



Date: February 3rd, 2026

Subject: PA 407 Rule 161 (5) Memo

To: LARA/Bureau of Construction Codes

From: Professional Code Services LLC (PCS LLC)

Proposed action: Strike Rule 161 (5) in its entirety

PCS LLC Proposed Language:

~~Classification 7, limited refrigeration and air conditioning service shall now include A2L refrigerants as defined by the American Society of Heating Refrigeration, and Air-Conditioning Engineers (ASHRAE)~~

Justification: 1969 PA 306, 24.232 (7) "A rule must not exceed the rule-making delegation contained in the statute authorizing the rule-making." The proposed rule exceeds the department's authority. Modification of the existing statutory language contained in 2016 PA 407 (below) cannot be accomplished by rule.

339.5803 Definitions; L to V.

Sec. 803.

(b) "Limited refrigeration and air conditioning service" means the servicing of refrigeration equipment and systems and air conditioning equipment and systems employing the refrigeration cycle of unlimited capacity utilizing group 1 refrigerants as listed in the Michigan mechanical code or an equivalent nationally recognized model mechanical code.

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