

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

INSURANCE BUREAU

DECLARATORY RULINGS

(By authority conferred on the commissioner of insurance by section 210 of Act No. 218 of the Public Acts of 1956, as amended, and by section 63 of Act No. 306 of the Public Acts of 1969, as amended, being SS500.210 and 24.263 of the Michigan Compiled Laws)

R 500.1041 Submission of request.

Rule 1. A request for a declaratory ruling shall include both of the following:

(a) A statement of facts, which shall state all facts known to the applicant which are or may be relevant to a determination of the applicability of a rule, statute, or order and shall certify to the existence of the actual state of facts set forth and to the submission of all relevant facts.

(b) A statement of all statutes and rules known to the applicant which are relevant to a determination of the request and which the applicant seeks to have considered by the commissioner in making the ruling. The applicant shall certify that he or she has identified all statutes and rules which the applicant seeks to have considered by the commissioner in making the ruling.

History: 1985 AACCS.

R 500.1042 Notice and opportunity to comment.

Rule 2. The commissioner may give interested persons notice and an opportunity to comment upon the request for a declaratory ruling.

History: 1985 AACCS.

R 500.1043 Disposition.

Rule 3. (1) If the commissioner grants a request for a declaratory ruling, the commissioner shall issue the declaratory ruling within 90 days after receipt of the request, unless the commissioner advises the applicant, in writing, that the complexity of the issue, the need to secure comments from interested persons, or the need to seek the advice of the attorney general requires a longer period of time.

(2) A declaratory ruling shall state that it is limited to those facts which were presented and to the statute or rule identified by the applicant or other relevant statute or rule identified by the commissioner.

History: 1985 AACCS.