

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Due to time restraints, the Secretary of State's Office will no longer edit the text of proposed rules. We will continue to make numbering and labeling changes as necessary.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 12. SECRETARY OF STATE

PREAMBLE

- | <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
|------------------------------------|---------------------------------|
| Article 11 | New Article |
| R2-12-1101 | New Section |
| R2-12-1102 | New Section |
| R2-12-1103 | New Section |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: Laws 2000, Ch. 210, §§ 2 and 3
Implementing statute: Laws 2000, Ch. 210, §§ 2 and 3
- 3. A list of all previous notices published in the Register addressing the proposed rule:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
- | | |
|------------|--|
| Name: | Mimi Griffiths
Director, Public Services Division
Office of the Secretary of State |
| Address: | 1700 West Washington, 7th Floor
Phoenix, Arizona 85007 |
| Telephone: | (602) 542-0223 |
| Fax: | (602) 542-4366 |
| E-Mail: | mgriffiths@mail.sosaz.com |
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
The amounts notaries public are allowed to charge for their services and the amount of the surety bond a notary must purchase before being commissioned as a notary have previously been set by statute. Laws 2000, Ch. 210, § 2 takes the amount of the bond out of statute and requires the Secretary of State to prescribe the amount of the bond. Laws 2000, Ch. 210, § 3 takes the fees notaries are allowed to charge out of statute and requires the Secretary of State to prescribe the amount by rule.

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Until 1996, notaries in Arizona were allowed to charge up to 75¢ per signature notarized. In 1996, the law was changed so that notaries could charge up to \$2 per signature notarized, oath administered, or page certified. Many states are now realizing that the fees notaries have traditionally been allowed to charge do not take into consideration the time and effort a notary must take when performing a notarization and the liability they must face. New Mexico's fees for acknowledgments and jurats are \$1, the lowest of any of the southwestern states. Nevada, Utah, and Colorado both allow \$5 for an acknowledgment or a jurat, although Nevada specifies that each additional signature being acknowledged has a charge of \$2.50. Texas allows \$6 for acknowledgments and jurats, with \$1 the charge for each additional signature being acknowledged. California has the highest notary fee at \$10 for acknowledgments and jurats.

We are proposing the same fees as were specified in A.R.S. until July 18, 2000, and the same fees that were adopted by emergency rulemaking effective July 18, 2000. We are soliciting comments from interested individuals about the appropriate level of notary fees in Arizona.

We are also soliciting comments about the bond Arizona notaries must purchase in order to serve as notaries public. The amount that had been specified in statute until July 18, 2000, and the amount currently specified in the emergency rulemaking effective July 18, 2000, is \$5,000. Nevada requires a \$10,000 bond; Utah requires a \$5,000 bond; and California requires a \$15,000 bond. The surety bond that is required is a protection for the people for whom notaries perform notarizations.

6. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

7. A reference to any study that the agency proposes to rely on in its evaluation or justification for the proposed rules and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:

No specific study was made. However, the Office researched the amounts for fees and bonds for notaries in neighboring states by searching the Internet sites for those states.

8. The preliminary summary of the economic, small business, and consumer impact:

The changes to the bond amount will affect those people applying for commissions as notaries public. As the amount of the bond increases, usually so does the fee a bonding or insurance company charges the individual for that bond.

The fees that notaries are allowed to charge for their services will affect the members of the public whom they serve. Notaries are not required to charge fees. The fees set forth in these rules are the maximum that notaries will be allowed to charge.

This particular rulemaking does not increase the fees from their current amount set by emergency rulemaking. If enough comments are received to warrant increasing these fees, the Office will terminate this proposed rulemaking and will initiate another proposed rulemaking with different fees.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Mimi Griffiths
Director, Public Services Division
Office of the Secretary of State

Address: 1700 West Washington, 7th Floor
Phoenix, Arizona 85007

Telephone: (602) 542-0223

Fax: (602) 542-4366

E-Mail: mgriffiths@mail.sosaz.com

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: January 8, 2000

Time: 9:00 a.m.

Location: Secretary of State's Office
Conference Room
State Capitol Executive Tower, 7th Floor
Phoenix, Arizona

Nature: Oral Proceeding

Close of Record: 5:00 p.m., February 8, 2000

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11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 12. SECRETARY OF STATE

ARTICLE 11. NOTARY PUBLIC BONDS AND FEES

R2-12-1101. Definitions

R2-12-1102. Notary Public Fees

R2-12-1103. Notary Public Bonds

ARTICLE 11. NOTARY PUBLIC BONDS AND FEES

R2-12-1101. Definitions

The following definitions shall apply in this Article unless the context otherwise requires:

“Acknowledgment” means the same as defined in A.R.S. §§ 41-311(1).

“Bond” means a surety bond to the state, with sureties approved by the clerk of the superior court in the county in which the individual is being commissioned as a notary public.

“Copy certification” means the same as defined in A.R.S. § 41-311(3).

“Credible person” means a person used to identify a signer when the signer does not have other satisfactory evidence of identity as specified in A.R.S. § 41-311(11).

“Jurat” means the same as defined in A.R.S. § 41-311(6):

“Oath” or “affirmation” means the same as defined in A.R.S. § 41-311(10).

“Satisfactory evidence of identity” means the same as defined in A.R.S. § 41-311(11).

R2-12-1102. Notary Public Fees

Notaries public may charge the following fees:

1. For acknowledgments, \$2 per signature;
2. For jurats, \$2 per signature
3. For copy certifications, \$2 per page certified;
4. For oaths or affirmations without a signature, \$2.

R2-12-1103. Notary Public Bonds

A. Notaries public shall purchase a bond in the amount of \$5,000 before being commissioned as a notary public. The original bond shall be filed with the clerk of the superior court in the applicant’s county of residence. A copy of the bond shall be filed with the applicant’s application form submitted to the Secretary of State’s Office.

B. The bond shall contain, on its face, the oath of office for the notary public as specified in A.R.S. § 38-233(B). This oath shall be as specified in A.R.S. § 38-231. The notary shall endorse the oath on the face of the bond, immediately below the oath, by signing the notary’s name under which the person has applied to be commissioned as a notary and exactly as the name appears on the notary application form filed with the Secretary of State’s Office.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 46. BOARD OF APPRAISAL

PREAMBLE

1. Sections Affected

R4-46-401

Rulemaking Action

Amend

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2. The specific authority for the rulemaking, including the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 32-3605(A)

Implementing statute: A.R.S. § 32-3605(B)(1)

3. A list of all previous notices appearing in the Register addressing the final rule:

Notice of Rulemaking Docket Opening: 6 A.A.R. 4319, November 17, 2000

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

Name: Edward C. Logan
Executive Director

Address: 1400 West Washington, Suite 360
Phoenix, Arizona 85007

Telephone: (602) 542-1539

Fax: (602) 542-1598

5. An explanation of the rule, including the agency's reasons for initiating the rule:

All rules are written to comply with the provisions of Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, and state statutes applicable to Real Estate Appraisers and Property Tax Agents. The change in the existing rule is to comply with Title XI and the A.R.S. § 32-3635(A).

6. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state.

Not applicable

7. The preliminary summary of the economic, small business, and consumer impact.

The Board will bear the costs of rule writing and other administrative updating, which are covered in its budget as routine expenses. The appraiser community will bear the expense of purchasing the USPAP 2001 edition which is \$25. Not all appraisers will find it necessary to own a copy. Some may share office copies. This is a business expense that can be deducted. The benefits to be gained are: maintaining compliance with current standards as required by law; and, improving the professional work product. No cost is anticipated to private persons and consumers who may be directly affected by the proposed rulemaking.

8. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Edward C. Logan
Executive Director

Address: 1400 West Washington, Suite 360
Phoenix, Arizona 85007

Telephone: (602) 542-1539

Fax: (602) 542-1598

E-Mail: Logan_Edward@pop.state.az.us

9. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled where, when, and how persons may request an oral proceeding on the proposed rules:

Date: January 18, 2001

Time: 9:00 a.m.

Location: 1400 West Washington
Basement Conference Room B-2
Phoenix, Arizona

Nature: The Board will hold an open meeting to hear opinions and suggestions, and to adopt, amend or repeal the rule.

10. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

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11. Incorporations by reference and their location in the rules:

The Uniform Standards of Professional Appraisal Practice, 2000 Edition published by the Appraisal Foundation and effective nationally on January 1, 2001. The location in the rules is R4-46-401.

12. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 46. BOARD OF APPRAISAL

ARTICLE 4. STANDARDS OF PRACTICE

R4-46-401. Standards of Appraisal Practice

ARTICLE 4. STANDARDS OF PRACTICE

R4-46-401. Standards of Appraisal Practice

Every state-licensed or certified Appraiser, in performing the acts and services of a state-licensed or certified Appraiser, shall comply with the Uniform Standards of Professional Appraisal Practice (USPAP), ~~2000~~, 2001 edition, published by the Appraisal Foundation, which are incorporated by reference and on file with the Board and the Office of the Secretary of State. This incorporation by reference contains no future additions or amendments. A copy of the USPAP may be obtained from the Appraisal Foundation.

NOTICE OF PROPOSED RULEMAKING

TITLE 7. EDUCATION

CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA

PREAMBLE

1. Sections Affected

R7-1-709

Rulemaking Action

Amend

2. The specific authority for the rulemaking, including both the authorizing statute and the statutes the rules are implementing:

Authorizing statute: A.R.S. § 15-1425(1)

Implementing statute: A.R.S. § 15-1425(1)

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 6 A.A.R. 4448, November 24, 2000

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

Name: Thomas J. Saad

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. An explanation of the rule, including the agency's reasons for initiating the rule:

Provides guidelines whereby community colleges can offer credit courses and programs to high school students at high school campuses during the day time hours. Prescribes the minimum qualifications for; students who enroll in college level courses; faculty who teach the courses; and, textbooks and grading.

6. A reference to any study that the agency proposes to rely on its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting materials:

Not Applicable

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7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The proposed rule will not adversely impact small business or consumers.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Thomas J. Saad
Address: 2020 North Central Ave., Suite 570
Phoenix, Arizona 85004
Telephone: (602) 255-4037
Fax: (602) 279-3464

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when and how persons may request an oral proceeding on the proposed rule:

The Public Hearing is scheduled for January 18, 2001 at 1:00 p.m. at Midwestern College of Medicine located at 19555 North 59th Avenue, Glendale, Arizona.

11. Any other matters prescribed by statute that are applicable to the specific agency:

None

12. Incorporations by reference and their location in the rules:

None

13. Full text of the rules follows:

TITLE 7. EDUCATION

CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA

ARTICLE 7. INSTRUCTION, FACULTY AND STAFF

R7-1-709. Community College Classes Offered in Conjunction With High Schools

ARTICLE 7. INSTRUCTION, FACULTY AND STAFF

R7-1-709. Community College Classes Offered In Conjunction With High Schools

With the approval of the District Governing Board, college courses that can be counted toward both high school and college graduation requirements may be offered by community colleges ~~in conjunction with high schools for the purpose of offering community college instruction to high school students at the high school during the school day~~ under the following circumstances:

1. The community college District Governing Board and the governing board of the high school shall enter into a contract or intergovernmental agreement which shall, at a minimum, include the following provisions:
 - a. All high school students enrolled for college credit must be currently enrolled for at least 4 high school credits in addition to the college course or courses except that high school seniors who satisfy high school graduation requirements with fewer than four high school credits shall be exempt from this provision.
 - b. The financial considerations between the community college and the high school, including the manner in which the college tuition is to be paid by or on behalf of each student, shall be clearly stated.
- ~~4.2.~~ Students shall have been admitted to the community college under the provisions of R7-1-301.C. -- Student Admissions, and
 - a. All students enrolled for college credit shall be high school juniors or seniors. All students in the course, including those not enrolled for college credit, shall satisfy the prerequisites for the course as published in the college catalog and comply with college policies regarding student placement in courses.
 - b. Recognizing that exceptional circumstances may exist for students who do not fully meet the requirements specified in Section 2.a., above, a community college may waive the requirements for up to 10 percent of the students enrolled by a college in courses provided under this rule. All such exceptions shall be reported as provided in Section 6.b., below.

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- 2.3. Courses may be offered at the high school campus provided the courses have been evaluated and approved through the official college curriculum approval process, are at a higher level than taught by the high school, and are transferable to an Arizona public university or applicable to an established community college occupational degree or certificate program. Physical education courses are excluded from this program.
- 3.4. Courses, and all students in the courses, shall use college-approved textbooks, syllabuses, course outlines, and grading standards, all of which are applicable to the courses when taught at the community college campus or other instructional venues. The Chief Academic Officer of each community college is responsible for involving full-time faculty in the discipline in overseeing course selection and implementation in the high schools to ensure that course goals and standards are understood, that course guidelines are followed, and that there is comparability in standards of expectation and assessment in all venues where college courses are taught.
- 4.5. Each faculty member shall have a valid community college teaching certificate in the field being taught and shall have been selected and evaluated by the college using the same procedure and criteria that are used at the community college campus. The Chief Academic Officer of each community college is responsible for involving full-time faculty in the discipline in the selection, orientation, ongoing professional development, and evaluation of faculty teaching college courses in conjunction with the high schools.
- 5.6. Each community college district shall annually, by September 1, provide a report to the State Board of community college courses offered in conjunction with high schools during the previous academic fiscal year. In the case of a multi-college district, the multi-college district shall provide a separate report for each college. This report shall list the locations at which the courses were offered, the discipline areas of the courses, and the aggregate student enrollment include the following:
- a. Documentation of oversight activities identified in Sections 4 and 5, above.
 - b. Accounting of the numbers of students who did not fully meet the criteria defined in Section 2.a., above.
 - c. Total enrollments broken down by location, by high school grade level, by course, and by type of program (academic or occupational).
 - d. Summary data on performance of students enrolled for college credit in courses offered in conjunction with high schools, including completion rates and grade distribution.
7. Each college shall put into place a process for performing meaningful tracking studies of subsequent academic or occupational achievement of students enrolled in courses offered in conjunction with high schools. The report of the results of the first tracking study shall be submitted to the State Board by September 1, 2003 and subsequent reports shall be submitted to the State Board by September 1 of each odd-numbered year thereafter.
- a. These tracking studies may involve statistically valid sampling techniques and shall include, at a minimum, the following elements: high school graduation rate, the number of students continuing their studies after graduation at an Arizona community college or public university, the performance of the students in subsequent college courses in the same discipline or occupational field, and the student's grade point average after one year at an Arizona community college or university as compared to the student's college grade point average for courses completed while still in high school.
 - b. Upon receipt of the report of these studies, the State Board shall convene an ad hoc committee that shall include community college academic officers, faculty, and others expert in the field to review the manner in which these courses are provided. This committee may make recommendations to the State Board, with a copy to each district governing board, regarding desirable changes in this rule or in the manner in which the rule is being implemented.

NOTICE OF PROPOSED RULEMAKING

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

PREAMBLE

1. Sections Affected
R17-4-506

Rulemaking Action
Amend

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 28-366

Implementing statute: A.R.S. § 28-3306(A)(3)

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3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 6 A.A.R. 4449, November 24, 2000

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

Name: Lynn S. Golder, Hearing Officer II
Address: Arizona Department of Transportation
Motor Vehicle Division, Mail Drop 507M
3737 North 7th Street, Suite 160
Phoenix, Arizona 85014-5017
Telephone: (602) 712-7941
Fax: (602) 241-1624
E-Mail: lgolder@dot.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The Arizona Department of Transportation, Motor Vehicle Division (Division) proposes to amend the driver point system rule to make it more clear, concise, and understandable. Additionally, the amendments make precise adjustments in the Division's suspensions of drivers who accumulate demerit points. The amendments:

- Simplify the language of existing definitions and number all definitions;
- Add definitions of "gore area," "[36]-month period," "[12]-month period," and "[24]-month period;"
- Reverse the order of traffic survival school and suspension in subsection (B), sentence 1;
- Reverse the order of subsections (C) and (D);
- Substitute the phrase "24-month period" for "24 months before the date of the violation resulting in the accumulation of 8 to 12 points;"
- Substitute "subsection (C)(2)" for "R17-4-506(D)(2);"
- Simplify subsection (D)(1) by substituting "Comes under subsection (B) and does not come under subsection (C)" for "(a) Accumulates at least 13 points in any 12-month period, or (b) Completed traffic survival school within 24 months before the date of the violation resulting in the order of suspension.;"
- 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);
- Increase the upper limit of demerit point accumulation for a 3-month suspension;
- Increase the lower and upper limits of demerit point accumulation for a 6-month suspension;
- Increase the lower limit of demerit point accumulation for a 12-month suspension, and
- Increase the time period of demerit point accumulation for a 12-month suspension.

Under the amended point system rule, the Division will continue to order drivers to improve their safety and driving habits by successfully completing the curriculum of a traffic survival school licensed by the Division. The Division will continue to remove unsafe drivers from the Arizona roads. The proposed amendments to the rule fine-tune the Division's actions for curbing unsafe driving behavior and increasing the safety of the Arizona roads.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

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8. The preliminary summary of the economic, small business, and consumer impact:

For the driver point system rule that became effective March 9, 2000, the Division described the point system's economic cost to certain state agencies, including the Division; to drivers who accumulate demerit points; to the Administrative Office of the Courts; and to Arizona courts. The Division also described the benefits to the public from safer roads and to licensed traffic survival schools from fees paid by drivers ordered to complete the traffic survival school curriculum. Finally, the Division determined that Arizona law enforcement agencies must stay current with, but incur no costs from, the driver point system.

For this rulemaking action to amend the driver point system rule, the Division determined that the costs to drivers who accumulate demerit points, to the Administrative Office of the Courts, and to Arizona courts will remain unchanged. The benefits to the public and to licensed traffic survival schools will also remain unchanged. Finally, Arizona law enforcement agencies will continue to incur no costs from the rule.

The Division determined that the proposed amendments to the driver point system rule will produce the following economic impacts in addition to those impacts described for the rule that became effective March 9, 2000:

- The Division will incur additional rulemaking costs,
- The Governor's Regulatory Review Council will incur additional rule review costs, and
- The Secretary of State will incur additional rule publication costs.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Lynn S. Golder, Hearing Officer II
Address: Arizona Department of Transportation
Motor Vehicle Division, Mail Drop 507M
3737 North 7th Street, Suite 160
Phoenix, Arizona 85014-5017
Telephone: (602) 712-7941
Fax: (602) 241-1624
E-Mail: lgolder@dot.state.az.us

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Written comments on the proposed rulemaking or preliminary summary of economic, small business, and consumer impact should be submitted to the person specified in question #4 no later than the close of the record at 5:00 p.m., January 5, 2001. No oral proceeding is scheduled. A written request for an oral proceeding should be made to the person specified in question #4 within 30 days after this published notice.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

ARTICLE 5. DRIVER LICENSES

R17-4-506. Driver Point System

ARTICLE 5. DRIVER LICENSES

R17-4-506. Driver Point System

A. In this Section, unless the context otherwise requires:

1. ~~“Civil traffic violation” has the meaning prescribed is defined~~ in A.R.S. § 28-121(B).
2. ~~“Conviction” has the meaning prescribed is defined~~ in A.R.S. § 28-101(12).
3. ~~“Division” means the Arizona Department of Transportation, Motor Vehicle Division.~~
4. ~~“Driver” has the meaning prescribed is defined~~ in A.R.S. § 28-101(18).
5. ~~“Fee” has the meaning prescribed is defined~~ in A.R.S. § 28-3307(C).
6. “Gore area” means the area that is between a through roadway and an entrance ramp or exit ramp and that is defined by two wide solid white lines that guide traffic entering or exiting a roadway. Gore area does not include a safety zone.
7. ~~“Judgment” has the meaning prescribed is defined~~ in A.R.S. § 28-3001(11).
8. ~~“Suspension” has the meaning prescribed is defined~~ in A.R.S. § 28-3001(16).
9. “Thirty-six month period” means the time period measured:
 - a. From the violation date of the most recent violation with assigned points for which a driver is convicted, and
 - b. To that day and month 3 years before the violation date.
10. ~~“Traffic survival school” has the meaning prescribed is defined~~ in A.R.S. § 32-2351(4)(b).
11. “Twelve-month period” means the time period measured:
 - a. From the violation date of the most recent violation with assigned points for which a driver is convicted, and
 - b. To that day and month 1 year before the violation date.
12. “Twenty-four month period” means the time period measured:
 - a. From the violation date of the most recent violation with assigned points for which a driver is convicted, and
 - b. To that day and month 2 years before the violation date.

B. Under A.R.S. § 28-3306(A)(3), if a driver accumulates at least 8 points in a 12-month period, the Division shall ~~suspend the driver’s Arizona driver license and Arizona driving privilege, suspend the Arizona driving privilege of a driver not licensed by the Division, or~~ order the driver to successfully complete the curriculum of a licensed traffic survival school, ~~suspend the driver’s Arizona driver license and driving privilege, or suspend the Arizona driving privilege of a driver not licensed by the Division.~~ The Division shall assign points to a driver as follows:

	Points
1. Conviction of violating A.R.S. § 28-1381, driving or actual physical control of a vehicle while under the influence of intoxicating liquor or drugs;	8
2. Conviction of violating A.R.S. § 28-1382, driving or actual physical control of a vehicle while under the extreme influence of intoxicating liquor;	8
3. Conviction of violating A.R.S. § 28-693, reckless driving;	8
4. Conviction of violating A.R.S. § 28-708, racing on highways;	8
5. Conviction of violating A.R.S. § 28-695, aggressive driving;	8
6. Conviction or judgment of violating A.R.S. §§ 28-662, 28-663, 28-664, 28-665, leaving the scene of an accident;	6
7. Conviction or judgment of violating A.R.S. § 28-672, failure to comply with a red traffic-control signal, failure to yield the right of way when turning left at an intersection, or failure to comply with a stop sign or yield sign, and the failure results in an accident causing death to another person;	6
8. Conviction or judgment of violating A.R.S. § 28-672, failure to comply with a red traffic-control signal, failure to yield the right of way when turning left at an intersection, or failure to comply with a stop sign or yield sign, and the failure results in an accident causing serious physical injury to another person;	4
9. Conviction or judgment of violating A.R.S. § 28-701, speeding;	3
10. Conviction or judgment of violating A.R.S. § 28-644, driving over or across, or parking in any part of a gore area; and	3
11. Conviction or judgment of violating any other traffic regulation that governs a vehicle moving under its own power.	2

~~D.C.~~ The Division shall send a dated order of assignment to traffic survival school under A.R.S. § 28-3318 to a driver with 8 to 12 points in a 12-month period, who did not complete traffic survival school within ~~24 months before the date of the violation resulting in the accumulation of 8 to 12 points~~ a 24-month period.

1. The order of assignment shall:
 - a. List the names, addresses, and telephone numbers of the licensed traffic survival schools:
 - i. In the driver’s Arizona county of residence;

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- ii. In a neighboring Arizona county, if the driver's county of residence does not have a traffic survival school;
or
 - iii. For a nonresident driver, state the Division telephone number to call about complying with the order of assignment;
 - b. State that a licensed traffic survival school will charge a fee;
 - c. Instruct the driver to submit any hearing request to the Division within 15 days after the date of the order of assignment; and
 - d. Instruct the driver that failure to successfully complete traffic survival school within 60 days after the date of the order of assignment will result in the Division's issuing a 6-month order of suspension.
2. The Division shall record that a driver completed traffic survival school when:
- a. A licensed traffic survival school reports the driver's successful completion of the curriculum, or
 - b. The driver presents to the Division an original certificate of completion issued by a licensed traffic survival school, within 30 days of issuance of the certificate.
3. The Division shall send a driver a 6-month order of suspension under A.R.S. § 28-3318 when:
- a. The driver does not establish completion of traffic survival school under ~~R17-4-506(D)(2)~~ subsection (C)(2), and
 - b. At least 61 days pass after the date of the order of assignment.
 - c. The Division shall specify on the order of suspension:
 - i. The time period within which a hearing request to the Division may be made, and
 - ii. The effective date of the suspension.

~~C.D.~~ **E.D.** The Division shall:

- 1. Send a driver an order of suspension under A.R.S. § 28-3318 when the driver:
 - a. ~~Accumulates at least 13 points in any 12-month period, or~~
 - b. ~~Completed traffic survival school within 24 months before the date of the violation resulting in the order of suspension comes under subsection (B) and does not come under subsection (C);~~
- 2. Specify, on the order of suspension, the length of the suspension as follows:
 - a. A 3-month suspension for accumulation of ~~8~~ 13 to ~~14~~ 17 points in ~~any~~ a 12-month period,
 - b. A 6-month suspension for accumulation of ~~15~~ 18 to ~~19~~ 23 points in ~~any~~ a 12-month period,
 - c. A 12-month suspension for accumulation of ~~20~~ 24 or more points in ~~any 12-month~~ a 36-month period; and
 - d. A 3-month suspension for accumulation of 8 to 12 points within a 12-month period and traffic survival school completed within a 24-month period; and
- 3. Specify, on the order of suspension:
 - a. The time period within which a hearing request to the Division may be made, and
 - b. The effective date of the suspension.

E. No change.

F. No change.

G. No change.

H. No change.

I. No change.