

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Filed with the secretary of state on December 23, 2024

These rules become effective 120 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by section 4 of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4, and 2011-4, MCL 445.2011, 445.2025, and 445.2030)

R 408.31087, R 408.31088a, R 408.31093 and R 408.31098c of the Michigan Administrative Code are amended, R 408.31091a is added, and R 408.31087a, R 408.31087b, R 408.31088, R 408.31090, R 408.31091, R 408.31092a, R 408.31094, R 408.31095, R 408.31096, R 408.31097, R 408.31098, R 408.31098a, and R 408.31098b are rescinded, as follows:

PART 10a. MICHIGAN ENERGY CODE

R 408.31087 Applicable code.

Rule 1087. Rules governing the energy efficiency for the design and construction of buildings and structures, not including residential buildings, shall be those contained in the international energy conservation code, 2021 edition except for sections C104.2 to C104.5, C109.1 to C109.4, C110.1 to C110.3, and appendix CA and the ASHRAE energy standard for buildings, except low-rise residential buildings, ANSI/ASHRAE/IESNA standard 90.1-2019, referred to as the standard in these rules, including appendices A, C, E, F, G, H, and I. With the amendments noted, the international energy conservation code and the standard are adopted by reference in these rules. The provisions contained in Appendix CB are specifically adopted and authorized as mandatory requirements. The provisions contained in Appendix CC are specifically adopted and authorized as permissive guidelines and shall not be mandated by an enforcing agency. The Michigan energy code is available for inspection at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, 611 W. Ottawa Street, Lansing, Michigan 48933. The code may be purchased from the International Code Council, through the bureau's website at [www.michigan.gov/bcc](http://www.michigan.gov/bcc), at a cost of \$52.00. The ASHRAE 90.1- 2019 standard is available for inspection at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, 611 West Ottawa Street, Lansing, Michigan 48933. The standard may be purchased from the American Society of Heating, Refrigeration and Air-Conditioning Engineers, Inc., 180 Technology Parkway North West, Peachtree Corners, Georgia 30092, or from <https://www.ashrae.org> at a cost of \$177.00 each.

R 408.31087a Rescinded.

R 408.31087b Rescinded.

R 408.31088 Rescinded.

R 408.31088a Scope; requirements.

Rule 1088a. Section C101.1 is amended to read as follows:

C101.1. Title. This code shall be known and cited as the “Michigan Commercial Energy Code.” It is referred to as “this code” in these rules.

R 408.31090 Rescinded.

R 408.31091 Rescinded.

R 408.31091a Lighting systems.

Rule 1091a. Section C503.5 is added to read as follows:

C503.5 Lighting systems. New lighting systems that are part of the alteration shall comply with sections C405 and C408.

Exception: Alterations that replace less than 50% of the luminaries in a space, if these alterations do not increase the installed interior lighting power.

R 408.31092a Rescinded.

R 408.31093 Permits.

Rule 1093. Section C104.1 of the code is amended to read as follows:

C104.1. Permits. An owner or owner’s authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, plumbing, or solar panel system, the installation that is regulated by this code, or to cause the work to be performed, shall first apply to the building official and obtain the required permit.

R 408.31094 Rescinded.

R 408.31095 Rescinded.

R 408.31096 Rescinded.

R 408.31097 Rescinded.

R 408.31098 Rescinded.

R 408.31098a Rescinded.

R 408.31098b Rescinded.

R 408.31098c Lighting alterations.

Rule 1098b. Section 9.1.2 of the standard is amended to read as follows:

9.1.2. Lighting alterations. For the alteration of any lighting system in an interior space, that space shall comply with the lighting power density, LPD, allowances of section 9.5.1 or 9.6.1 and the control requirements of section 9.4.1.1 (a) to (d) and (g) to (i) as applicable to that space. For the alteration of any lighting system for the exterior of a building application, that lighting system shall comply with the LPD allowances of section 9.4.2 applicable to the area illuminated by that lighting system and the applicable control requirements of sections 9.4.1.4 and 9.4.2.

Exception: Alterations that involve 50% or less of the connected lighting load in a space or area need not comply with these requirements, provided that the alterations do not increase the installed lighting power.