

SKILLED TRADES REGULATION ACT (EXCERPT)
Act 407 of 2016

***** 339.5411.new THIS NEW SECTION IS EFFECTIVE APRIL 4, 2017 *****

339.5411.new Failure to renew license; prohibited practice; lapse; late renewal fee; relicensure; conditions; individual on active duty in armed forces; temporary exemption.

Sec. 411. (1) A person that fails to renew a license on or before the expiration date of the license shall not practice the occupation, operate, or use the title of that occupation after that date. A license shall lapse on the day after the expiration date.

(2) A person that fails to renew a license on or before the expiration date is permitted to renew the license by payment of the required license fee and a late renewal fee within 60 days after the expiration date.

(3) Except as otherwise provided in this act, the department shall relicense a person that fails to renew a license within the time period set forth in subsection (2), without examination and without meeting additional education or training requirements in force at the time of application for relicensure, if all of the following conditions are met:

(a) The person applies within 3 years after the expiration date of the last license.

(b) The person pays an application processing fee, the late renewal fee, and the per year license fee for the upcoming licensure period.

(c) Any penalties or conditions imposed by disciplinary action in this state or any other jurisdiction have been satisfied.

(d) The person submits proof of having completed the equivalent of 1 year of continuing education within the 12 months immediately preceding the date of application or as otherwise provided in a specific article of this act or by rule, if continuing education is required for that license under a specific article.

(4) Except as otherwise provided in this act, the department shall relicense a person whose last license expired 3 or more years before the application for relicensure if the person shows that the person meets the requirements for licensure established by the department in rules or procedures. The rules or procedures may require that an individual pass all or part of a required examination, complete continuing education requirements, or meet current education or training requirements.

(5) Unless otherwise provided in this act, a person that seeks relicensure shall file a completed application, on a form provided by the department, pay the application processing fee, and file a petition to the department and the appropriate board stating reasons for relicensure and including evidence that the person can and is likely to serve the public in the regulated activity with competence and in conformance with all other requirements prescribed by law, rule, or an order of the department or board. The department shall review a petition for relicensure in the same manner as a petition for review under sections 527 to 531. If approved for relicensure, the person shall pay the per year license fee for the upcoming license period if appropriate.

(6) Notwithstanding any provision in this act to the contrary, an individual or qualifying officer who is a licensee under this act and who is on active duty in the armed forces is temporarily exempt from any renewal license fee, continuing education requirements, or other related requirements of this act applicable to that license. It is the obligation of the licensee to inform the department by written or electronic mail of the desire to exercise the temporary exemption under this subsection. If the licensee applying for the temporary exemption is the individual responsible for supervision and oversight of licensed activities, the licensee shall provide notice of arrangements for adequate provision of that supervision and oversight to the department. The licensee shall accompany the request with proof, as determined by the department, to verify the mobilized duty status. If it receives a request for a temporary exemption under this subsection, the department shall make a determination of the requestor's status and grant the temporary exemption after verification of active duty status under this subsection. A temporary exemption is valid until 90 days after the licensee's release from the active duty on which the exemption was based, but shall not exceed 36 months from the date of expiration of the license.

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