

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when 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 ADMINISTRATION RISK MANAGEMENT SECTION

[R07-237]

1. **Title and its heading:** 2, Administration  
**Chapter and its heading:** 10, Department of Administration – Risk Management Services  
**Article and its heading:** 1, Coverage and Claims Procedure  
**Section numbers:** R2-10-101 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**  
The purpose of this rulemaking is to address the issues identified in the previous five-year-review report approved by the Governor's Regulatory Review Council. The subject matter of R2-10-101 defines terms and phrases used in this chapter. The proposed rulemaking shall amend language to clarify definitions and align rules to be consistent with environmental terminology. The proposed rulemaking will also amend language to clarify acceptable environmental property and liability claims.
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: Julie Cruse, Administrative Manager  
Address: Arizona Department of Administration – Risk Management Section  
100 N. 15th Ave., 3rd Fl., Ste. 301  
Phoenix, AZ 85007  
Telephone: (602) 542-1492  
Fax: (602) 542-1473
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 Monday through Friday from 8:00 a.m. and 5:00 p.m. at the location listed in item #4. The schedule for oral proceedings is to be determined and will be published in a future issue of the *Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ADMINISTRATION RISK MANAGEMENT SECTION

[R07-236]

1. **Title and its heading:** 2, Administration  
**Chapter and its heading:** 10, Department of Administration – Risk Management Services  
**Article and its heading:** 1, Coverage and Claims Procedure  
**Section numbers:** R2-10-108 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**  
The purpose of this rulemaking is to address the issues identified in the previous five-year-review report approved by the Governor's Regulatory Review Council. The subject matter of R2-10-108 establishes the conditions under which a deductible of up to \$10,000 may be assessed to an agency and what actions the agency may take to have its deductible waived. This revision is to make a minor correction to R2-10-108(A)(1) to make the rule clear, concise and understandable.
3. **A citation to all published notices relating to the proceeding:**  
None

Notices of Rulemaking Docket Opening

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

Name: Julie Cruse, Administrative Manager  
Address: Arizona Department of Administration – Risk Management Section  
100 N. 15th Ave., 3rd Fl., Ste. 301  
Phoenix, AZ 85007  
Telephone: (602) 542-1492  
Fax: (602) 542-1473

**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 Monday through Friday from 8:00 a.m. and 5:00 p.m. at the location listed in item #4. The schedule for oral proceedings is to be determined and will be published in a future issue of the *Register*.

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

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**WATER QUALITY APPEALS BOARD**

[R07-235]

**1. Title and its heading:**

2, Administration

**Chapter and its heading:**

17, Water Quality Appeals Board

**Article and its heading:**

1, Appeals

**Section numbers:**

R2-17-101 through R2-17-132 (Sections may be added, deleted, or modified as necessary.)

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

The purpose of this rulemaking is to address the issues identified in the previous five-year-review report approved by the Governor's Regulatory Review Council. R2-17-105 defines procedure in which documents are filed. R2-17-110 defines what each party shall disclose in writing to every other party. R2-17-115 defines the time allowed to set a date for the hearing and the information that the notice of hearing must provide. R2-17-122 states that the Board may tape-record the hearing or be recorded and transcribed by a court reporter. R2-17-125 states that if the Board chooses to use the Office of Administrative Hearings, the Board shall review the decision and accept, reject or modify it. The rule also sets forth the requirements for Board decisions. R2-17-126 sets forth a party's rehearing rights, the deadline for filing for rehearing and the Board's duties regarding petitions for rehearing.

**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: Elizabeth Diaz, Clerk of the Water Quality Appeals Board  
Address: Arizona Department of Administration – Management Services Division  
100 N. 15th Ave., 4th Fl., Ste. 402  
Phoenix, AZ 85007  
Telephone: (602) 364-2877  
Fax: (602) 542-4082

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

Written and oral comments will be accepted Monday through Friday from 8:00 a.m. and 5:00 p.m. at the location listed in item #4 for 30 days after a Notice of Proposed Rulemaking is published in the *Arizona Administrative Register*. Oral comments may also be made to the Governing Committee at its monthly meetings during this time period. Should a request for an oral proceeding be received, notice of that oral proceeding will be published in a future issue of the *Register*.

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

To be determined

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF MANUFACTURED HOUSING

[R07-230]

1. **Title and its heading:** 4, Professions, and Occupations  
**Chapter and its heading:** 34, Board of Manufactured Housing  
**Articles and their headings:** 2, Licensing; 4, Surety Bonds; 5, Fees; 6, Manufacturing, Construction, and Inspection; 7, Plan Approvals; 8, Permits and Installation  
**Section numbers:** R4-34-201, R4-34-203, R4-34-204, R4-34-401, R4-34-402, R4-34-501, R4-34-601, R4-34-603, R4-34-607, R4-34-701, R4-34-702, R4-34-703, R4-34-704, R4-34-705, R4-34-706, R4-34-803, R4-34-804 and R4-34-805
2. **The Subject matter of the proposed rules:**  
The proposed rules will clarify where subsections are being referred to and clean up of typographical changes. Under legislation recreational vehicles were removed from the department's statutes which changes the location of references in the rules. Also a clean up of language due to legislation passed in 2006.
3. **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: Gary Grounds, Acting Deputy Director  
Address: Department of Fire, Building and Life Safety  
1110 W. Washington, Ste. 100  
Phoenix, AZ 85007  
Phone: (602) 364-1003  
Fax: (602) 364-1063
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 by the department Monday through Friday, 8:00 a.m. to 5:00 p.m. addressed to the person in #4. Date, time, and location for oral comments, if scheduled, will be posted in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action in the proceeding:**  
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION  
TITLE, REGISTRATION, AND DRIVER LICENSES

[R07-226]

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation – Title, Registration, and Driver Licenses  
**Article and its heading:** 5, Safety  
**Section numbers:** R17-4-512 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**  
This rulemaking action arises from a five-year-review report approved by the Governor's Regulatory Review Council on February 3, 2004. The Division proposes to amend the existing child restraint systems rule to ensure conformity to Arizona Administrative Procedures Act, Secretary of State, and Governor's Regulatory Review Council rulemaking format and style requirements.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 13 A.A.R. 1053, March 23, 2007  
Notice of Rulemaking Docket Opening: 13 A.A.R. 2523, July 13, 2007 (*in this issue*)
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Celeste M. Cook, Administrative Rules Analyst  
Address: Administrative Rule Unit  
Department of Transportation, Motor Vehicle Division  
1801 W. Jefferson St., Mail Drop 530M

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Phoenix, AZ 85007

Telephone: (602) 712-7624

Fax: (602) 712-3081

E-mail: ccook@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at [www.mvd.azdot.gov/mvd/MVDRules/rules.asp](http://www.mvd.azdot.gov/mvd/MVDRules/rules.asp).

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

Written and oral comments will be accepted at the address provided in item #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday, with the exception of state holidays.

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

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER AND TAX SERVICES PROGRAM**

[R07-233]

**1. Title and its heading:**  
**Chapter and its heading:**

17, Transportation  
8, Department of Transportation – Motor Carrier and Tax Services Program

**Article and its heading:**

6, Motor Fuel Refunds

**Section numbers:**

R17-8-601, R17-8-602, R17-8-603, R17-8-604, R17-8-605, R17-8-606, R17-8-607, R17-8-608, R17-8-609, R17-8-610, & R17-8-611 (Sections may be added, deleted, or modified as necessary.)

**2. Subject matter of the proposed rule:**

The Division proposes to create rules regulating Fuel Tax Refunds. Existing rules under 17 A.A.C. 1, Article 3, Taxes are antiquated and need revisions to reflect current statutory provisions.

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

None

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

Name: Janette M. Quiroz

Address: Administrative Rules Unit  
Department of Transportation, Mail Drop 530M  
1801 W. Jefferson, Rm. 407  
Phoenix, AZ 85007

Telephone: (602) 712-8996

Fax: (602) 712-3081

E-mail: [jmquiroz@dot.state.az.us](mailto:jmquiroz@dot.state.az.us)

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at <http://www.azdot.gov/mvd/mvdrules/index.asp>

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

The Motor Vehicle Division will accept written comments Monday through Friday 8:00 a.m. to 5:00 p.m. at the address indicated in item #4. A public hearing may be scheduled later to provide a forum for interactive discussion with interested parties.

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

To be determined