

**NOTICES OF PROPOSED RULEMAKING
Initiated After January 1, 1995**

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first filing a Notice of Proposed Rulemaking, containing the preamble and the full text of the rules, with the Secretary of State's Office. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Arizona Administrative Register*.

Under the Administrative Procedure Act (A.R.S. § 41-1001 *et seq.*), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

TITLE 7. EDUCATION

CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA

PREAMBLE

1. **Sections Affected**
R7-1-706
- Rulemaking Action**
Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 15-1425(6)
Implementing statute: A.R.S. § 15-1425(6)
3. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Thomas J. Saad
Address: 3225 North Central Avenue, Suite 1220
Phoenix, Arizona 85012
Telephone Number: (602) 255-4037
Fax Number: (602) 279-3464
4. **An explanation of the rule, including the agency's reasons for initiating the rule:**
The rule describes the types of college teaching certificates issued and the requirements for each; requirements for renewal; specific course requirements for certification; and reporting requirements for district specific certification. Amendments to the rule are necessary to abolish the Honorary Certificate and add an Internship Certificate; establish provisions for the adoption of guidelines for offering the Community College Course; require evaluative input from the course completers and reporting of results to course providers; and effect minor housekeeping changes that are not of substance.
5. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
6. **The preliminary summary of the economic, small business, and consumer impact:**
The proposed rule will not adversely impact small business or consumers.
7. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**
Name: Thomas J. Saad
Address: 3225 North Central Avenue, Suite 1220
Phoenix, Arizona 85012
Telephone Number: (602) 255-4037
Fax Number: (602) 279-3464
8. **The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule: or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**
Date: June 17, 1995
Time: 9 a.m.
Location: Wyndham Metrocenter Hotel
10220 North Metro Parkway East
Phoenix, Arizona
Nature: Oral proceeding

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
None.
10. Incorporations by reference and their location in the rules:
None.
11. The full text of the rules follows:

TITLE 7. EDUCATION
CHAPTER 1. STATE BOARD OF DIRECTORS FOR
COMMUNITY COLLEGES OF ARIZONA

ARTICLE 7. INSTRUCTION, FACULTY, AND STAFF

R7-1-706. Certification Standards

ARTICLE 7. INSTRUCTION, FACULTY, AND STAFF

R7-1-706. Certification Standards

A. Five types of community college teaching certificates may be issued.

1. The three categories of regular certificates and the minimum requirements for each are as follows:

a. Regular certificate ((A)(1)(a))

i. A Master's degree or higher degree, earned pursuant to subsection (C) of this Section with a minimum of 24 semester hours of upper division and/or graduate credit in the discipline to be taught.

ii. The Arizona Community College Course requirement in subsection (D) of this Section.

b. Regular certificate ((A)(1)(b)) (Occupational teaching fields only)

i. A Bachelor's degree, earned pursuant to subsection (C) of this Section with a minimum of three years of directly related occupational experience in the field to be taught.

ii. The Arizona Community College course requirement in subsection (D) of this Section.

c. Regular certificate ((A)(1)(c)) (Occupational teaching fields only)

i. An Associate's degree, earned pursuant to subsection (C) of this Section or a minimum of 64 semester hours and, in addition, a minimum of five years of directly related occupational experience in the field to be taught.

ii. The Arizona Community College Course requirement in subsection (D) of this Section.

2. A Special certificate ((A)(2)) may be issued to an individual employed to teach part-time with the following qualifications:

a. Has a Bachelor's degree or higher degree, earned pursuant to subsection (C) of this Section, or a minimum of five years of directly related occupational experience in the field to be taught, or

b. Has a regular Arizona license or certificate in the field to be taught, and

c. Meets, or makes provision to meet, the Arizona Community College Course requirement in subsection (D) of this Section.

d. An individual who holds a Special certificate may be granted permission, under exceptional circumstances, to teach full-time, if such permission is requested under the explicit signature of the Chief Executive Officer or Chief Academic Officer of the college or college district.

~~3. An Honorary certificate ((A)(3)) may be issued as follows:~~

~~a. A community college district may employ a renowned person, who does not meet the certification requirements.~~

~~b. Such appointment shall be subject to review and approval by the State Community College Board on a year-to-year basis.~~

~~3. An Internship certificate (A)(3) may be issued to an applicant with the following qualifications:~~

~~a. Has, or is a candidate for, a Master's degree in an academic field, or holds, or is a candidate for, a Bachelor's degree in an occupational field, from a fully accredited university.~~

~~b. Applicant has been recommended for, and admitted to, an intern program conducted by a fully accredited institution of higher education.~~

~~c. Meets, or makes provision to meet, the Arizona Community College Course requirement in R7-1-706(D)(1).~~

4. A Provisional certificate ((A)(4)) may be issued if the individual meets the requirements of the Regular certificates (A)(1)(a), (A)(1)(b), or (A)(1)(c) but does not meet the Arizona Community College Course requirement in subsection (D) of this Section.

5. Pursuant to A.R.S. § 15-1425(3), a District Specific certificate ((A)(5)) may be issued as follows:

a. A community college district may request in writing certification for a person who cannot meet certification requirements in the desired teaching discipline.

b. An individual who holds a District Specific certificate shall:

i. Teach part-time only in the district originating the request for certification.

ii. Teach full-time if requested under the explicit signature of the Chief Executive

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- Officer or Chief Academic Officer of the college or college district.
- iii. Meet the Community College Course requirement in subsection (D) of this Section.
- B. Community college teaching certificates may be renewed as follows:
1. Regular certificates ((A)(1)(a), (A)(1)(b), and (A)(1)(c)) are permanent unless revoked.
 2. Special certificates ((A)(2)) may be renewed at the end of two years for a six-year period and may be renewed every six years thereafter.
 3. ~~Honorary certificates ((A)(3)) shall be renewable on an annual basis.~~
 3. Internship certificates ((A)(3)) are valid for a period of one semester or six (6) months and may not be renewed.
 4. Provisional certificates ((A)(4)) are valid for two years and are nonrenewable.
 5. District Specific certificates (A)(5) may be renewed at the end of two years for a six-year period and may be renewed every six years thereafter.
- C. Degrees or credits shall be earned and received from an institution accredited by one of the Regional Accrediting Associations. However, degrees and credits earned from a foreign institution may be considered on an individual basis.
- D. Community College Course requirement
1. The Community College Course required for the Regular certificate is a community ~~or junior~~ college course, offered by an Arizona university or community college district. This course shall ~~cover content~~ adhere to specific content and guidelines established by the State Board and shall be of such length and rigor as to warrant the awarding of three semester credit hours.
 2. A person who has successfully completed a community ~~or junior~~ college course at an out-of-state college or university or who has taught one year full-time at a regionally accredited community college outside of Arizona may be exempt from taking the Arizona course provided the Chief Executive Officer of the college district approves and the Certification Office of the State Board agrees the guidelines established by the State Board have been met.
 3. The Community College Course requirement for the Special certificate ((A)(2)) and the District Specific certificate ((A)(5)) may be an orientation about the Arizona Community College system and ~~its mission based upon guidelines established by the State Board.~~ The method employed shall be determined by the Chief Executive Officer of each community college district.
 4. The State Board shall systematically collect evaluative input from course completers and report the results to the course providers.
- E. A community college district may establish qualifications in addition to those required by the State Board as long as they do not discriminate on the basis of sex, race, religion, creed, or national origin, and as long as they apply equally to all faculty members in a particular discipline, vocation, or program.
- F. Certification fees (including evaluation and renewal) shall be established by the State Board and the fee schedule made available to any interested person.
- G. Ordinances for issuing certificates shall be established by the State Board.
- H. The State Board shall monitor District-Specific certification by requiring annual reports by the districts regarding individual instructors holding District-Specific certification.

**TITLE 13. PUBLIC SAFETY
CHAPTER 9. DEPARTMENT OF PUBLIC SAFETY
CONCEALED WEAPONS**

PREAMBLE

1. Sections Affected

Article I
R13-9-101
R13-9-102
R13-9-103
R13-9-104
R13-9-105
R13-9-106
R13-9-107
R13-9-108
R13-9-109
R13-9-110
R13-9-111

Rulemaking Action

New Article
New Section
New Section

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2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 41-1711
Implementing statute: A.R.S. § 13-3112

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

Name: Lieutenant Tom Clinkenbeard
Handgun Clearance and Permit Section
Address: Arizona Department of Public Safety
P.O. Box 6488
Phoenix, Arizona 85005
Telephone Number: (602) 223-2238
Fax Number: (602) 223-2928

4. An explanation of the rule, including the agency's reasons for initiating the rule:

Arizona citizens have the privilege to carry firearms without a concealed weapon permit provided they are not concealed or carried on private or public property where such carrying of a weapon is prohibited. On July 17, 1994, the Arizona Legislature enacted A.R.S. § 13-3112 which expanded this privilege by allowing citizens to carry weapons concealed providing they had qualified for and been issued a permit. These rules are being proposed to implement subsection(s) of A.R.S. § 13-3112, which mandates that the Arizona Department of Public Safety establish rules for the implementation and administration of the concealed weapons program. These rules set forth the requirements for citizens desiring to obtain such permits, to ensure that permits are issued to qualified individuals. The proposed rules address requirements for individuals possessing permits; establish standards for concealed weapons training programs and concealed weapons instructors; establish grounds for revocation and suspension of permits and training programs; and set forth an appeal process for denials, suspensions, and revocations for permits, instructors, and training programs.

The intent is to adopt administrative rules in order to comply with legislative mandates through state statute which would allow the Arizona Department of Public Safety to govern this service to the public in an equitable, cost effective, and efficient manner while maintaining public safety for law enforcement personnel that must deal with individuals carrying concealed weapons. The Department believes that adoption of these rules will benefit the public safety by establishing clear standards governing the carrying of concealed weapons in our state.

5. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

6. The preliminary summary of the economic, small business, and consumer impact:

The principle impact of these rules will be on certain small businesses and those citizens wishing to obtain a concealed weapon permit. The State of Arizona does not require registration of firearms; therefore, the number of individuals owning or possessing a firearm cannot be accurately determined. It is estimated that one in four, or 25% of the adult population, owns or possesses a firearm. Based on this estimation, there would be approximately 734,825 adults possessing firearms in our state. The National Rifle Association could not provide the number of individuals in the State owning a firearm but indicated that approximately 35% of Arizona households keep handguns. The National Rifle Association advised that the national average is approximately 1% of the persons owning a firearm will apply for a concealed weapon permit. Based on these estimations, there is a potential for the State to issue approximately 7,348 permits annually. As of March 10, 1995, 20,982 concealed firearm permits, 545 instructor certifications, and 225 training program approvals were issued since the program's inception. However, as in any new program, it is expected that the largest number of applications would be submitted during the first year. It is anticipated that we will see a significant decrease in the number of applications being submitted leveling off at approximately 15,000 a year, surpassing the National Rifle Association estimate.

The estimated 1% of the general public who currently own or possess a firearm will experience a minimal cost in obtaining a concealed firearm permit. The cost paid by the consumer will be for actual administrative cost for the processing of the permit to include the fingerprint processing cost required by the Federal Bureau of Investigation. The average permit cost will range from \$50 to \$100, depending on the type of permit applied for. The average cost of the required training program is approximately \$75, ranging from \$26 to \$200. Although where an individual chooses to obtain the training is discretionary, it is anticipated that the majority of persons will select courses in the \$75-\$100 cost range.

The Department does not anticipate any significant impact on private or public employment in this State by the proposed rulemaking. Presently the program is funded by the application costs to cover actual operating costs of the State to administer the program. Twelve limited-term positions were created and are funded under the program.

The State of Arizona may experience a slight increase in small businesses coming into existence in response to the public's demand for firearm safety training, thus creating an increase in state revenues generated by business taxes. As this program came into existence on July 17, 1994, this data is not available. A study of eleven states that presently have concealed weapon programs in effect was conducted and this type of information was either nonexistent or no reportable increase was experienced.

Small businesses subject to the proposed rulemaking are identified as those businesses involved in the administering of firearm safety training programs to the consumer. There are no fees assessed for the business to acquire firearm safety training approval from the Department; thus no costs will be passed along to the business. Some businesses may see an increase in firearm sales. Additionally, the rules may generate the establishment of new businesses coming into existence in response to the general public seeking the necessary firearm training. The only requirement of small business under the proposed rules is the requirement for businesses to maintain personnel training rosters. This would be a minimal impact on the business, as the type of record required would be that of one normally kept by the business.

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No alternative to the proposed rules was considered as this is the least intrusive method available to implement the program and meet statutory requirements.

7. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Tom Clinkenbeard, Lieutenant
Address: Arizona Department of Public Safety
Handgun and Clearance Section
P.O. Box 6488
Phoenix, Arizona 85005
Telephone Number: (602) 223-2238
Fax Number: (602) 223-2928

8. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule; or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Public hearings on the proposed rules are scheduled as follows:

Date: June 6, 1995
Time: 9 a.m.
Location: Flagstaff City Hall Council Chambers
211 West Aspen
Flagstaff, Arizona 86001
Nature: Public hearing
Park on the east side of the front of City Hall lot or on Sitgreaves.

Date: June 8, 1995
Time: 9 a.m.
Location: Yuma City Hall Council Chambers
180 West First Street
Yuma, Arizona 85364
Nature: Public hearing
Parking is available at the National Guard Armory lot east of the City Hall Council Chambers.

Date: June 13, 1995
Time: 9 a.m.
Location: Tucson City Hall Council Chambers
255 West Alameda
Tucson, Arizona 85701
Nature: Public hearing

Date: June 15, 1995
Time: 9 a.m.
Location: Arizona Department of Transportation Auditorium
206 South 17th Avenue
Phoenix, Arizona 85007
Nature: Public hearing

If you are a person with a disability who may need a special modification in order to comment on the proposed rulemaking, please contact the Department of Public Safety, Handgun Clearance and Permit Section, (602) 222-2238, no later than one week prior to the public hearing date to make necessary arrangements.

If no participants are at the public hearing site prior to 9:30 a.m. the public hearing shall be terminated.

Notice is also given that any person interested may present oral or written statements relevant to the proposed action by contacting Lieutenant Tom Clinkenbeard, Arizona Department of Public Safety, Handgun Clearance and Permit Section, P.O. Box 6488, Phoenix, Arizona 85005, (602) 223-2238 prior to June 16, 1995.

9. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable.

10. Incorporations by reference and their location in the rules:

None.

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11. The full text of the rules follows:

TITLE 13. PUBLIC SAFETY

**CHAPTER 9. DEPARTMENT OF PUBLIC SAFETY
CONCEALED WEAPON**

ARTICLE 1. GENERAL PROVISIONS

Section	
R13-9-101	Definitions
R13-9-102	Filing of Application
R13-9-103	Investigation by the Department
R13-9-104	Permit Issuance
R13-9-105	Permit Requirements
R13-9-106	Permit Renewal
R13-9-107	Training Instructor Approval
R13-9-108	Organizations and Business Names
R13-9-109	Firearms Safety Training Program
R13-9-110	Grounds for Suspension
R13-9-111	Grounds for Revocation
R13-9-112	Appeals

ARTICLE 1. GENERAL PROVISIONS

R13-9-101. Definitions

Words and phrases not defined hereinafter shall be consistent with definitions in A.R.S. Title 13.

"Applicant" means any person who has submitted to the Department an application for approval of a concealed weapon permit, firearms safety training instructor approval, or firearms safety training program approval.

"Department" means the Arizona Department of Public Safety.

"Director" means the Director of the Arizona Department of Public Safety.

"Permit" means the written authorization issued by the Arizona Department of Public Safety to the holder to carry any concealed weapon, excluding firearms or other weapons prohibited by state and/or federal law.

"Permittee" means any person who possesses a concealed weapon permit.

R13-9-102. Filing of Application

A. Applications for a concealed weapon permit, firearms safety training instructor approval, and firearms safety training program approval may be obtained at the Arizona Department of Public Safety, Handgun Clearance and Permit Section, in Phoenix, Arizona. In addition, the Department shall maintain a written list of other designated locations which shall be made available to the public on request.

B. The applicant shall submit a completed permit application to the Department that contains the:

1. Applicant's legal name as it shall appear on the permit;
2. Applicant's social security number;
3. Applicant's completed fingerprint card of sufficient quality so that the fingerprints may be processed;
4. Application fees for the type of permit requested;
5. Applicant's proof of residency, if requested by the Department; and

6. Applicant's firearms safety training program certificate, unless exempted pursuant to A.R.S. § 31-3112. Certificates shall be accepted for up to six months from date of completion.

- C. Applications shall be complete and legible.
- D. Reasonable application fees shall be charged, as determined by the Director of the Department.
- E. Application fees shall be submitted by cashier's check, certified check, or money order made payable to the Arizona Department of Public Safety and shall be nonrefundable.

R13-9-103. Investigation by the Department

A. The Department shall review all applications to verify the information on the application contains no omissions or errors. Incomplete or illegible applications shall be returned to the applicant.

B. Applicants shall cooperate fully with the Department during the processing and investigation of the application and respond to inquiries within 20 days of receipt.

C. The applicant shall be responsible for providing requested documentation as required by the Department.

D. Time limitations as specified in A.R.S. § 13-3112 shall cease when additional documentation from the applicant is requested and resume upon receipt of the documentation.

E. Permits shall not be issued to any person convicted of a felony regardless of that person having the conviction set aside and their civil rights restored.

R13-9-104. Permit Issuance

A. A permit issued by the Department shall contain the applicant's:

1. Name as shown on the applicant's application;
2. Date of birth;
3. Physical description, including: height, weight, color of hair, and eyes;
4. Permit number; and
5. Effective dates of the permit.

B. Each permit shall be assigned a specific number by the Department. Once assigned, permit numbers and permits shall not be assigned or transferred to another person.

C. A permit may be surrendered to the Department at any time prior to the expiration date. The permit fee or any part thereof shall not be refunded.

D. The permittee shall notify the Department, in writing, within ten calendar days of the time of discovery, if a permit is lost or stolen. The Department shall cancel the permit and a reasonable fee, as determined by the Department, shall be charged for the replacement permit.

E. The permit shall be renewed in accordance with R13-9-106.

F. The Department shall be notified, in writing, within ten calendar days of any name or address change.

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R13-9-105. Permit Requirements

- A. The permit shall be used solely by the permittee.
- B. While in actual possession of the concealed weapon, the permittee shall present the original permit for inspection, along with an official form of photo identification, upon request by any peace officer. Official form of photo identification shall be any of the following:
 - 1. Driver's license;
 - 2. Military identification card;
 - 3. State-issued identification card; or
 - 4. Passport
- C. In the event a photo is added to the permit by the Department, photo identification shall not be required.
- D. Reproduced copies shall not be substituted for the original permit.
- E. Possession of a permit does not grant authority to carry a concealed weapon on public or private property or establishments where carrying of a deadly weapon, concealed or otherwise, is prohibited. The permittee shall not carry a concealed deadly weapon where a notice of prohibition is posted or upon the advisement and request of the owner or other person having control over the property.

R13-9-106. Permit Renewal

- A. The permit shall expire four years from the date of issuance. The Department has no obligation to provide notice to the permittee regarding permit expiration.
- B. To ensure continuous permit status, applications for renewal shall be submitted to the Department no earlier than 90 days and no later than 60 days prior to the expiration date of the permit. If an application for renewal has not been received by the Department prior to the expiration date of the permit, the permit shall expire.
- C. If a former permittee applies for a permit renewal within 60 days following the expiration of the permit, the applicant shall be processed providing the requirements in A.R.S. § 13-3112 have been met. Former permittees who apply for permit renewal more than 60 days after the expiration of their permits shall be considered new applicants and be required to meet all the same requirements as new permit applicants.
- D. All applications for renewal shall be accompanied by a renewal fee, a fingerprint card, and a certificate of completion of the four-hour Department-approved firearms safety training program as required under A.R.S. § 13-3112.
- E. Renewal fees shall be for the actual cost of issuing and processing the permit.
- F. The Department shall verify that the applicant meets the requirements set forth in A.R.S. § 13-3112. Failure of the applicant to meet such requirements shall result in denial of the renewal application.

R13-9-107. Training Instructor Approval

- A. In addition to the requirements established in A.R.S. § 13-3112, an applicant for firearms safety training instructor certification shall have received an instructor certification in one of the following:
 - 1. Arizona Basic Peace Firearms Instructor Certification issued by the Arizona Police Officer Standards and Training Board,

- 2. Police Firearms Instructor Development School issued by the National Rifle Association,
- 3. Law Enforcement Security Firearms Instructor Development School issued by the National Rifle Association, or
- 4. Personal Protection Instructor rating and Basic Pistol Instructor rating issued by the National Rifle Association.
- B. The applicant shall submit a photocopy of any of the certification of completion specified in R13-9-107(A) to the Department.
- C. Within 60 days of the filing of the application, the Department shall notify the applicant in writing stating disapproval or approval. Approved applicants shall be assigned a firearms safety training instructor identification number.

R13-9-108. Organizations and Business Names

- A. Organizations applying for firearms safety training program approval shall be legally operating as a business as required under city and state laws where the business is located.
- B. The organization or business shall do business and present itself under the name and address used on the application with the Department.

R13-9-109. Firearms Safety Training Program

- A. Firearms safety training programs shall meet the requirements specified in A.R.S. § 13-3112 and by the Department.
- B. An organization shall attach a detailed outline of its proposed training program with its application. No applicant fees shall be assessed.
- C. Once approved, the training program is valid until the organization is notified by the Department of required changes to the programs. At such time, organizations shall be given a maximum of 60 days, from date of notification, to submit to the Department a revised training program for approval. Failure to submit such documentation shall result in a suspension of that organization's training program until such changes are effected and approved by the Department.
- D. The organization shall furnish to the Department a listing of firearms safety training instructors being utilized within 90 days of approval. The organization shall notify the Department in writing within ten calendar days of any changes in instructors.
- E. The Department may establish minimum hours for each component of the firearms safety training program.
- F. Organizations shall be required to keep records of training to include the following:
 - 1. Name of person attending training,
 - 2. Date and times of training,
 - 3. Location of training, and
 - 4. Names of personnel providing the training.
- G. Training records shall be made available to the Department upon request.
- H. Records shall be retained by the organization for a period of five years from the date of training.
- I. In addition to firearms safety training instructors, an organization may utilize guest lecturers to instruct specific material providing the following conditions are met:

1. The guest lecturer must be knowledgeable in the subject matter of the lecture.
2. A course outline detailing the subject matter the lecturer will cover must be provided to the Department.
3. The Department has been notified in writing a minimum of ten calendar days prior to the lecture date that a guest lecturer will be utilized. The written notice shall contain the lecturer's qualifications and a copy of the course outline.
4. An approved firearms safety training instructor shall be present in the instruction area during the lecture to verify that the subject matter was properly covered.

R13-9-110. Grounds for Suspension

- A. A concealed weapon permit, firearms safety training instructor approval, or firearms safety training program approval may be suspended for up to one year of the date of suspension if the permittee or instructor:
 1. Fails to notify the Department of change of address or name.
 2. Fails to carry the original permit at all times when in actual possession of a concealed weapon.
 3. Fails to meet the requirements specified in A.R.S. § 13-3112.
 4. Fails to comply with these rules.
- B. If the Director or his designate determine grounds for suspension of a permit, instructor approval, or program approval, the person or organization shall be notified by mail of the suspension and the reason for the suspension. The letter shall be sent to the person's or organization's last known address and shall be deemed served upon mailing.
- C. Upon notification of suspension, the permittee shall immediately return the concealed weapon permit to the Department. Permits under suspension are subject to seizure by any peace officer.
- D. Once the reasons of the suspension have been met, the person or organization shall be notified by mail of reinstatement. If applicable the Department shall return the permit to the permittee.

R13-9-111. Grounds for Revocation

- A. A concealed weapon permit, firearms safety training instructor approval, or firearms safety training organization approval may be revoked under the following:
 1. Knowingly giving false or fictitious information in the permit application or concealing a material fact in the application.
 2. Knowingly allowing another to misuse a permit.
 3. Upon conviction of any offense that would make the person unqualified pursuant to A.R.S. § 13-3112.
 4. Failing to comply with these rules.
- B. If the Director or his designate determine grounds for revocation of a permit or instructor approval, the person shall be notified by mail of the revocation and the facts involved. The letter shall be sent to the person's last known address and shall be deemed served upon mailing.
- C. Upon notification of revocation, the permittee shall immediately return the concealed weapon permit to the

Department. Permits under revocation are subject to seizure by any peace officer.

- D. If a permit is revoked by the Director, the former permittee cannot apply for reinstatement for a period of 24 months from the date of revocation. In all cases of revocation, it will be necessary to file a new application form as prescribed by the Director. The original application fee and training requirement shall apply.

R13-9-112. Appeals

- A. Upon suspension or revocation of a permit, or denial, suspension, or revocation of a firearms safety training program or firearms safety training instructor approval, parties shall be afforded, upon request, the opportunity to have a hearing. The party shall request such hearing in writing to the Department within ten calendar days of notice of service of a suspension or revocation.
- B. The party shall be notified of the date and time of the hearing, which shall be at least 20 calendar days after the party's receipt of hearing notification.
- C. The notification shall include:
 1. A statement of the time, place, and nature of the hearing;
 2. A statement of the legal authority and jurisdiction under which the hearing is to be held;
 3. A reference to the particular sections of the statutes and rules involved; and
 4. A statement of the issues or matters involved.
- D. Hearings shall be conducted in an informal manner and without adherence to the rules of evidence required in judicial proceedings.
- E. Hearings shall be conducted by a hearing officer appointed by the Director.
- F. Hearings shall be held at a location determined by the Department.
- G. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded by the hearing officer.
- H. Notice may be taken of generally recognized technical or scientific facts within the Department's specialized knowledge. The Department's experience, technical competence, and specialized knowledge may be utilized in the evaluation of the evidence.
- I. Hearings shall be tape-recorded.
- J. Parties shall have the right to be represented by counsel, to submit evidence in open hearing, and shall have the right of cross-examination.
- K. Parties shall submit to the hearing officer for approval any subpoenas for the attendance of witnesses at least ten days prior to the hearing. If approved, it shall be the submitting party's responsibility for service.
- L. If the party does not appear at the hearing, the party will be notified by mail of the hearing findings.
- M. The hearing officer shall submit the findings to the Director.
- N. The Director shall review the records of a finding by the hearing officer involving a disciplinary action and may affirm, reverse, adopt, modify, supplement, amend, or reject the recommendation of the hearing officer.
- O. The Department shall mail written notice of the Director's decision to the party within five working days after the decision. Notification shall be mailed to the person's last known address and shall be deemed served upon mailing.

Notices of Proposed Rulemaking

- P. All notices shall include findings of fact and conclusions of law.
- Q. The party shall have the right for a rehearing or review of the decision before such decision becomes final. The party shall submit a written request to the Director within ten calendar days upon receipt of notification. Rehearings may be granted for the following:
 - 1. Irregularity in the proceedings whereby a party was deprived of a fair hearing.
 - 2. The decision was not justified by the evidence or was contrary to law; or
 - 3. When there is new material evidence which, with reasonable diligence, could not have been discovered and produced at the hearing.
- R. The decision of the Director shall be final. Decisions of the Director shall be subject to judicial review pursuant to A.R.S. Title 12, Chapter 7, Article 6.