

SKILLED TRADES REGULATION ACT (EXCERPT)
Act 407 of 2016

***** 339.5537.new THIS NEW SECTION IS EFFECTIVE APRIL 4, 2017 *****

339.5537.new Citation; issuance; conditions; contents; "employee of the department" defined.

Sec. 537. (1) An employee of the department may issue a citation to a person that is licensed under this act or required to obtain a license under this act if the employee observes or deduces from an investigation, inspection, or complaint that conduct or conditions exist or have existed that violate this act or rules promulgated or orders issued under this act.

(2) The department may send a citation to a respondent by certified mail, return receipt requested, or by electronic mail if the department has an electronic mail address for the respondent on file, or the employee of the department who issued the citation may deliver it in person.

(3) A citation shall contain all of the following:

(a) The date of the citation.

(b) The name and title of the employee of the department who issued the citation.

(c) The name and address of the respondent, and a statement indicating that the respondent is being cited for a violation of this act or rules promulgated or orders issued under this act.

(d) A brief description of the conduct or conditions that the employee of the department who issued the citation considers a violation of this act or rules or orders issued under this act and a reference to the section of this act, the rule, or the order the respondent is alleged to have violated.

(e) The proposed penalties or actions required for compliance, including the payment of a fine in an amount that does not exceed \$100.00 for each violation.

(f) A space for the respondent to sign as a receipt for the citation.

(g) A space where the respondent may accept the citation and agree to comply or may indicate that the respondent contests that the violation described in the citation occurred.

(h) A notice that the respondent must accept or contest the terms of the citation within 30 days.

(i) A brief description of the hearing process and the process for settlement through an informal conference under section 515(3).

(4) As used in this section, "employee of the department" means an individual who is employed by the department, or a person that is under contract to the department, whose duty it is to enforce the provisions of this act or rules promulgated or orders issued under this act.

History: 2016, Act 407, Eff. Apr. 4, 2017.