

MOTOR VEHICLE SERVICE AND REPAIR ACT (EXCERPT)
Act 300 of 1974

***** 257.1309.amended THIS AMENDED SECTION IS EFFECTIVE APRIL 4, 2017 *****

257.1309.amended Powers and duties of administrator; rules.

Sec. 9. The administrator shall do all of the following:

- (a) Certify master and specialty mechanics and issue permits to mechanic trainees who are subject to this act.
- (b) Register motor vehicle repair facilities that are subject to this act.
- (c) Keep a complete register of motor vehicle repair facilities, and make that register available for public inspection at the office of the secretary of state.
- (d) Keep an accurate listing by name and by certificate number of each specialty and master mechanic who is certified by the administrator at the office of the secretary of state.
- (e) Engage in a public information program to inform the public of their rights and remedies under this act.
- (f) Inform registered motor vehicle repair facilities at least annually of the rules promulgated under this act, of representative disciplinary hearings, orders, or judgments issued or obtained by the administrator, and suspensions or revocations of registrations or licenses. A motor vehicle repair facility shall inform the mechanics in its employ of these actions.
- (g) Establish procedures for receiving complaints relating to alleged violations of this act or rules promulgated under this act.
- (h) Establish and collect fees for certification examinations administered by the administrator.
- (i) Promulgate any rules that are necessary to implement this act under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.
- (j) Issue declaratory rulings to implement this act. All of the following apply to a declaratory ruling under this subdivision:
 - (i) The administrator may issue a declaratory ruling concerning the applicability of this act or rules promulgated under this act to an actual statement of facts if the administrator receives a request for a declaratory ruling from an interested person and the interested person submits a clear and concise statement of facts to the administrator. The interested person may submit to the administrator a brief or other reference to legal authorities on which the interested person relies concerning the applicability of this act or rules promulgated under this act to the statement of facts.
 - (ii) If he or she decides to issue a declaratory ruling, the administrator shall provide the interested person that requested the ruling a statement that he or she will issue a declaratory ruling and the date by which the administrator will issue the ruling.
 - (iii) A declaratory ruling shall include the actual statement of facts provided by the interested person that requested the ruling, the legal authority on which the administrator relies for his or her ruling, if any, and the ruling of the administrator.
 - (iv) After it is issued, a declaratory ruling is binding on the administrator and he or she may not retroactively change the ruling. However, this subdivision does not prohibit the administrator from prospectively changing a declaratory ruling.

History: 1974, Act 300, Eff. Apr. 1, 1975;—Am. 1976, Act 12, Imd. Eff. Feb. 20, 1976;—Am. 2016, Act 430, Eff. Apr. 4, 2017.

Administrative rules: R 257.101 et seq. of the Michigan Administrative Code.