

PROPOSED RULE/CODE CHANGE REQUEST

Michigan Department of Licensing and Regulatory Affairs
 Bureau of Construction Codes/Administrative Services Division
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ACTION:

DATE: 11/07/2018			
NAME: M.J. D'Smith		REPRESENTING: MI Air Conditioning Contractors Assoc.	
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RULE/CODE SECTIONS/TABLES/FIGURES PROPOSED FOR REVISION (Note: If the proposal is for a new section, indicate "new") Michigan Mechanical Code

PROPOSED LANGUAGE: Show proposed text in accordance with the following format: ~~Strikeout~~/**Bold & underline proposed added text**
 301.2 Energy utilization. Heating, ventilating and air-conditioning systems of all structures shall be designed and installed for efficient utilization of energy in accordance with the International Energy Conservation Code.
 Exception: Any code provision or part of the system that does not meet the definition of "cost-effective" per MCL 125.1502a(p) and

REASON: Thoroughly explain the need and reason for the proposed change per the Administrative Procedures Act of 1969 PA 306, MCL 24.245 to include the following:

- Identify the problem.
- Explain the rationale for the proposed change.
- Describe the environmental impact.
- Is the proposed change comparable to federal rules or national or regional standards in similarly situated states, based upon geographic location, topography, natural resources, commonalities, or economic similarities? If the proposed change exceeds standards in those states, explain why and specify costs and benefits.
- Identify individuals and groups affected by the proposed change and the impact on these groups.
- Are there any reasonable alternatives to the proposed change? If so, please provide those alternatives.
- What is the fiscal impact for the proposed change? Provide a cost/benefit analysis.
- Estimate the actual statewide compliance costs of the proposed rule.
- What are the primary and direct benefits of the rule?
- Estimate any cost increases or reductions to businesses, individuals, groups, or governmental units as a result of the rule.

As well as any other information appropriate to assist with a clear understanding of the issue. During the rulemaking process, the need and reasonableness of all proposed rule changes must be identified; therefore, a detailed explanation is necessary to ensure the general public understands all aspects of the proposal. Failure to explain the need and rationale for the proposal in accordance with MCL 24.245, may result in the proposal not meeting justification and merit.

Reason for 301.2: Because the Bureau of Construction Codes is not promulgating the Energy Code at the same time and the Mechanical Code, which is broadly referencing the Energy Code, the suggested exemption language is needed for clarification that even referenced code provisions, that are enforceable, must still be "cost effective" as statutorily required. Additionally it must be made clear that mechanical inspectors that work in jurisdictions that have elected pursuant to MCL 125.1508b to administer and enforce the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230 and state code have the authority and responsibility to determine what is "cost effective". This exemption is consistent with the Bureau of Construction Codes published 2015

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