The table of contents on the first page contains quick links to the referenced page numbers in this Chapter. Refer to the notes at the end of a Section to learn about the history of a rule as it was published in the Arizona Administrative Register.

Spelling error corrected in R2-15-303(E)(3) at the request of the Department of Administration (File No. 18-256). No other changes have been made to this Chapter since Supp. 12-2. Since the error is being corrected this Chapter is being electronically authenticated in Supp. 19-2.
PREFACE

Under Arizona law, the Department of State, Office of the Secretary of State (Office), accepts state agency rule filings and is the publisher of Arizona rules. The Office of the Secretary of State does not interpret or enforce rules in the Administrative Code. Questions about rules should be directed to the state agency responsible for the promulgation of the rule.

Scott Cancelosi, Director
ADMINISTRATIVE RULES DIVISION

RULES
The definition for a rule is provided for under A.R.S. § 41-1001. “Rule’ means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency.”

THE ADMINISTRATIVE CODE
The Arizona Administrative Code is where the official rules of the state of Arizona are published. The Code is the official codification of rules that govern state agencies, boards, and commissions.

The Code is separated by subject into titles. Titles are divided into chapters. A chapter includes state agency rules. Rules in chapters are divided into Articles, then Sections. The “R” stands for “rule” with a sequential numbering and lettering outline separated into subsections.

Rules are codified quarterly in the Code. Supplement release dates are printed on the footers of each chapter.
First Quarter: January 1 - March 31
Second Quarter: April 1 - June 30
Third Quarter: July 1 - September 30
Fourth Quarter: October 1 - December 31
For example, the first supplement for the first quarter of 2019 is cited as Supp. 19-1.

Please note: The Office publishes by chapter, not by individual rule section. Therefore there might be only a few sections codified in each chapter released in a supplement. Historical notes at the end of a section provide an effective date and information when a rule was last updated.

AUTHENTICATION OF PDF CODE CHAPTERS
The Office began to authenticate chapters of the Administrative Code in Supp. 18-1 to comply with A.R.S. § 41-1012(B) and A.R.S. § 5302(1), (2)(d) through (e), and (3)(d) through (e).

A certification verifies the authenticity of each Code chapter posted as it is released by the Office of the Secretary of State. The authenticated pdf of the Code includes an integrity mark with a certificate ID. Users should check the validity of the signature, especially if the pdf has been downloaded. If the digital signature is invalid it means the document’s content has been compromised.

HOW TO USE THE CODE
Rules may be in effect before a supplement is released by the Office. Therefore, the user should refer to issues of the Arizona Administrative Register for recent updates to rule Sections.

ARIZONA REVISED STATUTE REFERENCES
The Arizona Revised Statutes (A.R.S.) are available online at the Legislature’s website, www.azleg.gov. An agency’s authority note to make rules is often included at the beginning of a chapter. Other Arizona statutes may be referenced in rule under the A.R.S. acronym.

SESSION LAW REFERENCES
Arizona Session Law references in a chapter can be found at the Secretary of State’s website, under Services-> Legislative Filings.

EXEMPTIONS FROM THE APA
It is not uncommon for an agency to be exempt from the steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act, also known as the APA (Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10). Other agencies may be given an exemption to certain provisions of the Act.

An agency’s exemption is written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters.

When an agency files an exempt rulemaking package with our Office it specifies the law exemption in what is called the preamble of rulemaking. The preamble is published in the Register online at www.azsos.gov/rules, click on the Administrative Register link.

Editor’s notes at the beginning of a chapter provide information about rulemaking sections made by exempt rulemaking. Exempt rulemaking notes are also included in the historical note at the end of a rulemaking Section.

The Office makes a distinction to certain exemptions because some rules are made without receiving input from stakeholders or the public. Other exemptions may require an agency to propose exempt rules at a public hearing.

EXEMPTIONS AND PAPER COLOR
At one time the office published exempt rules on either blue or green paper. Blue meant the authority of the exemption was given by the Legislature; green meant the authority was determined by a court order. In 2001 the Office discontinued publishing rules using these paper colors.

PERSONAL USE/COMMERCIAL USE
This chapter is posted as a public courtesy online, and is for private use only. Those who wish to use the contents for resale or profit should contact the Office about Commercial Use fees. For information on commercial use fees review A.R.S. § 39-121.03 and 1 A.A.C. 1, R1-1-113.

Rhonda Paschal, managing rules editor, assisted with the editing of this chapter.
### ARTICLE 1. RESERVED

ARTICLE 2. FLEET MANAGEMENT  
(Authority: A.R.S. § 41-803(B))

Former Article 2, consisting of Sections R2-15-201 through R2-15-209, transferred from Title 2, Chapter 1, Article 2, Sections R2-1-201 through R2-1-209 (Supp. 91-3).

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### ARTICLE 3. MATERIALS MANAGEMENT

Article 3, consisting of Sections R2-15-301 through R2-15-310, transferred from Title 2, Chapter 7, Article 8, Sections R2-7-801 through R2-7-810, Department of Administration, Finance Division, Purchasing Office.

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ARTICLE 1. RESERVED

ARTICLE 2. FLEET MANAGEMENT

R2-15-201. Definitions

The following terms apply to this Article:

“A.D.O.A.” means the Arizona Department of Administration.

“Accident reporting packet” means the automobile loss report form and witness information cards in the glove compartment of each Fleet Management vehicle.

“Approved fueling facility” means a location managed by ADOA or the Arizona Department or Transportation to dispense fuel to Fleet Management vehicles.

“Capitol area” means that area within a ten-mile radius of the State Capitol Complex.

“Director” means the Director of ADOA.

“Domicile-to-duty travel” means travel between an operator’s residence and worksite as prescribed under A.R.S. § 38-622.

“Extended dispatch vehicle” means a Fleet Management vehicle that is dispatched full-time to a using agency that has continuing requirements for official state business travel.

“Fleet administrator” means the person designated by the Director to administer the Fleet Management program.

“Fleet Management” means the section of the ADOA that administers all state-owned vehicles, except those specified in A.R.S. § 41-803(E).

“Fleet Management facility” means the dispatch center, alternative fuel depot, and car wash facility located at 1501 W. Madison, Phoenix, Arizona 85007.

“Fleet Management vehicle” means any state vehicle owned and managed by Fleet Management.

“Maintenance provider” means a person contracting with Fleet Management to provide vehicle maintenance.

“Operator” means a driver of a Fleet Management vehicle.

“Recall” means a demand to return an extended dispatch vehicle because of failure to comply with this Article.

“Taxi” means a general purpose passenger vehicle on a temporary, short-term dispatch assignment.

“Using agency” means any agency to which a Fleet Management vehicle is dispatched.

“Vehicle rotation” means the periodic reassignment of vehicles dispatched to using agencies to equalize use.

C. Fleet Management shall ensure that a Fleet Management vehicle:
1. Bears a current state license plate in accordance with A.R.S. §§ 28-2351 and 28-2416,
2. Bears designations in accordance with A.R.S. § 38-538,
3. Is registered with the Arizona Department of Transportation Motor Vehicle Division, and
4. Complies with state emissions laws.

Historical Note


A. Any state employee holding a valid Arizona driver’s license may be an operator if authorized by the employee’s agency.

B. An operator shall use a Fleet Management vehicle only for state government activities as prescribed under A.R.S. § 38-538.02. Prohibited uses include the following:
1. Domicile-to-duty transportation of a state employee, unless specifically authorized by the employee’s agency director and approved by the ADOA Director;
2. Personal convenience; or
3. Transportation of family members or friends, or any person not essential to accomplishing the purpose for which the vehicle is dispatched.

D. Traffic citations.
1. An operator is personally responsible for the prompt payment of any fine for a moving or non-moving traffic citation, other than for mechanical failure, received while driving a Fleet Management vehicle.
2. If a citation is received for mechanical failure, the operator shall, as soon as possible, deliver the vehicle, with the citation, to Fleet Management for repair.
3. An operator who receives a traffic citation while driving a Fleet Management vehicle and fails to resolve the matter within 90 calendar days of the citation shall lose the privilege of operating a Fleet Management vehicle. The oper-
CHAPTER 15. DEPARTMENT OF ADMINISTRATION - GENERAL SERVICES DIVISION

R2-15-204. Repealed

R2-15-205. Vehicle Request Procedures
A. Using agencies may request either taxis or extended dispatch vehicles.
B. Taxis
   1. Fleet Management shall fill reservations for a taxi on a first-come, first-serve basis. Vehicles shall be reserved in person, by telephone, in writing, or by electronic means.
   2. Fleet Management shall hold a reserved taxi for one hour beyond the stipulated time of dispatch. If, by that time, the requesting agency does not pick up the taxi, the request shall be canceled and the taxi shall be dispatched to the next requestor.
   3. If a requesting agency fails to pick up a taxi, Fleet Management shall bill the agency for one day’s use.

C. Extended dispatch vehicles
   1. An extended dispatch vehicle request shall be approved by the head of the requesting agency, or the agency head’s designee, and forwarded to the Fleet Administrator.
   2. If the extended dispatch vehicle request cannot be satisfied with existing resources, the requesting agency may request appropriated funds for purchase of a vehicle in the next budget cycle, coordinating the request with the Fleet Administrator and the Office of Strategic Planning and Budgeting.
   3. If funds are available, the requesting agency shall purchase the vehicle through Fleet Management and assign the vehicle to the Fleet Management maintenance and replacement program.
   4. The requesting agency shall transfer the appropriate funding to Fleet Management before the vehicle is ordered.

Historical Note

R2-15-206. Special Equipment
An agency requesting specially installed equipment such as two-way radios, sirens, cages, or tanks shall submit the request in writing to the Fleet Administrator. The requesting agency shall pay for the equipment, for installation of the equipment, and for restoration expenses or diminution in value caused by modifications made to install special equipment.

Historical Note

R2-15-207. Billing Rates
A. Charges for extended dispatch vehicles are determined by a rate methodology that consists of a cost-per-month charge, a cost-per-mile charge, and a charge for fuel use.
B. Charges for taxi vehicles are determined by a rate methodology that consists of a cost-per-day charge and a charge for fuel use.
C. Fleet Management rates may vary from fiscal year to fiscal year depending upon the size of the fleet and the cost of new vehicles, maintenance, repairs, overhead, and insurance costs.

Historical Note

R2-15-208. Repealed

Historical Note
R2-15-209. Repealed

Historical Note

ARTICLE 3. MATERIALS MANAGEMENT

R2-15-301. Definitions
In this Article, unless the context otherwise states:

“Capital asset” has the same meaning as “nonexpendable materials” in A.R.S. § 41-2601.

“Department” means the Department of Administration.

“Direct transfer” means the transfer of surplus or excess materials by the Surplus Property Management Office from one state governmental unit to another without physically moving the property to the Surplus Property Management Office.

“Director” means the director of the Department of Administration.

“Established markets” means those places where materials are regularly bought and sold at prices set by open competition.

“Fair market value” means the price at which sales have been consummated for materials of like type, quality, and quantity in a particular market at the time of acquisition.

“General Accounting Administrator” means the person holding the position as Administrator of the General Accounting Office, Financial Services Division of the Department of Administration.

“Posted prices” means the sale price determined by the Surplus Property Administrator to be fair market value.

“State governmental unit” means any department, commission, council, board, bureau, committee, institution, agency, government corporation or other establishment or official of the executive branch or corporation commission of this state. A.R.S. § 41-2503.

“State plan of operation” means the agreement for acquiring federal surplus property between the state and the United States General Services Administration.

“Surplus Property Administrator” means the person holding the position as Administrator of the Surplus Property Management Office, Management Services Division of the Department of Administration.

R2-15-302. Repealed

Historical Note
the highest responsive and responsible bidder’s price.
3. The Surplus Property Administrator shall advertise a public auction at least three times before the auction date; and ensure that all terms and conditions of any sale are available to the public at least 24 hours before the auction or, in the case of online sales, within the sales notice.
4. The Surplus Property Administrator shall determine whether surplus materials may be disposed of by trade-in to a vendor for credit on an acquisition. In making this determination, the Surplus Property Administrator shall consider the urgency of need by other state governmental units and whether the trade-in value is expected to exceed the value realized through the sale of the materials.
5. An employee of the owning or disposing state governmental unit shall not directly or indirectly purchase or agree with another person to purchase surplus materials if that employee is, or has been, directly or indirectly involved in the purchase, disposal, maintenance, or preparation for sale of the surplus materials.

**Historical Note**

**R2-15-304. Materials Inventory Report and Submission of Contracts**

A. Each state governmental unit, at the end of each fiscal year, shall prepare and submit to the General Accounting Administrator an inventory report of all materials warehoused or otherwise held by the unit, verified by a physical count and certified by the unit’s highest-ranking officer, which lists all of the following:
1. Nonexpendable materials (capital assets), capitalized in accordance with the state of Arizona Accounting Manual;
2. Nonexpendable materials (capital assets) held under capital leases and similar financial arrangements;
3. Nonexpendable materials (capital assets) that have been, or will be, leased or rented for more than 90 days; and
4. Other materials warehoused or otherwise held by the units that are subject to the stewardship requirements of the state of Arizona Accounting Manual.

B. The state governmental unit shall include and identify separately in the inventory report all real property, buildings, and other improvements to real property.

C. The state governmental unit shall submit a copy of any signed capital leases and similar financial arrangements to the General Accounting Administrator within 30 days of execution.

**Historical Note**

**R2-15-305. Lost, Stolen, or Destroyed Nonexpendable Materials (Capital Assets)**

A. A state governmental unit shall immediately report theft of nonexpendable materials to the appropriate law enforcement agency.

B. Within 10 days after discovery, a state governmental unit shall report lost, stolen, or destroyed nonexpendable materials to the General Accounting Administrator. Based upon results of an investigation, the General Accounting Administrator may authorize the unit, in writing, to delete the missing nonexpendable materials from any internal inventory report and the AFIS Fixed Asset Subsystem (FAS). If materials are deleted from the inventory and subsequently located, the unit shall again list the materials in any internal inventory report and on the FAS.

**Historical Note**


The Surplus Property Administrator shall:

1. Prepare and file a state plan of operation with the United States General Services Administration.
2. Act on behalf of the state with any federal agencies or other surplus property agencies regarding federal surplus materials.
3. Distribute federal surplus materials to eligible entities.

**Historical Note**

**R2-15-307. Authority for Transfer of Materials**

A. The Surplus Property Administrator shall determine whether an entity is eligible to acquire federal or state surplus materials. Eligibility for federal surplus materials is determined in accordance with federal law. The determination of whether an entity is eligible for state surplus materials is based on whether the entity:
1. Is eligible to receive federal surplus materials, or
2. Is a federal income tax exempt non-profit entity that is a health or educational organization as defined in federal law that has at least one full-time salaried employee and demonstrates a public benefit for receiving state surplus materials.

B. A state governmental unit shall not acquire federal or state surplus materials without the approval of the Surplus Property Administrator.

**Historical Note**
R2-15-308. Fees and Charges
A. The Surplus Property Administrator shall determine and assess proper service and handling fees, with the approval of the Director for the acquisition, receipt, warehousing, rehabilitation, delivery, distribution, or transfer of state surplus materials. The Surplus Property Administrator shall ensure that fees are fair and equitable, based on the cost of services performed, and consistent with the continuous maintenance support requirements of the Surplus Property Management Office.

1. The Surplus Property Administrator shall approve or deny any direct transfer of state surplus materials between state governmental units. The Surplus Property Office shall not assess a service and handling fee if a direct transfer between state governmental units can be accomplished without the use of personnel, equipment, or facilities, of the Surplus Property Management Office.

2. For all other direct transfers of state surplus materials, the Surplus Property Administrator shall assess a service and handling fee. The receiving entity shall pay a transfer fee of 10% of the fair market value of the materials. The minimum fee is $20.00 and the maximum fee is $300.00.

B. Fees on other transfers or sales are determined according to R2-15-310.

Historical Note
Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-809 (Supp. 91-3). Amended by final rulemaking at 10 A.A.R. 3267, effective September 24, 2004 (Supp. 04-3).

R2-15-310. Allocation of Proceeds from Sale or Disposal of Excess or Surplus Materials
A. Except as provided in other law, subsection (B), or subsection (C), the Surplus Property Administrator shall ensure that proceeds from the disposition of excess or surplus materials are retained by the Surplus Property Office.

B. Except the Department of Public Safety, under A.R.S. § 41-1713(B)(6), the Surplus Property Office shall not reimburse a state government unit for transfer or sale of materials if the unit originally purchased the materials with General Fund monies.

C. The Surplus Property Administrator shall reimburse proceeds from the disposition of materials originally purchased with special fund monies, such as revolving, dedicated, or federal funds, less the Surplus Property Office’s fee, for the material’s transfer or sale, according to the following schedule. The Surplus Property Administrator shall:

1. For direct transfer of state excess or surplus materials, collect the fee required in R2-15-308(A) and reimburse the balance of the sale proceeds to the transferring agency; or
2. For non-direct transfer or sale of state excess or surplus materials:
   a. Reimburse nothing if the sale proceeds for an item are less than or equal to $50.00; or
   b. Reimburse at a rate of not less than 70% of the sale proceeds for an item that sells for a price greater than $50.00; and
3. Reimburse sale proceeds after the sale is completed.

Historical Note