

NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKING

After an agency has filed a Notice of Proposed Rulemaking with the Secretary of State's Office for *Register* publication and filing and the agency decides to prepare a Notice of Supplemental Proposed Rulemaking for submission to the Office, the Secretary of State shall publish the Notice under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.). Publication of the Notice of Supplemental Proposed Rulemaking shall appear in the *Register* before holding any oral proceedings (A.R.S. § 41-1022).

NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION TITLE, REGISTRATION, AND DRIVER LICENSE

PREAMBLE

1. Register citation and date for the original Notice of Proposed Rulemaking:

Notice of Proposed Rulemaking: 7 A.A.R. 2315, June 8, 2001

2. Sections Affected:

R17-4-308

Rulemaking Action:

Amend

3. 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. § 28-2511

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

Name: Ellen Damron, Rules Analyst, ADOT Rules Unit

Address: Department of Transportation
Motor Vehicle Division, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5017

Telephone: (602) 712-6722

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E-mail: edamron@dot.state.az.us

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters, address: www.dot.state.az.us/about/rules.

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

This rule provides exemption from registration and license plate fees for tribal or government-owned motor vehicles; foreign governments engaged in official business within the state; providers engaged only in emergency services with ambulance, fire fighting and rescue equipment; and nonprofit organizations, approved by the Department of Emergency and Military Affairs (DEMA), who operate certain emergency vehicles for disaster or search and rescue occurrences. Vehicle license plates for exempted entities were previously issued for a five-year period without the designation of an annual date. The Division issues free motor vehicle license plates to exempted entities, as prescribed in A.R.S. § 28-2511, and in the form prescribed in A.R.S. Title 38, Chapter 3, Article 10. The existing rule does not reflect the Division's current practices for government motor vehicle registration and license plate issuance, or changes in statutory language. This rulemaking arose from proposed agency action in the five-year review report, #F-98-0401, approved by GRRC on May 5, 1998. The rule's revision will also update language to conform to current standards of the GRRC and the Secretary of State.

Note: Since the initiation of rulemaking on this Section, the agency has recodified 17 A.A.C. This Section was formerly designated R17-4-252.

Notices of Supplemental Proposed Rulemaking

6. An explanation of the substantial change which resulted in this supplemental notice:

The analyst, upon further review, found that the original text of the proposed rulemaking failed to clearly differentiate between Department of Emergency and Military Services approved nonprofit organizations who provide disaster and search and rescue assistance, and providers that operate ambulances, fire fighting and rescue motor vehicles solely for emergency services. A typographical error in the "Implementing Statute" is also corrected in this Supplemental Proposed Rulemaking.

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:

This rule does not directly impact the economic condition of the general driving public or small business. The rule extends the courtesy of no-fee registration and license plates to state government and its subdivisions; tribal entities; nonprofit-operated emergency vehicles, providers of ambulance, fire fighting and rescue services only engaged in emergency services; foreign governments, and their official representatives. The Division absorbs the costs for these motor vehicle license plates. The rule provides a cost-avoidance to government entities that perform official duties, DEMA-approved nonprofit organizations, and providers that operate only emergency services.

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: Ellen Damron, Rules Analyst
Address: Department of Transportation
Motor Vehicle Division, Mail Drop 507M
3737 N. 7th Street, Suite 160
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E-mail: edamron@dot.state.az.us

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

No oral proceeding is scheduled for this rulemaking. Written, faxed, or e-mailed comments, or a request for an oral proceeding, may be made with the analyst listed in item #4. Contact may be made between 8:00 a.m. and 4:30 p.m., Monday through Friday. If no oral proceeding is requested, the public comment period shall continue for 30 days from this notice's publication. This rulemaking's public record will close at 4:30 p.m. on November 9, 2001.

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

None

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

None

13. The full text of the changes follows:

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION

TITLE, REGISTRATION, AND DRIVER LICENSE

ARTICLE 3. VEHICLE REGISTRATION

R17-4-308. ~~State owned vehicles—5 year plate validity~~ Official-vehicle Registration and License

~~Plates furnished free of charge by the Motor Vehicle Division for a vehicle owned by the state of Arizona or political subdivision thereof shall be issued for a 5-year period and will not bear a year designation. During each intervening 4-year period, annual issuance of tabs and new registration cards will not be required. Such "no-fee" license plates will be furnished to the state of Arizona or political subdivision thereof in the required number requested together with a like number of blank registration card forms. The assignment of plates to such vehicles and the preparation of registration cards corresponding thereto will be the responsibility of the person having custody thereof. In the event of sale of any such vehicle, the plate assigned thereto shall be removed but may be reassigned to another vehicle.~~

Notices of Supplemental Proposed Rulemaking

- A.** Motor Vehicle Division shall issue license plates without charge to an entity owning an official vehicle meeting requirements as prescribed under A.R.S. § 28-2511.
- B.** A license plate issued under this Section:
 - 1. Shall have no expiration date; and
 - 2. May be transferred to a qualified replacement vehicle.
- C.** An entity qualified under this Section shall:
 - 1. Complete Division title and registration procedures as prescribed under A.R.S. Title 28, Chapter 7;
 - 2. Display an official license plate as prescribed under A.R.S. § 28-2354; and
 - 3. Maintain records of any vehicle plate assignment transfer.