When a Chapter is recodified Section historical notes remain in the Chapter in which they were originally codified. Therefore, all superseded material should be retained in a separate binder and archived for future reference.

The release of this Chapter in Supp. 22-2 replaces Supp. 17-1, 1-13 pages

When a Chapter is recodified Section historical notes remain in the Chapter in which they were originally codified. Therefore, all superseded material should be retained in a separate binder and archived for future reference.
PREFACE

Under Arizona law, the Department of State, Office of the Secretary of State (Office), Administrative Rules Division, accepts state agency rule notice and other legal 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 2022 is cited as Supp. 22-1. Supplements are traditionally released three to four weeks after the end of the quarter because filings are accepted until the last day of the quarter.

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. This is why the Office lists only updated codified Sections on the previous page.

RULE HISTORY

Refer to the HISTORICAL NOTE at the end of each Section for the effective date of a rule. The note also includes the Register volume and page number in which the notice was published (A.A.R.) and beginning in supplement 21-4, the date the notice was published in the Register.

AUTHENTICATION OF PDF CODE CHAPTERS

The Office began to authenticate Chapters of the 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, www.azsos.gov 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.

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, rules managing editor, assisted with the editing of this Chapter.
Editor’s Note: The Board of Barbers Chapter was recodified entirely to 4 A.A.C. 10 under Laws 2021, Ch. 334 and A.R.S. § 32-304, at 28 A.A.R. 1058 (May 20, 2022) with an immediate effective date of April 27, 2022 (Supp. 22-2).

Editor’s Note: 4 A.A.C. 5 consists of new rules for the Board of Barbers that were made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2).

Editor’s Note: 4 A.A.C. 5, formerly the rules for the Board of Barber Examiners, expired under A.R.S. § 41-1056(E) at 10 A.A.R. 2942, effective May 31, 2004. The rescinded Chapter, with Historical Notes, is on file in the Office of the Secretary of State (Supp. 04-2).

Supp. 22-2

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R4-5-101. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-101 recodified to A.A.C. R4-10-501 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-102. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-102 recodified to A.A.C. R4-10-502 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-103. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-103 recodified to A.A.C. R4-10-503 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-104. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-104 recodified to A.A.C. R4-10-504 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-105. Repealed

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section repealed by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4).

R4-5-106. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-106 recodified to A.A.C. R4-10-506 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-107. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-107 recodified to A.A.C. R4-10-507 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-108. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-108 recodified to A.A.C. R4-10-508 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

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Historical Note
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R4-5-109. Recodified

Historical Note
New Section R4-5-109 renumbered from R4-5-204 and amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-109 recodified to A.A.C. R4-10-509 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

ARTICLE 2. RECODIFIED

R4-5-201. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-201 recodified to A.A.C. R4-10-601 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-202. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-202 recodified to A.A.C. R4-10-602 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-203. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-203 recodified to A.A.C. R4-10-603 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-204. Renumbered
R4-5-305. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section R4-5-204 renumbered to R4-5-109 by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4).

ARTICLE 3. RECODIFIED

R4-5-301. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-301 recodified to A.A.C. R4-10-701 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-302. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-302 recodified to A.A.C. R4-10-702 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-303. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-303 recodified to A.A.C. R4-10-703 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-304. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-304 recodified to A.A.C. R4-10-704 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-305. Recodified

Historical Note
New Section made by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-305 recodified to A.A.C. R4-10-705 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

ARTICLE 4. RECODIFIED

R4-5-401. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-401 recodified to A.A.C. R4-10-801 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).
amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-406 recodified to A.A.C. R4-10-806 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-407. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-407 recodified to A.A.C. R4-10-807 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-408. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-408 recodified to A.A.C. R4-10-808 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-409. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-409 recodified to A.A.C. R4-10-809 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-410. Repealed

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section repealed by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4).

R4-5-411. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-411 recodified to A.A.C. R4-10-811 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

ARTICLE 5. RECODIFIED

R4-5-501. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-501 recodified to A.A.C. R4-10-901 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).

R4-5-502. Recodified

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1422, effective April 5, 2005 (Supp. 05-2). Section amended by final rulemaking at 21 A.A.R. 2528, effective December 8, 2015 (Supp. 15-4). Section R4-5-502 recodified to A.A.C. R4-10-902 at 28 A.A.R. 1058 (May 20, 2022), with an immediate effective date of April 27, 2022 (Supp. 22-2).