

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF AGRICULTURE PLANT SERVICES DIVISION

- Title and its heading:** 3, Agriculture  
**Chapter and its heading:** 4, Department of Agriculture - Plant Services Division  
**Articles and their headings:** 2, Quarantine  
**Section number:** R3-4-239
- The subject matter of the proposed rules:**  
This rulemaking updates the structure and format to meet the standards of the Office of the Secretary of State, clarifies language, adds pine straw as a commodity affected by the quarantine, and defines additional terms for clarity of purpose.
- A citation to all published notices relating to the proceeding:**  
None.
- The name and address of agency personnel with whom a person may communicate regarding the rule:**  
Name: Shirley Conard, Rules Specialist  
Address: Arizona Department of Agriculture  
1688 West Adams, Room 124  
Phoenix, Arizona 85007  
Telephone: (602) 542-0962  
Fax: (602) 542-5420
- The time during which written submission may be made and the time and place where oral comments may be made:**  
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m., at the address listed in question #4.
- A timetable for agency decisions or other action in the proceeding:**  
The Department expects to file a proposed rulemaking by November 1998.

### NOTICE OF RULEMAKING DOCKET OPENING

#### STATE BOARD OF EDUCATION

- Title and its heading:** 7, Education  
**Chapter and its heading:** 2, State Board of Education  
**Articles and their headings:** 11, School District Procurement Rules  
**Section number:** R7-2-1156, R7-2-1158, R7-2-1181, R7-2-1182, R7-2-1183, and R7-2-1185.
- The subject matter of the proposed rules:**  
The State Board of Education proposes to make amendments and add a new rule related to school district procurement. The amendments and new rule will address the issues raised in *R.L. Augustine Const. Co., Inc. v. Peoria Unified School Dist.*, 188 Ariz. 368, 936 554 (1997). Specifically, the 2 issues raised in the case were that the Board's procurement rules do not provide for judicial review (new rule R7-2-1183) and that the final decision-maker in a disputed matter should be one other than the district governing board. The rule amendments will provide for a hearing officer to conduct hearings related to disputed matters.
- A citation to all published notices relating to the proceeding:**  
None published.
- The name and address of agency personnel with whom a person may communicate regarding the rule:**  
Name: Corinne L. Velasquez, Executive Director  
Address: State Board of Education  
1535 West Jefferson, Room 418  
Phoenix, Arizona 85007

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

Telephone: (602) 542-5057

Fax: (602) 542-3046

5. **The time during which written submission may be made and the time and place where oral comments may be made:**  
To be announced with the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action in the proceeding:**  
To be announced with the Notice of Proposed Rulemaking.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE DIVISION**

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation - Motor Vehicle Division  
**Articles and their headings:** 7, Miscellaneous Rules  
**Section number:** R17-4-709
2. **The subject matter of the proposed rules:**  
The Motor Vehicle Division proposes to make a rule that sets forth the procedure for ignition interlock device certification, provides for assurance of ignition interlock device reliability, and provides for assurance of ignition interlock device accuracy. The rule implements A.R.S. § 28-1382(G), as added by Laws 1998, Ch. 302, § 23; A.R.S. § 28-1383(K), as amended by Laws 1998, Ch. 302, § 24; and A.R.S. §§ 28-1462 and 28-1463, as added by Laws 1998, Ch. 302, § 31.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**  
Name: Lynn S. Golder, Rules Attorney  
Address: Department of Transportation, Motor Vehicle Division  
4747 North 7th Avenue, 3rd Floor  
Phoenix, Arizona 85013  
Telephone: (602) 255-7941  
Fax: (602) 241-1624
5. **The time during which written submission may be made and the time and place where oral comments may be made:**  
Written comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday. Oral comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Thursday.
6. **A timetable for agency decisions or other action in the proceeding:**  
Concurrently with the rulemaking proposed by this docket opening notice, the Motor Vehicle Division is undertaking emergency rulemaking in accordance with A.R.S. § 41-1026. The Division anticipates having the emergency rule in place no later than November 30, 1998. A timetable for the rulemaking proposed by this docket opening notice has yet to be determined.