AACS.

R 207.13
Source: 2019 AACS.

R 207.14
Source: 2019 AACS.

R 207.15
Source: 1997 AACS.

R 207.16
Source: 1997 AACS.

**SALES, USE, AND WITHHOLDING TAXES DIVISION
STATE CONVENTION FACILITY DEVELOPMENT TAX**

R 207.101
Source: 1987 AACS.

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R 207.102
Source: 1987 AACS.

R 207.103
Source: 1987 AACS.

R 207.104
Source: 1987 AACS.

R 207.105
Source: 1987 AACS.

R 207.106
Source: 1987 AACS.

R 207.107
Source: 1987 AACS.

R 207.108
Source: 1987 AACS.

R 207.109
Source: 1987 AACS.

R 207.110
Source: 1987 AACS.

AIRPORT PARKING TAX

R 207.121
Source: 1989 AACS.

R 207.122
Source: 1989 AACS.

R 207.123
Source: 2001 AACS.

R 207.124
Source: 1989 AACS.

R 207.125
Source: 1989 AACS.

R 207.126
Source: 1989 AACS.

R 207.127
Source: 1989 AACS.

R 207.128
Source: 1989 AACS.

R 207.129
Source: 1989 AACS.

R 207.130
Source: 1989 AACS.

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STATE TAX COMMISSION
GENERAL RULES

PART 1. GENERAL PROVISIONS

R 209.1
Source: 2013 AACS.

R 209.3
Source: 2009 AACS.

R 209.5
Source: 2009 AACS.

R 209.7
Source: 2009 AACS.

R 209.8
Source: 2009 AACS.

R 209.9
Source: 1982 AACS.

R 209.10
Source: 1997 AACS.

R 209.11
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R 209.12
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R 209.13
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R 209.14
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R 209.15
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R 209.16
Source: 2010 AACS.

R 209.17
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R 209.18
Source: 2009 AACS.

R 209.19
Source: 2009 AACS.

PART 2. LOCAL PROPERTY TAXES

R 209.21
Source: 2009 AACS.

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R 209.23
Source: 2009 AACS.

R 209.24
Source: 2009 AACS.

R 209.25
Source: 2009 AACS.

R 209.26
Source: 2009 AACS.

R 209.27
Source: 1982 AACS.

R 209.28
Source: 2009 AACS.

PART 3. ASSESSMENT OF OMITTED OR INCORRECTLY REPORTED PROPERTY

R 209.31
Source: 2013 AACS.

R 209.32
Source: 2009 AACS.

R 209.33
Source: 2009 AACS.

R 209.34
Source: 2009 AACS.

R 209.35
Source: 2009 AACS.

R 209.36
Source: 2009 AACS.

R 209.37
Source: 2009 AACS.

R 209.38
Source: 2009 AACS.

R 209.39
Source: 1997 AACS.

PART 4. EQUALIZATION AND UTILITY ASSESSMENTS

R 209.41
Source: 2009 AACS.

R 209.42
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R 209.43
Source: 2009 AACS.

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R 209.44
Source: 2009 AACS.

PART 5. INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE

R 209.51
Source: 2010 AACS.

R 209.52
Source: 2009 AACS.

R 209.53
Source: 2010 AACS.

R 209.54
Source: 2010 AACS.

R 209.55
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R 209.56
Source: 2010 AACS.

R 209.57
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R 209.58
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R 209.61
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R 209.62
Source: 2009 AACS.

PART 6. HEARINGS

R 209.63
Source: 2009 AACS.

R 209.64
Source: 2009 AACS.

R 209.65
Source: 2010 AACS.

R 209.66
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R 209.67
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R 209.68
Source: 2009 AACS.

PART 7. WATER POLLUTION CONTROL EXEMPTION CERTIFICATE

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R 209.71
Source: 2009 AACS.

R 209.72
Source: 2009 AACS.

R 209.73
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R 209.74
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R 209.75
Source: 2009 AACS.

R 209.76
Source: 2010 AACS.

PART 8. AIR POLLUTION CONTROL EXEMPTION CERTIFICATE

R 209.81
Source: 2010 AACS.

PART 9. OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE

R 209.91
Source: 2010 AACS.

PART 10. NEW PERSONAL PROPERTY EXEMPTION

R 209.101
Source: 2010 AACS.

PART 11. COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE

R 209.111
Source: 2010 AACS.

PART 12. NEIGHBORHOOD ENTERPRISE ZONE EXEMPTION CERTIFICATE

R 209.112
Source: 2010 AACS.

PART 13. COMMERCIAL FACILITIES EXEMPTION CERTIFICATE

R 209.113
Source: 2010 AACS.

PART 14. TRAINING PROGRAMS AND EDUCATION

R 209.114
Source: 2010 AACS.

PART 15. RATING AND CERTIFICATION

R 209.115
Source: 2010 AACS.

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R 209.125
Source: 2010 AACS.

R 209.135
Source: 2010 AACS.

R 209.145
Source: 2010 AACS.

R 209.155
Source: 2010 AACS.

STATE LAND OFFICE BOARD

AUCTION SALE OF STATE-OWNED LANDS

R 211.1
Source: 2012 AACS.

R 211.2
Source: 2012 AACS.

R 211.3
Source: 2012 AACS.

R 211.4
Source: 2012 AACS.

R 211.5
Source: 2012 AACS.

R 211.6
Source: 2012 AACS.

R 211.7
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R 211.12
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R 211.13
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R 211.14
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R 211.15
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R 211.16
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R 211.17
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R 211.18
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R 211.19
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R 211.20
Source: 2012 AACS.

R 211.21
Source: 2012 AACS.

R 211.22
Source: 2012 AACS.

R 211.23
Source: 2012 AACS.

R 211.24
Source: 2012 AACS.

R 211.25
Source: 2012 AACS.

R 211.26
Source: 2012 AACS.

R 211.101
Source: 2012 AACS.

R 211.102
Source: 2012 AACS.

R 211.103
Source: 2012 AACS.

R 211.104
Source: 2012 AACS.

R 211.105
Source: 2012 AACS.

R 211.106
Source: 2012 AACS.

R 211.107
Source: 2012 AACS.

R 211.108

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Source: 2012 AACS.

R 211.109

Source: 2012 AACS.

R 211.110

Source: 2012 AACS.

R 211.111

Source: 2012 AACS.

R 211.112

Source: 2012 AACS.

R 211.113

Source: 2012 AACS.

R 211.114

Source: 2012 AACS.

R 211.115

Source: 2012 AACS.

R 211.116

Source: 2012 AACS.

R 211.117

Source: 2012 AACS.

R 211.118

Source: 2012 AACS.

R 211.119

Source: 2012 AACS.

R 211.120

Source: 2012 AACS.

R 211.121

Source: 2012 AACS.

R 211.201

Source: 2012 AACS.

R 211.202

Source: 2012 AACS.

R 211.203

Source: 2012 AACS.

R 211.204

Source: 2012 AACS.

R 211.205

Source: 2012 AACS.

R 211.206

Source: 2012 AACS.

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R 211.207
Source: 2012 AACS.

R 211.208
Source: 2012 AACS.

R 211.209
Source: 2012 AACS.

R 211.210
Source: 2012 AACS.

R 211.211
Source: 2012 AACS.

R 211.212
Source: 2012 AACS.

R 211.213
Source: 2012 AACS.

R 211.214
Source: 2012 AACS.

R 211.301
Source: 2012 AACS.

R 211.302
Source: 2012 AACS.

R 211.303
Source: 2012 AACS.

R 211.304
Source: 2012 AACS.

R 211.305
Source: 2012 AACS.

R 211.306
Source: 2012 AACS.

R 211.307
Source: 2012 AACS.

R 211.308
Source: 2012 AACS.

R 211.309
Source: 2012 AACS.

R 211.310
Source: 2012 AACS.

R 211.311
Source: 2012 AACS.

R 211.312

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Source: 2012 AACS.

R 211.313

Source: 2012 AACS.

R 211.314

Source: 2012 AACS.

R 211.315

Source: 2012 AACS.

STATE ASSESSOR'S BOARD

GENERAL RULES

PART 1. GENERAL PROVISIONS

R 211.401

Source: 1995 AACS.

R 211.403

Source: 1983 AACS.

R 211.404

Source: 1995 AACS.

R 211.405

Source: 1995 AACS.

R 211.407

Source: 1979 AACS.

R 211.408

Source: 1979 AACS.

R 211.409

Source: 1995 AACS.

PART 2. TRAINING PROGRAMS AND EXAMINATIONS

R 211.421

Source: 1995 AACS.

R 211.422

Source: 1995 AACS.

R 211.423

Source: 1995 AACS.

R 211.427

Source: 1995 AACS.

PART 3. RATING AND CERTIFICATION

R 211.431

Source: 1995 AACS.

R 211.432

Source: 1995 AACS.

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R 211.433
Source: 1995 AACS.

R 211.434
Source: 1995 AACS.

R 211.435
Source: 1995 AACS.

R 211.437
Source: 1995 AACS.

R 211.439
Source: 1995 AACS.

R 211.441
Source: 1998-2000 AACS.

R 211.442
Source: 1995 AACS.

R 211.444
Source: 1995 AACS.

PART 4. REVOCATION OR SUSPENSION OF CERTIFICATION

R 211.447
Source: 1995 AACS.

DEPARTMENT OF TRANSPORTATION

BUREAU OF HIGHWAY TECHNICAL SERVICES

HEARINGS ON TRAFFIC CONTROL ORDERS

R 225.1
Source: 2015 AACS.

R 225.2
Source: 2015 AACS.

R 225.3
Source: 2015 AACS.

R 225.4
Source: 2015 AACS.

R 225.5
Source: 2015 AACS.

R 225.6
Source: 2015 AACS.

R 225.7
Source: 2015 AACS.

R 225.8
Source: 2015 AACS.

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R 225.9
Source: 2015 AACS.

R 225.10
Source: 2015 AACS.

DEPARTMENT OF TRANSPORTATION

BUREAU OF HIGHWAY TECHNICAL SERVICES

DRIVEWAYS, BANNERS, AND PARADES ON AND OVER HIGHWAYS

PART 9. HEARINGS AND APPEALS

R 247.1
Source: 2002 AACS.

R 247.11
Source: 2009 AACS.

PART 2. PREQUALIFICATION COMMITTEE

R 247.21
Source: 2009 AACS.

R 247.22
Source: 2009 AACS.

PART 3. INFORMATION FROM BIDDERS

R 247.31
Source: 2002 AACS.

R 247.32
Source: 2009 AACS.

R 247.33
Source: 2002 AACS.

R 247.34
Source: 2009 AACS.

R 247.35
Source: 2002 AACS.

R 247.36
Source: 2009 AACS.

R 247.37
Source: 2009 AACS.

R 247.38
Source: 2009 AACS.

R 247.39
Source: 2002 AACS.

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R 247.40
Source: 2009 AACS.

PART 4. NUMERICAL RATINGS

R 247.41
Source: 2009 AACS.

R 247.42
Source: 2009 AACS.

R 247.43
Source: 2009 AACS.

R 247.44
Source: 2002 AACS.

R 247.45
Source: 2002 AACS.

R 247.46
Source: 2002 AACS.

R 247.47
Source: 2002 AACS.

R 247.48
Source: 2009 AACS.

R 247.49
Source: 2009 AACS.

R 247.50
Source: 2009 AACS.

PART 5. CLASSIFICATION OF BIDDERS

R 247.51
Source: 2009 AACS.

R 247.52
Source: 2009 AACS.

R 247.53
Source: 2009 AACS.

PART 6. BIDDING

R 247.61
Source: 2009 AACS.

R 247.62
Source: 2009 AACS.

PART 7. HEARINGS

R 247.71

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Source: 2002 AACS.

R 247.72

Source: 2002 AACS.

R 247.73

Source: 2002 AACS.

R 247.74

Source: 2002 AACS.

R 247.75

Source: 2002 AACS.

R 247.76

Source: 2002 AACS.

R 247.77

Source: 2002 AACS.

PART 8. APPEAL OF PREQUALIFICATION DECISIONS

R 247.81

Source: 2009 AACS.

R 247.82

Source: 2009 AACS.

R 247.83

Source: 2009 AACS.

DEPARTMENT OF TRANSPORTATION

BUREAU OF HIGHWAY TECHNICAL SERVICES

JUNK YARDS ADJACENT TO HIGHWAYS

R 247.101

Source: 1979 AACS.

R 247.102

Source: 1979 AACS.

R 247.103

Source: 1979 AACS.

R 247.104

Source: 1979 AACS.

R 247.105

Source: 1979 AACS.

R 247.106

Source: 1979 AACS.

R 247.109

Source: 1979 AACS.

DEPARTMENT OF TRANSPORTATION

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BUREAU OF HIGHWAY DEVELOPMENT

LOCAL BRIDGE PROGRAM

R 247.151
Source: 2007 AACS.

R 247.152
Source: 2007 AACS.

R 247.153
Source: 2007 AACS.

R 247.154
Source: 2007 AACS.

R 247.155
Source: 2007 AACS.

R 247.156
Source: 2007 AACS.

R 247.161
Source: 2007 AACS.

R 247.162
Source: 2007 AACS.

R 247.163
Source: 2007 AACS.

R 247.164
Source: 2007 AACS.

R 247.165
Source: 2007 AACS.

R 247.166
Source: 2007 AACS.

DEPARTMENT OF TRANSPORTATION

BUREAU OF HIGHWAY TECHNICAL SERVICES

TRACTION DEVICES

R 247.171
Source: 1979 AACS.

R 247.172
Source: 1979 AACS.

R 247.173
Source: 1979 AACS.

R 247.174
Source: 1979 AACS.

R 247.175

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Source: 1979 AACS.

DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAY TECHNICAL SERVICES

DRIVEWAYS, BANNERS, AND PARADES ON AND OVER HIGHWAYS

R 247.201

Source: 1979 AACS.

R 247.202

Source: 1979 AACS.

R 247.204

Source: 1979 AACS.

R 247.206

Source: 1979 AACS.

R 247.211

Source: 1979 AACS.

R 247.213

Source: 1979 AACS.

R 247.214

Source: 1979 AACS.

R 247.215

Source: 1979 AACS.

PART 2. DRIVEWAY PERMITS

R 247.221

Source: 1979 AACS.

R 247.222

Source: 1979 AACS.

R 247.223

Source: 1979 AACS.

R 247.224

Source: 1979 AACS.

R 247.226

Source: 1979 AACS.

R 247.227

Source: 1979 AACS.

PART 3. DRIVEWAY DESIGN STANDARDS

R 247.231

Source: 1979 AACS.

R 247.232

Source: 1979 AACS.

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R 247.233
Source: 1979 AACS.

R 247.234
Source: 1979 AACS.

R 247.235
Source: 1979 AACS.

R 247.236
Source: 1979 AACS.

R 247.237
Source: 1979 AACS.

R 247.241
Source: 1979 AACS.

R 247.242
Source: 1979 AACS.

R 247.243
Source: 1979 AACS.

R 247.244
Source: 1979 AACS.

R 247.245
Source: 1979 AACS.

R 247.247
Source: 1979 AACS.

R 247.248
Source: 1979 AACS.

R 247.249
Source: 1979 AACS.

R 247.251
Source: 1979 AACS.

R 247.252
Source: 1979 AACS.

R 247.253
Source: 1979 AACS.

R 247.254
Source: 1979 AACS.

R 247.255
Source: 1979 AACS.

R 247.256
Source: 1979 AACS.

R 247.259

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Source: 1979 AACS.

R 247.261

Source: 1979 AACS.

R 247.263

Source: 1979 AACS.

R 247.265

Source: 1979 AACS.

R 247.267

Source: 1979 AACS.

PART 4. BANNER PERMITS

R 247.271

Source: 1979 AACS.

R 247.272

Source: 1979 AACS.

R 247.273

Source: 1979 AACS.

R 247.275

Source: 1979 AACS.

R 247.276

Source: 1979 AACS.

R 247.278

Source: 1979 AACS.

R 247.279

Source: 1979 AACS.

PART 5. PARADE, CELEBRATION, OR FESTIVAL HIGHWAY CLOSURE PERMITS

R 247.281

Source: 1979 AACS.

R 247.282

Source: 1979 AACS.

R 247.283

Source: 1979 AACS.

R 247.284

Source: 1979 AACS.

R 247.285

Source: 1979 AACS.

PART 9. HEARINGS AND APPEALS

R 247.351

Source: 2015 AACS.

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R 247.352
Source: 1998-2000 AACS.

R 247.353
Source: 1998-2000 AACS.

R 247.354
Source: 1998-2000 AACS.

R 247.355
Source: 1998-2000 AACS.

R 247.356
Source: 1998-2000 AACS.

R 247.357
Source: 1998-2000 AACS.

R 247.358
Source: 1998-2000 AACS.

BUREAU OF HIGHWAY TECHNICAL SERVICES

RELOCATION ASSISTANCE

R 247.401
Source: 1979 AC.

R 247.402
Source: 1979 AC.

R 247.403
Source: 2015 AACS.

R 247.404
Source: 2015 AACS.

R 247.405
Source: 2015 AACS.

R 247.406
Source: 2015 AACS.

R 247.407
Source: 1979 AC.

BUREAU OF HIGHWAYS
SEASONAL COUNTY ROADS

R 247.651
Source: 1982 AACS.

R 247.652
Source: 1982 AACS.

R 247.653
Source: 1982 AACS.

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R 247.654
Source: 1982 AACS.

R 247.655
Source: 1982 AACS.

R 247.656
Source: 1982 AACS.

R 247.657
Source: 1982 AACS.

R 247.658
Source: 1982 AACS.

R 247.659
Source: 1982 AACS.

R 247.660
Source: 1982 AACS.

ADVERTISING ADJACENT TO HIGHWAYS
PART 1. GENERAL PROVISIONS

R 247.701
Source: 1979 AC.

R 247.702
Source: 1979 AC.

R 247.703
Source: 1979 AC.

R 247.705
Source: 1979 AC.

R 247.706
Source: 1979 AC.

R 247.707
Source: 1979 AC.

R 247.708
Source: 1979 AC.

R 247.709
Source: 1979 AC.

R 247.710
Source: 1979 AC.

R 247.711
Source: 1979 AC.

PART 2. PERMITS AND VIOLATIONS

R 247.721
Source: 1979 AC.

R 247.723
Source: 1979 AC.

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PART 3. DIRECTIONAL AND OTHER OFFICIAL SIGNS

R 247.731
Source: 1979 AC.

R 247.732
Source: 1979 AC.

R 247.733
Source: 1979 AC.

R 247.735
Source: 1979 AC.

R 247.736
Source: 1979 AC.

R 247.737
Source: 1979 AC.

PART 4. HEARINGS AND APPEALS

R 247.741
Source: 2015 AACS.

R 247.742
Source: 2015 AACS.

R 247.743
Source: 1997 AACS.

R 247.744
Source: 1997 AACS.

R 247.745
Source: 1997 AACS.

R 247.746
Source: 1997 AACS.

R 247.747
Source: 1997 AACS.

R 247.748
Source: 2015 AACS.

BUREAU OF URBAN AND PUBLIC TRANSPORTATION

GENERAL TRANSPORTATION FUND

R 247.801
Source: 2001 AACS.

R 247.802
Source: 2001 AACS.

R 247.803
Source: 2001 AACS.

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- R 247.804**
Source: 2001 AACS.
- R 247.805**
Source: 2001 AACS.
- R 247.806**
Source: 2001 AACS.
- R 247.807**
Source: 2001 AACS.
- R 247.808**
Source: 2001 AACS.
- R 247.809**
Source: 2001 AACS.
- R 247.810**
Source: 2001 AACS.
- R 247.811**
Source: 2001 AACS.
- R 247.812**
Source: 2001 AACS.
- R 247.813**
Source: 2001 AACS.
- R 247.814**
Source: 2001 AACS.

INTRASTATE RAILROAD RATES

PART 1. GENERAL PROVISIONS

- R 247.3101**
Source: 1997 AACS.
- R 247.3102**
Source: 1997 AACS.
- R 247.3103**
Source: 1997 AACS.
- R 247.3104**
Source: 1997 AACS.
- R 247.3105**
Source: 1997 AACS.
- R 247.3106**
Source: 1997 AACS.
- R 247.3107**
Source: 1997 AACS.

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R 247.3108
Source: 1997 AACS.

R 247.3109
Source: 1997 AACS.

R 247.3110
Source: 1997 AACS.

R 247.3111
Source: 1997 AACS.

R 247.3112
Source: 1997 AACS.

R 247.3113
Source: 1997 AACS.

PART 2. INVESTIGATION AND SUSPENSION OF RATES

R 247.3201
Source: 1997 AACS.

R 247.3202
Source: 1997 AACS.

R 247.3203
Source: 1997 AACS.

R 247.3204
Source: 1997 AACS.

R 247.3205
Source: 1997 AACS.

R 247.3206
Source: 1997 AACS.

R 247.3207
Source: 1997 AACS.

R 247.3208
Source: 1997 AACS.

R 247.3209
Source: 1997 AACS.

R 247.3210
Source: 1997 AACS.

R 247.3211
Source: 1997 AACS.

R 247.3212
Source: 1997 AACS.

R 247.3213

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Source: 1997 AACS.

R 247.3214

Source: 1997 AACS.

R 247.3215

Source: 1997 AACS.

R 247.3216

Source: 1997 AACS.

R 247.3217

Source: 1997 AACS.

R 247.3218

Source: 1997 AACS.

R 247.3219

Source: 1997 AACS.

R 247.3220

Source: 1997 AACS.

R 247.3221

Source: 1997 AACS.

PART 3. COMPLAINTS AGAINST THE REASONABLENESS OF RAILROAD RATES

R 247.3301

Source: 1997 AACS.

R 247.3302

Source: 1997 AACS.

R 247.3303

Source: 1997 AACS.

R 247.3304

Source: 1997 AACS.

R 247.3305

Source: 1997 AACS.

R 247.3306

Source: 1997 AACS.

R 247.3307

Source: 1997 AACS.

R 247.3308

Source: 1997 AACS.

R 247.3309

Source: 1997 AACS.

R 247.3310

Source: 1997 AACS.

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R 247.3311
Source: 1997 AACS.

R 247.3312
Source: 1997 AACS.

R 247.3313
Source: 1997 AACS.

PART 4. CONTRACTS

R 247.3401
Source: 1997 AACS.

R 247.3402
Source: 1997 AACS.

R 247.3403
Source: 1997 AACS.

R 247.3404
Source: 1997 AACS.

R 247.3405
Source: 1997 AACS.

R 247.3406
Source: 1997 AACS.

R 247.3407
Source: 1997 AACS.

R 247.3408
Source: 1997 AACS.

R 247.3409
Source: 1997 AACS.

R 247.3410
Source: 1997 AACS.

R 247.3411
Source: 1997 AACS.

R 247.3412
Source: 1997 AACS.

R 247.3413
Source: 1997 AACS.

R 247.3414
Source: 1997 AACS.

R 247.3415
Source: 1997 AACS.

R 247.3416
Source: 1997 AACS.

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R 247.3417
Source: 1997 AACS.

R 247.3418
Source: 1997 AACS.

R 247.3419
Source: 1997 AACS.

R 247.3420
Source: 1997 AACS.

R 247.3421
Source: 1997 AACS.

R 247.3422
Source: 1997 AACS.

BUREAU OF URBAN AND PUBLIC TRANSPORTATION

COMPREHENSIVE TRANSPORTATION FUND

PART 1. GENERAL PROVISIONS

R 247.4101
Source: 1998-2000 AACS.

R 247.4102
Source: 1998-2000 AACS.

R 247.4103
Source: 1998-2000 AACS.

R 247.4104
Source: 1998-2000 AACS.

R 247.4105
Source: 1998-2000 AACS.

R 247.4106
Source: 1998-2000 AACS.

R 247.4107
Source: 1998-2000 AACS.

R 247.4108
Source: 1998-2000 AACS.

PART 2. ACCESSIBILITY PLAN

R 247.4201
Source: 1998-2000 AACS.

R 247.4202
Source: 1998-2000 AACS.

R 247.4203
Source: 1998-2000 AACS.

PART 3. REPORTING AND COMPLIANCE REQUIREMENTS

- R 247.4301**
Source: 1998-2000 AACS.
- R 247.4302**
Source: 1998-2000 AACS.
- R 247.4303**
Source: 1998-2000 AACS.
- R 247.4304**
Source: 1998-2000 AACS.
- R 247.4305**
Source: 1998-2000 AACS.
- R 247.4306**
Source: 1998-2000 AACS.
- R 247.4307**
Source: 1998-2000 AACS.

DEPARTMENT OF STATE

BUREAU OF BRANCH OFFICE SERVICES

VISUAL STANDARDS FOR MOTOR VEHICLE DRIVERS' LICENSES

- R 257.1**
Source: 1979 AC.
- R 257.1**
Source: 1979 AC.
- R 257.2**
Source: 1979 AC.
- R 257.3**
Source: 1979 AC.
- R 257.4**
Source: 1979 AC.
- R 257.5**
Source: 1979 AC.

DEPARTMENT OF STATE

BUREAU OF AUTOMOTIVE REGULATION

DEALER DESIGNATION RULES

- R 257.21**
Source: 1979 AC.
- R 257.22**
Source: 1979 AC.

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**DEPARTMENT OF STATE
DRIVER LICENSE APPEAL DIVISION
GENERAL RULES**

R 257.31
Source: 1997 AACS.

R 257.32
Source: 1997 AACS.

R 257.33
Source: 1997 AACS.

R 257.34
Source: 1997 AACS.

R 257.35
Source: 1997 AACS.

R 257.36
Source: 1997 AACS.

R 257.37
Source: 1997 AACS.

R 257.38
Source: 1997 AACS.

R 257.39
Source: 1997 AACS.

**BUREAU OF DRIVER AND VEHICLE RECORDS
SPECIAL FARM VEHICLE PERMIT**

R 257.51
Source: 1997 AACS.

**BUREAU OF BRANCH OFFICE SERVICES
ALL-TERRAIN VEHICLES**

R 257.71
Source: 1987 AACS.

R 257.72
Source: 1987 AACS.

**DEPARTMENT OF STATE
BUREAU OF AUTOMOTIVE REGULATION
GENERAL RULES**

PART 1. GENERAL PROVISIONS

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R 257.101
Source: 2017 AACS.

R 257.102
Source: 2017 AACS.

R 257.103
Source: 2017 AACS.

R 257.104
Source: 2017 AACS.

R 257.111
Source: 2017 AACS.

R 257.112
Source: 2017 AACS.

R 257.121
Source: 2017 AACS.

R 257.122
Source: 2017 AACS.

R 257.123
Source: 2017 AACS.

R 257.124
Source: 2017 AACS.

R 257.124a
Source: 2017 AACS.

R 257.124b
Source: 2017 AACS.

R 257.125
Source: 2017 AACS.

R 257.126
Source: 2017 AACS.

R 257.131
Source: 2017 AACS.

R 257.132
Source: 2017 AACS.

R 257.133
Source: 2017 AACS.

R 257.134
Source: 2017 AACS.

R 257.135
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Source: 2017 AACS.

R 257.137

Source: 2017 AACS.

R 257.141

Source: 2017 AACS.

R 257.142

Source: 2017 AACS.

R 257.143

Source: 2017 AACS.

R 257.144

Source: 2017 AACS.

R 257.145

Source: 2017 AACS.

R 257.151

Source: 1979 AC.

R 257.152

Source: 1979 AC.

R 257.153

Source: 1979 AC.

R 257.154

Source: 1979 AC.

R 257.155

Source: 1979 AC.

R 257.156

Source: 1979 AC.

R 257.157

Source: 1979 AC.

R 257.161

Source: 2017 AACS.

R 257.162

Source: 2017 AACS.

R 257.163

Source: 2017 AACS.

R 257.164

Source: 2017 AACS.

R 257.165

Source: 2017 AACS.

R 257.166

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R 257.166a
Source: 2017 AACS.

R 257.167
Source: 2017 AACS.

R 257.168
Source: 2017 AACS.

R 257.169
Source: 2017 AACS.

R 257.170
Source: 2017 AACS.

R 257.171
Source: 2017 AACS.

R 257.172
Source: 2017 AACS.

R 257.173
Source: 2017 AACS.

DEPARTMENT OF STATE
BUREAU OF AUTOMOTIVE REGULATION
LICENSING VEHICLE BROKERS

R 257.181
Source: 1998-2000 AACS.

R 257.182
Source: 1998-2000 AACS.

R 257.183
Source: 1998-2000 AACS.

R 257.184
Source: 1998-2000 AACS.

R 257.185
Source: 1998-2000 AACS.

R 257.186
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R 257.187
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R 257.188
Source: 1998-2000 AACS.

R 257.189
Source: 1998-2000 AACS.

R 257.190

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Source: 1998-2000 AACS.

R 257.191

Source: 1998-2000 AACS.

TANKER LOAN PROGRAM

R 257.201

Source: 1997 AACS.

R 257.202

Source: 1997 AACS.

R 257.203

Source: 1997 AACS.

R 257.204

Source: 1997 AACS.

R 257.205

Source: 1997 AACS.

R 257.206

Source: 1997 AACS.

**BUREAU OF AUTOMOTIVE REGULATION
SALVAGE VEHICLE RECORDS**

R 257.251

Source: 1980 AACS.

R 257.252

Source: 1980 AACS.

R 257.253

Source: 1980 AACS.

R 257.254

Source: 1980 AACS.

R 257.255

Source: 1980 AACS.

R 257.256

Source: 1980 AACS.

R 257.257

Source: 1980 AACS.

**DRIVER LICENSE APPEAL DIVISION
GENERAL RULES**

R 257.301

Source: 2011 AACS.

R 257.301a

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Source: 2011 AACS.

R 257.302

Source: 1998-2000 AACS.

R 257.303

Source: 1998-2000 AACS.

R 257.304

Source: 1998-2000 AACS.

R 257.305

Source: 1998-2000 AACS.

R 257.306

Source: 1992 AACS.

R 257.307

Source: 1992 AACS.

R 257.308

Source: 1992 AACS.

R 257.309

Source: 1998-2000 AACS.

R 257.310

Source: 1998-2000 AACS.

R 257.311

Source: 1992 AACS.

R 257.312

Source: 1998-2000 AACS.

R 257.313

Source: 1992 AACS.

R 257.313a

Source: 2011 AACS.

R 257.314

Source: 1998-2000 AACS.

R 257.315

Source: 1992 AACS.

R 257.316

Source: 1992 AACS.

DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

INSURANCE

CERTIFICATES OF NO-FAULT SELF-INSURANCE

R 257.531

Source: 2018 AACS.

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- R 257.532**
Source: 2018 AACS.
- R 257.533**
Source: 2018 AACS.
- R 257.534**
Source: 2018 AACS.
- R 257.535**
Source: 2018 AACS.
- R 257.536**
Source: 2018 AACS.
- R 257.537**
Source: 2018 AACS.
- R 257.538**
Source: 2018 AACS.
- R 257.539**
Source: 2018 AACS.
- R 257.540**
Source: 2018 AACS.

BUREAU OF DRIVER AND VEHICLE RECORDS
SPECIAL PARKING PRIVILEGES

- R 257.801**
Source: 1997 AACS.
- R 257.802**
Source: 1997 AACS.
- R 257.803**
Source: 1997 AACS.

BUREAU OF DRIVER IMPROVEMENT
PHYSICAL AND MENTAL STANDARDS FOR DRIVERS

- R 257.851**
Source: 1988 AACS.
- R 257.852**
Source: 1988 AACS.
- R 257.853**
Source: 1988 AACS.
- R 257.854**
Source: 1988 AACS.
- R 257.855**

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Source: 1988 AACS.

R 257.856

Source: 1988 AACS.

R 257.857

Source: 1988 AACS.

DEPARTMENT OF STATE POLICE
TRAFFIC SERVICES DIVISION
INSPECTION OF NONPUBLIC MOTOR VEHICLES

R 257.951

Source: 1982 AACS.

R 257.952

Source: 1982 AACS.

R 257.953

Source: 1982 AACS.

R 257.954

Source: 1982 AACS.

R 257.955

Source: 1982 AACS.

DEPARTMENT OF STATE
BUREAU OF FIELD SERVICES
MOTORCYCLE OPERATOR TESTS

R 257.971

Source: 1984 AACS.

R 257.972

Source: 1984 AACS.

R 257.973

Source: 1984 AACS.

R 257.974

Source: 1984 AACS.

R 257.975

Source: 1984 AACS.

DEPARTMENT OF STATE POLICE
SPECIAL OPERATIONS DIVISION

DRUNK DRIVING PREVENTION EQUIPMENT AND TRAINING FUND

R 257.991 Definitions.

Rule 1. As used in these rules:

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- (a) "Act" means the Michigan vehicle code, 1949 PA 300, of MCL 257.1 to 257.923.
 - (b) "Breath alcohol test instrument" means an evidential breath-testing device that indicates a specific breath alcohol concentration expressed as grams of alcohol per 210 liters of breath.
 - (c) "Department" means the department of state police.
 - (d) "Fund" means the drunk driving prevention equipment and training fund described in section 625h of the act, MCL 257.625h.
 - (e) "Preliminary breath alcohol test instrument" means a breath alcohol screening device that indicates the presence or absence of alcohol in the individual's breath.
- History: 1992 AACS; 1997 AACS; 2023 MR 10, May 22, 2023.

R 257.992 Fund.

Rule 2. (1) The department shall allocate sufficient money from the fund to cover the following:

- (a) The salaries and other necessary expenses to administer the fund.
 - (b) The acquisition and maintenance of breath alcohol test instruments, supplies, and accessories.
 - (c) The training required for law enforcement personnel on the use of breath alcohol testing instruments.
- (2) The department may allocate fund money for the acquisition of preliminary breath alcohol test instruments, supplies, and accessories.

History: 1992 AACS; 1997 AACS; 2023 MR 10, May 22, 2023.

R 257.993 Purchase of breath alcohol test instruments.

Rule 3. The department shall purchase, maintain, and retain ownership of breath alcohol test instruments. At least 1 breath alcohol test instrument must be placed in each county at a location determined by the department. Additional instruments must be placed, maintained, or moved by the department according to considerations including, but not limited to, population density, proximity of additional instruments, historical usage, instrument accessibility, and the department's ability to adequately maintain the instruments.

History: 1992 AACS; 1997 AACS; 2023 MR 10, May 22, 2023.

R 257.994 Maintenance of equipment.

Rule 4. The department shall manage the maintenance of instruments that are purchased from the fund.

History: 1992 AACS; 2023 MR 10, May 22, 2023.

R 257.995

Source: 1997 AACS.

R 257.996 Purchase of preliminary breath alcohol test instruments.

Rule 6. (1) The department shall evaluate and designate preliminary breath alcohol test instruments that can be purchased by all law enforcement agencies in this state.

(2) The department may expend fund money as grants to law enforcement agencies for preliminary breath alcohol test instruments, including the maintenance of the instruments. The following agencies may apply for preliminary breath alcohol test instruments:

- (a) The department.
 - (b) County sheriff departments.
 - (c) Local law enforcement agencies.
- (3) An agency shall submit an application for grant funding to the department on the form and in the manner prescribed by the department. The completed application must contain all of the information required by the department.
- (4) The department may distribute preliminary breath alcohol test instruments as follows:
- (a) A certified law enforcement agency that does not have any instruments must receive at least 1 instrument.
 - (b) The ratio of distribution of fund money among the department, sheriff departments, and local agencies must be based on the ratio of marked patrol vehicles at the department, sheriff departments, and local agencies.
 - (c) The department shall allocate money from the fund each fiscal year for other breath alcohol test instruments.

History: 1992 AACS; 1997 AACS; 2023 MR 10, May 22, 2023.

DEPARTMENT OF STATE

BUREAU OF AUTOMOTIVE REGULATION

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BREATH ALCOHOL AND IGNITION INTERLOCK DEVICES

- R 257.1001**
Source: 1998-2000 AACS.
- R 257. 1002**
Source: 1998-2000 AACS.
- R 257.1003**
Source: 1998-2000 AACS.
- R 257.1004**
Source: 1998-2000 AACS.
- R 257.1005**
Source: 2016 AACS.
- R 257.1006**
Source: 2016 AACS.

DEPARTMENT OF NATURAL RESOURCES

FOREST MANAGEMENT DIVISION

STATE AID FOR SNOWMOBILE SAFETY PROGRAMS

- R 257.1501**
Source: 1979 AC.
- R 257.1502**
Source: 1979 AC.
- R 257.1503**
Source: 1979 AC.
- R 257.1504**
Source: 1979 AC.
- R 257.1505**
Source: 1979 AC.
- R 257.1506**
Source: 1979 AC.
- R 257.1507**
Source: 1979 AC.
- R 257.1508**
Source: 1979 AC.
- R 257.1509**
Source: 1979 AC.
- R 257.1510**
Source: 1979 AC.
- R 257.1511**
Source: 1979 AC.

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**DEPARTMENT OF NATURAL RESOURCES
RECREATIONAL SERVICES DIVISION**

**STATE AID FOR RECREATIONAL AND SNOWMOBILE TRAILS PERMANENT SNOWMOBILE TRAIL
EASEMENTS**

R 257.1521
Source: 2011 AACS.

R 257.1522
Source: 2011 AACS.

R 257.1523
Source: 2011 AACS.

R 257.1523a
Source: 2011 AACS.

R 257.1524
Source: 2011 AACS.

R 257.1524a
Source: 2011 AACS.

R 257.1525
Source: 2011 AACS.

R 257.1526
Source: 2011 AACS.

R 257.1527
Source: 2011 AACS.

R 257.1528
Source: 2011 AACS.

R 257.1528a
Source: 2011 AACS.

R 257.1529
Source: 2011 AACS.

R 257.1530
Source: 2011 AACS.

R 257.1531
Source: 2011 AACS.

R 257.1531a
Source: 2011 AACS.

R 257.1532
Source: 2011 AACS.

R 257.1533
Source: 1982 AACS.

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DEPARTMENT OF STATE
BUREAU OF DRIVER AND VEHICLE SERVICES
DISPLAY OF SNOWMOBILE DECAL

R 257.1551
Source: 2014 AACS.

DEPARTMENT OF NATURAL RESOURCES
LAW ENFORCEMENT DIVISION
LOCAL SNOWMOBILE CONTROL

R 257.1601
Source: 1995 AACS.

R 257.1602
Source: 2006 AACS.

R 257.1603
Source: 2008 AACS.

R 257.1604
Source: 2013 AACS.

DEPARTMENT OF NATURAL RESOURCES
LAW ENFORCEMENT DIVISION
PLACEMENT OF ORV LICENSE

R 257.1691 Placement of ORV license.

Rule 1. Before a vehicle requiring an off-road recreation vehicle license is operated, the owner shall ensure that the license for the off-road recreation vehicle is permanently attached to the vehicle and visibly displayed in the following manner:

- (a) For a 2-wheel vehicle, the license must be attached as provided in either of the following:
 - (i) Centered on the exposed surface of the rear fender.
 - (ii) Located at a visible place facing forward on a front suspension fork.
- (b) For a 3- or 4-wheel multitrack or multiwheeled vehicle, the license must be attached and visible on a flat metal surface, bumper, or plate permanently attached to the rear of the vehicle.
- (c) For an amphibious machine, or for a ground effect air-cushioned vehicle, the license must be centered on the rear thereof.

History: 1979 AC; 2013 AACS; 2023 MR 15, Eff. August 14, 2023.

DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
MOTORCYCLE SAFETY EDUCATION

R 257.1701
Source: 1989 AACS.

R 257.1702
Source: 1989 AACS.

R 257.1703
Source: 1989 AACS.

R 257.1704
Source: 1989 AACS.

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- R 257.1705**
Source: 1989 AACS.
- R 257.1706**
Source: 1989 AACS.
- R 257.1707**
Source: 1989 AACS.
- R 257.1708**
Source: 1989 AACS.
- R 257.1709**
Source: 1989 AACS.
- R 257.1710**
Source: 1989 AACS.
- R 257.1711**
Source: 1989 AACS.
- R 257.1712**
Source: 1989 AACS.
- R 257.1713**
Source: 1989 AACS.
- R 257.1715**
Source: 1989 AACS.
- R 257.1717**
Source: 1989 AACS.
- R 257.1721**
Source: 1989 AACS.
- R 257.1722**
Source: 1989 AACS.
- R 257.1723**
Source: 1989 AACS.
- R 257.1724**
Source: 1989 AACS.
- R 257.1725**
Source: 1989 AACS.
- R 257.1726**
Source: 1989 AACS.
- R 257.1727**
Source: 1989 AACS.

DEPARTMENT OF STATE
BUREAU OF AUTOMOTIVE REGULATION
AUTO EXHAUST TESTING

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PART 1. GENERAL PROVISIONS

- R 257.3101**
Source: 1997 AACS.
- R 257.3102**
Source: 1997 AACS.
- R 257.3103**
Source: 1997 AACS.
- R 257.3104**
Source: 1997 AACS.
- R 257.3105**
Source: 1997 AACS.
- R 257.3106**
Source: 1997 AACS.
- R 257.3107**
Source: 1997 AACS.
- R 257.3108**
Source: 1997 AACS.

PART 2. INSTRUMENT AND INSPECTION REQUIREMENTS

- R 257.3201**
Source: 1997 AACS.
- R 257.3202**
Source: 1997 AACS.
- R 257.3203**
Source: 1997 AACS.
- R 257.3203a**
Source: 1997 AACS.
- R 257.3203b**
Source: 1997 AACS.
- R 257.3203c**
Source: 1997 AACS.
- R 257.3203d**
Source: 1997 AACS.
- R 257.3203e**
Source: 1997 AACS.
- R 257.3203f**
Source: 1997 AACS.
- R 257.3203g**
Source: 1997 AACS.

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R 257.3203h
Source: 1997 AACS.

R 257.3203i
Source: 1997 AACS.

R 257.3203j
Source: 1997 AACS.

R 257.3204
Source: 1997 AACS.

R 257.3205
Source: 1997 AACS.

R 257.3206
Source: 1997 AACS.

R 257.3207
Source: 1997 AACS.

R 257.3208
Source: 1997 AACS.

R 257.3209
Source: 1997 AACS.

R 257.3210
Source: 1997 AACS.

R 257.3211
Source: 1997 AACS.

PART 3. TESTING STATIONS

R 257.3301
Source: 1997 AACS.

R 257.3302
Source: 1997 AACS.

R 257.3303
Source: 1997 AACS.

R 257.3304
Source: 1997 AACS.

R 257.3305
Source: 1997 AACS.

R 257.3306
Source: 1997 AACS.

R 257.3307
Source: 1997 AACS.

R 257.3308
Source: 1997 AACS.

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R 257.3309
Source: 1997 AACS.

R 257.3310
Source: 1997 AACS.

R 257.3311
Source: 1997 AACS.

R 257.3312
Source: 1997 AACS.

R 257.3313
Source: 1997 AACS.

R 257.3314
Source: 1997 AACS.

R 257.3315
Source: 1997 AACS.

R 257.3316
Source: 1997 AACS.

R 257.3317
Source: 1997 AACS.

R 257.3318
Source: 1997 AACS.

R 257.3319
Source: 1997 AACS.

R 257.3320
Source: 1997 AACS.

R 257.3321
Source: 1997 AACS.

R 257.3321a
Source: 1997 AACS.

R 257.3322
Source: 1997 AACS.

R 257.3323
Source: 1997 AACS.

R 257.3324
Source: 1997 AACS.

PART 4. FLEET TESTING STATIONS

R 257.3401
Source: 1997 AACS.

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R 257.3402
Source: 1997 AACS.

R 257.3403
Source: 1997 AACS.

R 257.3404
Source: 1997 AACS.

R 257.3405
Source: 1997 AACS.

R 257.3406
Source: 1997 AACS.

R 257.3407
Source: 1997 AACS.

R 257.3408
Source: 1997 AACS.

R 257.3409
Source: 1997 AACS.

R 257.3410
Source: 1997 AACS.

R 257.3411
Source: 1997 AACS.

R 257.3412
Source: 1997 AACS.

R 257.3413
Source: 1997 AACS.

R 257.3414
Source: 1997 AACS.

R 257.3415
Source: 1997 AACS.

R 257.3416
Source: 1997 AACS.

R 257.3417
Source: 1997 AACS.

R 257.3418
Source: 1997 AACS.

R 257.3419
Source: 1997 AACS.

PART 5. INSPECTOR QUALIFICATION

R 257.3501
Source: 1997 AACS.

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R 257.3502
Source: 1997 AACS.

R 257.3503
Source: 1997 AACS.

R 257.3504
Source: 1997 AACS.

R 257.3505
Source: 1997 AACS.

R 257.3506
Source: 1997 AACS.

PART 6. GENERAL COMPLIANCE

R 257.3601
Source: 1997 AACS.

R 257.3602
Source: 1997 AACS.

R 257.3603
Source: 1997 AACS.

R 257.3604
Source: 1997 AACS.

R 257.3605
Source: 1997 AACS.

R 257.3606
Source: 1997 AACS.

R 257.3607
Source: 1997 AACS.

R 257.3608
Source: 1997 AACS.

R 257.3609
Source: 1997 AACS.

R 257.3610
Source: 1997 AACS.

R 257.3610a
Source: 1997 AACS.

R 257.3611
Source: 1997 AACS.

R 257.3612
Source: 1997 AACS.

DEPARTMENT OF TRANSPORTATION

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AERONAUTICS COMMISSION
GENERAL RULES

PART 1. GENERAL PROVISIONS

R 259.201
Source: 1985 AACS.

PART 2. LICENSES AND REGISTRATION

R 259.221
Source: 1998-2000 AACS.

R 259.222
Source: 1998-2000 AACS.

R 259.223
Source: 1998-2000 AACS.

R 259.224
Source: 1998-2000 AACS.

R 259.225
Source: 1998-2000 AACS.

R 259.226
Source: 1979 AC.

PART 3. SUSPENSION AND REVOCATION OF LICENSES

R 259.231
Source: 1998-2000 AACS.

R 259.232
Source: 1998-2000 AACS.

PART 4. AIRPORT CLASSIFICATION

R 259.241
Source: 2003 AACS.

R 259.242
Source: 1998-2000 AACS.

R 259.243
Source: 2003 AACS.

R 259.244
Source: 2003 AACS.

R 259.245
Source: 1998-2000 AACS.

R 259.246
Source: 1998-2000 AACS.

R 259.247

Annual Administrative Code Supplement
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Source: 1998-2000 AACS.

R 259.248

Source: 2011 AACS.

PART 15. INTRASTATE COMMERCIAL OPERATIONS

R 259.251

Source: 1998-2000 AACS.

259.252

Source: 1998-2000 AACS.

R 259.253

Source: 1998-2000 AACS.

R 259.254

Source: 1998-2000 AACS.

R 259.255

Source: 1998-2000 AACS.

PART 6. SEAPLANE BASES

R 259.261

Source: 1998-2000 AACS.

R 259.262

Source: 1998-2000 AACS.

PART 7. HELIPORTS

R 259.271

Source: 1998-2000 AACS.

R 259.272

Source: 1998-2000 AACS.

PART 8. AIRPORT APPROACH STANDARDS

R 259.281

Source: 1979 AC.

R 259.281a

Source: 1998-2000 AACS.

R 259.282

Source: 1998-2000 AACS.

R 259.283

Source: 1998-2000 AACS.

R 259.284

Source: 1998-2000 AACS.

R 259.285

Source: 1998-2000 AACS.

R 259.286

Source: 1998-2000 AACS.

R 259.287

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Source: 1998-2000 AACS.

R 259.288

Source: 1998-2000 AACS.

R 259.289

Source: 1998-2000 AACS.

R 259.290

Source: 1979 AC.

PART 9. AIRPORT HAZARDS

R 259.291

Source: 1979 AC.

R 259.292

Source: 1979 AC.

R 259.293

Source: 1979 AC.

R 259.294

Source: 1979 AC.

R 259.295

Source: 1979 AC.

PART 10. AIRPORT FIELD RULES

R 259.301

Source: 1998-2000 AACS.

R 259.302

Source: 1998-2000 AACS.

R 259.303

Source: 1998-2000 AACS.

R 259.304

Source: 1998-2000 AACS.

R 259.305

Source: 1998-2000 AACS.

R 259.306

Source: 1998-2000 AACS.

R 259.307

Source: 1998-2000 AACS.

R 259.308

Source: 1998-2000 AACS.

PART 11. AIRPORT MANAGERS AND ASSISTANT AIRPORT MANAGERS

R 259.311

Source: 1998-2000 AACS.

R 259.312

Source: 1998-2000 AACS.

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PART 12. AVIATION SCHOOLS AND INSTRUCTORS

- R 259.321**
Source: 1998-2000 AACS.
- R 259.322**
Source: 1998-2000 AACS.
- R 259.323**
Source: 1998-2000 AACS.
- R 259.324**
Source: 1998-2000 AACS.
- R 259.325**
Source: 1998-2000 AACS.

PART 13. FLYING CLUBS

- R 259.331**
Source: 1998-2000 AACS.
- R 259.332**
Source: 1998-2000 AACS.
- R 259.333**
Source: 1998-2000 AACS.

PART 14. AIR TRAFFIC RULES

- R 259.341**
Source: 1998-2000 AACS.
- R 259.342**
Source: 1998-2000 AACS.
- R 259.343**
Source: 1998-2000 AACS.
- R 259.344**
Source: 1998-2000 AACS.

PART 15. INTRASTATE COMMERCIAL OPERATIONS

- R 259.351**
Source: 1998-2000 AACS.
- R 259.352**
Source: 1998-2000 AACS.
- R 259.353**
Source: 1998-2000 AACS.

PART 16. FINANCIAL RESPONSIBILITY

- R 259.361**
Source: 1998-2000 AACS.

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R 259.362
Source: 1998-2000 AACS.

R 259.363
Source: 1998-2000 AACS.

PART 17. DEALERS AND MANUFACTURERS

R 259.371
Source: 1998-2000 AACS.

R 259.372
Source: 1998-2000 AACS.

R 259.373
Source: 1998-2000 AACS.

R 259.374
Source: 1998-2000 AACS.

R 259.375
Source: 1998-2000 AACS.

R 259.376
Source: 1998-2000 AACS.

PART 18. HEARINGS BY THE COMMISSION

R 259.381
Source: 1979 AC.

R 259.382
Source: 1979 AC.

R 259.383
Source: 1979 AC.

R 259.384
Source: 1979 AC.

PART 19. GENERAL PROVISIONS AND RESCISSION

R 259.391
Source: 1979 AC.

R 259.399
Source: 1979 AC.

DEPARTMENT OF TRANSPORTATION

AERONAUTICS COMMISSION

GENERAL RULES

PART 20. SEAPLANE OPERATIONS

R 259.401
Source: 1998-2000 AACS.

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AIRPORT DEVELOPMENT LOANS

R 259.801
Source: 1982 AACS.

R 259.802
Source: 1982 AACS.

R 259.803
Source: 1982 AACS.

R 259.804
Source: 1982 AACS.

R 259.805
Source: 1982 AACS.

R 259.806
Source: 1982 AACS.

R 259.807
Source: 1982 AACS.

CAPITAL CITY AIRPORT TRAFFIC CODE

PART 1. DEFINITIONS

R 259.1101
Source: 1997 AACS.

R 259.1102
Source: 1997 AACS.

R 259.1103
Source: 1997 AACS.

R 259.1104
Source: 1997 AACS.

R 259.1105
Source: 1997 AACS.

PART 2. ADMINISTRATION

R 259.1201
Source: 1997 AACS.

R 259.1202
Source: 1997 AACS.

R 259.1203
Source: 1997 AACS.

R 259.1204
Source: 1997 AACS.

R 259.1205

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Source: 1997 AACS.

R 259.1206

Source: 1997 AACS.

PART 3. ACCIDENTS: DUTY TO STOP AND REPORT

R 259.1301

Source: 1997 AACS.

R 259.1302

Source: 1997 AACS.

R 259.1303

Source: 1997 AACS.

R 259.1304

Source: 1997 AACS.

R 259.1305

Source: 1997 AACS.

R 259.1306

Source: 1997 AACS.

PART 4. SPEED REGULATIONS

R 259.1401

Source: 1997 AACS.

R 259.1402

Source: 1997 AACS.

PART 5. TRAFFIC

R 259.1501

Source: 1997 AACS.

R 259.1502

Source: 1997 AACS.

R 259.1503

Source: 1997 AACS.

R 259.1504

Source: 1997 AACS.

R 259.1505

Source: 1997 AACS.

R 259.1506

Source: 1997 AACS.

R 259.1507

Source: 1997 AACS.

R 259.1508

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Source: 1997 AACS.

R 259.1509

Source: 1997 AACS.

R 259.1510

Source: 1997 AACS.

R 259.1511

Source: 1997 AACS.

R 259.1512

Source: 1997 AACS.

R 259.1513

Source: 1997 AACS.

R 259.1514

Source: 1997 AACS.

R 259.1515

Source: 1997 AACS.

PART 6. TURNS

R 259.1601

Source: 1997 AACS.

R 259.1602

Source: 1997 AACS.

R 259.1603

Source: 1997 AACS.

R 259.1604

Source: 1997 AACS.

R 259.1605

Source: 1997 AACS.

R 259.1606

Source: 1997 AACS.

R 259.1607

Source: 1997 AACS.

PART 7. MISCELLANEOUS

R 259.1701

Source: 1997 AACS.

R 259.1702

Source: 1997 AACS.

R 259.1703

Source: 1997 AACS.

R 259.1704

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Source: 1997 AACS.

R 259.1705

Source: 1997 AACS.

R 259.1706

Source: 1997 AACS.

R 259.1707

Source: 1997 AACS.

R 259.1708

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R 259.1712

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R 259.1713

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R 259.1714

Source: 1997 AACS.

R 259.1715

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R 259.1716

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R 259.1717

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R 259.1718

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R 259.1719

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R 259.1720

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R 259.1721

Source: 1997 AACS.

R 259.1722

Source: 1997 AACS.

R 259.1723

Source: 1997 AACS.

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R 259.1724
Source: 1997 AACS.

R 259.1725
Source: 1997 AACS.

R 259.1726
Source: 1997 AACS.

R 259.1727
Source: 1997 AACS.

R 259.1728
Source: 1997 AACS.

R 259.1729
Source: 1997 AACS.

R 259.1730
Source: 1997 AACS.

R 259.1731
Source: 1997 AACS.

R 259.1732
Source: 1997 AACS.

R 259.1733
Source: 1997 AACS.

PART 8. STOPPING, STANDING, AND PARKING

R 259.1801
Source: 1997 AACS.

R 259.1802
Source: 1997 AACS.

R 259.1803
Source: 1997 AACS.

R 259.1804
Source: 1997 AACS.

R 259.1805
Source: 1997 AACS.

R 259.1806
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R 259.1807
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R 259.1808
Source: 1997 AACS.

R 259.1809
Source: 1997 AACS.

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R 259.1810
Source: 1997 AACS.

R 259.1811
Source: 1997 AACS.

R 259.1812
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R 259.1820
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R 259.1821
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R 259.1822
Source: 1997 AACS.

R 259.1823
Source: 1997 AACS.

PART 9. ENFORCEMENT

R 259.1901
Source: 1997 AACS.

R 259.1902
Source: 1997 AACS.