

## **NOTICES OF RULEMAKING DOCKET OPENING**

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**

#### **BOARD FOR PRIVATE POSTSECONDARY EDUCATION**

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 39, Board for Private Postsecondary Education  
**Articles and their heading:** 5, Hearings and Investigations  
**Section numbers:** R4-39-501, R4-39-502, and R4-39-503
- 2. The subject matter of the proposed rule:**  
The proposed rulemaking is to make the rules more clear, concise and understandable, to be consistent with required rulemaking language and style and to conform to statutory changes.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Teri Candelaria  
Executive Director  
  
Address: 1400 West Washington, Room 260  
Phoenix, Arizona 85007  
  
Telephone: (602) 542-5709
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted between 8:00 a.m. and 5:00 p.m., Monday through Friday.  
  
No Oral Proceedings are scheduled. The Board will schedule an oral proceeding on the proposed rulemaking if a written request for an oral proceeding is submitted to the Board by at least 5 persons.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
The Notice of Proposed Rulemaking will be finalized and filed within the next 60 days. Following publication, the record will be open for written comment for a period of at least 30 days. Within 30 days after the close of comment, the Board will adopt the final rules and submit a final rule package to the Governor's Regulatory Review Council for approval.

### **NOTICE OF RULEMAKING DOCKET OPENING**

#### **BOARD FOR PRIVATE POSTSECONDARY EDUCATION**

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 39, Board for Private Postsecondary Education  
**Articles and their heading:** 6, Student Tuition Recovery Fund  
**Section numbers:** R4-39-601, R4-39-602, and R4-39-603
- 2. The subject matter of the proposed rule:**  
The proposed rulemaking is to make the rules more clear, concise and understandable and to be consistent with required rulemaking language and style.  
  
R4-39-601. The proposed rule revision regarding the Submission of Assessments is to ensure consistency with statutory changes and to be conform with current Board policy.  
  
R4-39-602. The proposed rule revision regarding Claims against the Student Tuition Recovery Fund is to incorporate the Boards' Substantive Policy #3.

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R4-39-603. The proposed new rule is to conform to current Board policy and procedures in processing student record requests and to establish a prescribe fee for student record requests.

**3. A citation to all published notices relating to the proceeding:**

Notice of Rulemaking Docket Opening: 5 A.A.R. 2062, June 25, 1999

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Teri Candelaria  
Executive Director

Address: 1400 West Washington, Room 260  
Phoenix, Arizona 85007

Telephone: (602) 542-5709

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted between 8:00 a.m. and 5:00 p.m., Monday through Friday.

No Oral Proceedings are scheduled. The Board will schedule an oral proceeding on the proposed rulemaking if a written request for an oral proceeding is submitted to the Board by at least 5 persons.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The Notice of Proposed Rulemaking will be finalized and filed within the next 30 days. Following publication, the record will be open for written comment for a period of at least 30 days. Within 30 days after the close of comment, the Board will adopt the final rules and submit a final rule package to the Governor's Regulatory Review Council for approval.

**NOTICE OF RULEMAKING DOCKET OPENING**

**STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES**

**1. Title and its heading:** 7, Education

**Chapter and its heading:** 1, State Board of Directors for Community Colleges

**Articles and their heading:** 7, Instruction, Faculty and Staff

**Section numbers:** R7-1-709

**2. The subject matter of the proposed rule:**

The proposed rulemaking provides guidelines for community colleges concerning the offering of community college courses and programs to high school students at the high schools.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Thomas J. Saad, Assoc. Executive Director

Address: State Board of Directors for Community Colleges of Arizona  
2020 North Central Ave., Suite 570  
Phoenix, Arizona 85004

Telephone: (602) 255-4037

Fax: (602) 279-3464

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be received beginning November 1, 2000 through January 18, 2001, 5:00 p.m. Oral comments may be made at 1:00 p.m. on January 19, 2001, at Midwestern College of Medicine, 19555 North 59th Ave., Glendale, Arizona.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The proposed rule will be considered for adoption on January 19, 2001, at a public hearing scheduled for 1:00 p.m.

**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:** 5, Driver Licenses  
**Section numbers:** R17-4-506
- 2. The subject matter of the proposed rule:**

The Motor Vehicle Division proposes to amend subsection (A) through subsection (D) of R17-4-506 to make the driver point system rule more clear, concise, and understandable. The amendments will provide separate descriptions for 2 types of 3-month suspension (accumulation of 8 to 12 demerit points with traffic survival school previously completed or accumulation of 13 to 17 demerit points). Additionally, the amendments will increase:

  - The upper limit of demerit point accumulation for a 3-month suspension,
  - The lower and upper limits of demerit point accumulation for a 6-month suspension,
  - The lower limit of demerit point accumulation for a 12-month suspension, and
  - The time period of demerit point accumulation for a 12-month suspension.

**The agency docket numbers, if applicable:**  
Not applicable
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom a person may communicate regarding the rule:**

Name: Lynn S. Golder, Hearing Officer II  
Address: Arizona Department of Transportation  
Motor Vehicle Division  
3737 North Seventh Street, Suite 160  
Phoenix, Arizona 85014-5017  
Telephone: (602) 712-7941  
Fax: (602) 241-1624  
E-Mail: lgolder@dot.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays. Oral comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Thursday.
- 6. A timetable for agency decisions or other action on the proceedings, if known:**  
None known

**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:** 5, Driver Licenses  
**Section numbers:** R17-4-520
- 2. The subject matter of the proposed rule:**

The Motor Vehicle Division proposes to amend the medical general provisions rule to make it more clear, concise, and understandable. The amendments will improve the definitions subsection and add Exhibit A, the medical screening questions and certification on the Arizona driver license application.

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**The agency docket numbers, if applicable:**

Not applicable

**3. A citation to all published notices relating to the proceeding:**

All previous notices have expired.

**4. The name and address of agency personnel with whom a person may communicate regarding the rule:**

Name: Lynn S. Golder, Hearing Officer II  
Address: Arizona Department of Transportation  
Motor Vehicle Division  
3737 North Seventh Street, Suite 160  
Phoenix, Arizona 85014-5017  
Telephone: (602) 712-7941  
Fax: (602) 241-1624  
E-Mail: lgolder@dot.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays. Oral comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5:00 p.m., Monday through Thursday.

**6. A timetable for agency decisions or other action on the proceedings, if known:**

None known

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 13, Department of Environmental Quality - Solid Waste Management  
**Subchapter and its heading:**  
**Article and its heading:** 12, Waste Tires  
**Part and its heading:**  
**Section numbers:** R18-13-1201, R18-13-1202, R18-13-1205, R18-13-1209, and R18-13-1210  
(Section numbers may be added, deleted or modified to address the subject matter of the proposed rule)

**2. The subject matter of the proposed rule:**

In this proposed rulemaking, the Arizona Department of Environmental Quality is amending various rules relating to waste tires. Most of these proposed amendments are necessitated by statutory changes.

**The agency docket number, if applicable:**

Not applicable

**3. A citation to all published notices relating to the proceeding:**

Not Applicable

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

**Primary Contact:**

Name: Deborah K. Blacik  
Address: Arizona Department of Environmental Quality  
3033 North Central Ave., 8th Floor  
Phoenix, Arizona 85012  
Telephone: (602) 207-2223 or (800) 234-5677, Ext. 2223 (Arizona only)  
Fax: (602) 207-2251

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**Secondary Contact:**

Name: Martha Seaman  
Address: Arizona Department of Environmental Quality  
3033 North Central Ave., 8th Floor  
Phoenix, Arizona 85012  
Telephone: (602) 207-2221 or (800) 234-5677, Ext, 2221 (Arizona only)  
Fax: (602) 207-2251

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be announced in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced in the Notice of Proposed Rulemaking.

**NOTICE OF RULEMAKING DOCKET OPENING**

**BANKING DEPARTMENT**

- 1. Title and its heading:** 20, Commerce, Banking, and Insurance  
**Chapter and its heading:** 4, Banking Department  
**Article and its heading:** 1, General  
**Section numbers:** R20-4-102, R20-4-106, R20-4-107

**2. The subject matter of the proposed rule:**

The rules in this Article have general applicability to all of Title 20, Chapter 4 of the *Arizona Administrative Code*. This proceeding will deal with several housekeeping matters that have been brought to the Department's attention since the last revision of Article 1 became effective in June '99.

First, this rulemaking will revise the definition of "Active management" found at R20-4-102 (1), to clarify that the definition applies to all the term's uses in statutory law administered by the Department, including those outside of A.R.S. Title 6, Chapter 9.

Second, this proceeding will revise the definition of "Directly or indirectly making, negotiating, or offering to make or negotiate" found at R20-4-102 (11) to remove inadvertent drafting errors from the definition and to add activities not included in the definition.

Third, this rulemaking will amend R20-4-102 to add a definition of the term "Records."

Fourth, this proceeding will amend R20-4-107 to add a Licensing Time Frame for Deferred Presentment Companies, a newly created category of license.

Finally, this rulemaking will make stylistic and editorial revisions to R20-4-106, the only Section in Article 1 not yet revised since acceptance of that Article's most recent 5-Year-Rule-Review.

**3. A citation to all published notices relating to the proceeding:**

There are no previous published notices relating to this proceeding.

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: John P. Hudock  
Address: 2910 North 44th Street, Suite 310  
Phoenix, Arizona 85018  
Telephone: (602) 255-4421, Ext. 167  
Fax: (602) 381-1225  
E-Mail: jhudock@azbanking.com

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**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department accepts written comments during business hours at the address above. Comments are welcome at any time until the close of the record in this proceeding. The date for closure of the record depends on the publication date of the actual proposed rules, which has not yet occurred. Notice of any opportunity to make public oral comment will be published as required by law.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

No timetable has been projected or established. In January 2001, the Department expects to submit the text of proposed rules for publication.