

GAS SAFETY STANDARDS (EXCERPT)
Act 165 of 1969

483.161 Penalties.

Sec. 11. (1) A person that violates this act or a rule promulgated under this act is subject to an administrative fine of not more than \$200,000.00 for each violation for each day that the violation persists, except that the maximum administrative fine shall not exceed \$2,500,000.00 for any related series of violations.

(2) No sooner than September 1, 2024, and by October 1 of each year thereafter, the commission shall issue an order adjusting the administrative fines under subsection (1) for inflation using the Consumer Price Index.

(3) In determining the amount of the administrative fine under subsection (1), the commission shall consider all of the following:

- (a) The effect on the ability of the person to continue in business.
- (b) The nature, circumstances, and gravity of the violation.
- (c) Any good-faith effort by the person to comply with the requirements of this act.
- (d) The degree of culpability of the person.
- (e) The history of prior violations of the person.
- (f) The ability of the person to pay.
- (g) Other matters as justice may require.

(4) The amount of the penalty stipulated may be deducted from a sum the state owes the person or may be recovered in a civil action in the Ingham County circuit court.

(5) A person who willfully and knowingly defaces, damages, removes, or destroys a pipeline sign or right-of-way marker required by this act is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or by a fine of not more than \$5,000.00, or both, for each offense.

(6) An administrative fine issued under this section must be deposited in the general fund. For each calendar year, any amount of the administrative fines deposited in the general fund that exceeds \$200,000.00 must be credited to the commission to be used for underground facilities safety education and training, consistent with section 12(7) of the MISS DIG underground facility damage prevention and safety act, 2013 PA 174, MCL 460.732.

(7) As used in this section, "Consumer Price Index" means the most comprehensive index of consumer prices available for the Detroit area from the United States Department of Labor, Bureau of Labor Statistics.

History: 1969, Act 165, Imd. Eff. Aug. 5, 1969;—Am. 1992, Act 11, Imd. Eff. Mar. 10, 1992;—Am. 2024, Act 131, Imd. Eff. Oct. 8, 2024.

Administrative rules: R 460.2301 et seq. of the Michigan Administrative Code.