



NOTICES OF FINAL EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the

interpretation of the final exempt rule should be addressed to the agency proposing them. Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

[R15-60]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
R12-4-504 Amend
2. Citations to the agency's statutory authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. § 5-311(A)(1)
Implementing statute: A.R.S. §§ 5-311(A)(1), 5-311(A)(5), 5-321, 5-322, and 41-1005(A)(2)(b)
3. The effective date of the rule and the agency's reason it selected the effective date:
June 16, 2015
4. A list of all previous notices published in the Register as specified in R1-4-409(A) that pertain to the record of the exempt rulemaking:
Not applicable

5. The agency's contact person who can answer questions about the rulemaking:

Name: Celeste Cook, Rules Analyst
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Please visit the AZGFD web site to track progress of this rule and any other agency rulemaking matters at http://www.azgfd.gov/inside_azgfd/rules/rulemaking_updates.shtml.

6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:

An exemption from Executive Order 2015-01 was provided for this rulemaking by Ted Vogt, Chief of Operations in the Governor's office, in an e-mail dated May 22, 2015.

Under Title 41, Chapter 6, pursuant to section 41-1005(A)(2)(b) the Commission has the authority to pursue exempt rulemaking to establish fees authorized under A.R.S. §§ 5-321, 5-322, and 5-327. The Department previously pursued rulemaking to establish watercraft registration fees, which became effective January 1, 2014. However, fees for the transfer of a watercraft, duplicate certificate of number or annual decal, and dealer watercraft certificate of number were not included in the initial package and were subsequently identified for additional exempt rulemaking.

The Commission proposes to amend R12-4-504 to establish a watercraft transfer fee of \$4, a duplicate certificate of number or annual decal fee of \$2, and a dealer certificate of number fee of \$2.50. This rulemaking moves three fees that were historically included in statute into rule, using exempt rulemaking authorities granted to the Commission by the Legislature. These nominal fees are the same fees currently charged by the Department and have been in place for almost 30 years.



- 7. **A reference to any study relevant to the rule that the agency reviewed and proposes to either rely on or not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
The Commission did not rely on any study relevant to the rule that the agency reviewed and proposes to either rely on or not rely on in its evaluation of or justification for the rule.
- 8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. **The summary of the economic, small business, and consumer impact, if applicable:**
Exempt under A.R.S. § 41-1005(A)(2)(b)
- 10. **A description of the changes between the proposed rules, including supplemental notices, and the final rulemaking package (if applicable):**
Not applicable
- 11. **A summary of the public stakeholder comments made about the rulemaking and the agency response to the comments, (if applicable):**
Not applicable
- 12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. Additional matters include but are not limited to:**
 - a. **Whether the rule requires a permit, whether a general permit is used, and if not, the reason why a general permit is not used:**
The rule does not require the issuance of a regulatory permit, license, or agency authorization.
 - b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law, and if so, citation to the statutory authority to exceed the requirements of federal law:**
Federal law is not applicable to the subject of the rule.
 - c. **Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states:**
The Department did not receive any analyses.
- 13. **A list of any incorporated material and its location in the rule:**
Not applicable
- 14. **Whether the rule was previously made, amended, repealed, or renumbered as an emergency rule? If so, shall state where the text changed between the emergency and exempt rulemaking packages:**
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.
- 15. **The full text of the rules follows:**

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 5. BOATING AND WATER SPORTS

Section
R12-4-504. Watercraft Registration Fees; Penalty for Late Registration; Staggered Registration Schedule

ARTICLE 5. BOATING AND WATER SPORTS

R12-4-504. Watercraft Registration Fees; Penalty for Late Registration; Staggered Registration Schedule

- A. **The owner of a motorized watercraft shall pay the following fees are required, when applicable watercraft registration fee as authorized under A.R.S. §§ 5-321 and 5-322:**
 - 1. **Motorized watercraft registration fees are assessed as follows:**
 - 1-a. Twelve feet and less: \$20
 - 2-b. Twelve feet one inch through sixteen feet: \$22
 - 3-c. Sixteen feet one inch through twenty feet: \$30
 - 4-d. Twenty feet one inch through twenty-six feet: \$35
 - 5-e. Twenty-six feet one inch through thirty-nine feet: \$39
 - 6-f. Thirty-nine feet one inch through sixty-four feet: \$44
 - 7-g. Sixty-four feet one inch and over: \$66
 - 8-h. For the purposes of this subsection, the length of the motorized watercraft shall be measured in the same manner prescribed under A.R.S. § 5-321(C).



- 2. Motorized watercraft transfer fee: \$4.
- 3. Duplicate motorized watercraft registration: \$2.
- 4. Duplicate decal: \$2.
- 5. Watercraft dealer certificate of number: \$2.50.
- B. The Department or its agent shall collect the entire registration fee for a late registration renewal and a penalty fee of \$5, unless exempt under A.R.S. § 5-321(L), or unless the expiration date falls on a Saturday, Sunday, or state holiday, and the registration is renewed before the close of business on the next working day. The Department or its agent shall not assess a penalty fee when a renewal is mailed before the expiration date, as evidenced by the postmark.
- C. All new watercraft registrations expire 12 months after they are issued.
- D. Resident and nonresident watercraft registration renewals expire on the last day of the month indicated by the last two numeric digits of the AZ number, as shown in the following table:

Last two numeric digits of AZ number									Expiration month
00	12	24	36	48	60	72	84	96	December
01	13	25	37	49	61	73	85	97	January
02	14	26	38	50	62	74	86	98	February
03	15	27	39	51	63	75	87	99	March
04	16	28	40	52	64	76	88		April
05	17	29	41	53	65	77	89		May
06	18	30	42	54	66	78	90		June
07	19	31	43	55	67	79	91		July
08	20	32	44	56	68	80	92		August
09	21	33	45	57	69	81	93		September
10	22	34	46	58	70	82	94		October
11	23	35	47	59	71	83	95		November

- E. Watercraft dealer, manufacturer, and governmental use registration renewals expire on October 31 of each year.
- F. Livery and all other commercial use registration renewals expire on November 30 of each year.