

SKILLED TRADES REGULATION ACT (EXCERPT)
Act 407 of 2016

***** 339.5539.new THIS NEW SECTION IS EFFECTIVE APRIL 4, 2017 *****

339.5539.new Citation; notice of acceptance or denial of violation; signature; return; placement in records; force and effect as final order; disclosure; removal; explanation; statement; formal complaint.

Sec. 539. (1) A respondent has 30 days to notify the department in writing that the person accepts the conditions described in a citation or that the person contests the violation alleged in the citation occurred.

(2) If a respondent accepts the conditions described in a citation under subsection (1), the respondent, within 30 days after receiving the citation, shall sign the citation and return it to the department along with any fine or other material the respondent is required to submit under the terms of the citation. The department shall place the citation and accompanying material in the person's records with the department, and include in those records the nature of the violation and that the person accepted the conditions imposed. A citation issued under this section has the same force and effect as a final order issued by a board and may be disclosed to the public. If the department does not take any additional disciplinary actions against the person within 5 calendar years after the citation is issued, the department shall remove the citation and accompanying material from its records. If requested by the respondent, the department shall place a 1-page explanation prepared by the respondent in the department's files and shall disclose the explanation each time the department discloses the issuance of the citation.

(3) If the respondent does not admit to the violation alleged in a citation, the person may so state on the citation and return 1 copy to the department within the 30 days after the respondent receives the citation. If a respondent returns a copy of the citation that includes this statement within the 30-day time period, the citation is considered a formal complaint under section 515 and the administrative process described in that section applies.

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