

# 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 TRANSPORTATION COMMERCIAL PROGRAMS

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 at 15 A.A.R. 1942, November 20, 2009.) The Governor's Office authorized the notice to proceed through the rulemaking process on March 1, 2010.*

[R11-22]

- 1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 5, Department of Transportation – Commercial Programs  
**Article and its heading:** 2, Motor Carriers  
**Section numbers:** R17-5-201 through R17-5-212 (Sections may be added, deleted, or modified as necessary.)

- 2. The subject matter of the proposed rules:**  
The Arizona Department of Transportation (ADOT), in partnership with the Arizona Department of Public Safety (DPS), engages in this rulemaking to incorporate sections of the 2009 edition of the Code of Federal Regulations. The Federal Motor Carrier Safety Administration of the U.S. Department of Transportation requires that each state adopt certain Federal Motor Carrier Safety Regulations to ensure eligibility for federal enforcement grants. Both ADOT and DPS rely on these federal monies to fund numerous enforcement positions especially at Arizona's southern ports of entry.

- 3. A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 16 A.A.R. 534, April 2, 2010

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

Name: John Lindley, Administrative Rules Analyst  
Address: Administrative Rules Unit  
Department of Transportation, Motor Vehicle Division  
1801 W. Jefferson St., Mail Drop 517M  
Phoenix, AZ 85007  
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Please visit the ADOT web site to track the progress of this rule and any other agency rulemaking matters at [www.azdot.gov/mvd/mvdrules/index.asp](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:**

Written comments may be submitted at any time. Oral comments may be made during regular business hours. All comments should be directed to the person listed under item 4. The date, time, and location of any oral proceeding scheduled for this rulemaking will be included in the Notice of Proposed Rulemaking.

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

To be determined