

## 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 TITLE, REGISTRATION, AND DRIVER LICENSES

*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 on page 2106.) The Governor's Office authorized the notice to proceed through the rulemaking process on November 10, 2009.*

[R09-121]

- 1. Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation – Title, Registration, and Driver Licenses  
**Article and its heading:** 3, Vehicle Registration  
**Section numbers:** R17-4-315 (Sections may be added, deleted, or modified as necessary.)

**2. The subject matter of the proposed rule:**

The Arizona Department of Transportation, Motor Vehicle Division, engages in this rulemaking to establish a new highway use fee under A.R.S. § 28-5474. This new fee is based on the number of axles attached to a foreign vehicle or foreign vehicle combination and shall apply to a nonresident who is:

- Operating or causing the operation of a foreign vehicle or foreign vehicle combination; and
- Required to register the foreign vehicle or foreign vehicle combination under A.R.S. § 28-2321 or is responsible for payment of any fees required under A.R.S. §§ 28-2324, 28-2325, 28-5739, 28-5863 or 28-5864.

For the purpose of this rulemaking, “foreign vehicle” or “foreign vehicle combination” means a truck or truck tractor and semitrailer and any trailer that it tows that is registered in a foreign country or jurisdiction of a foreign country and enters this state by crossing the border between this state and the Republic of Mexico in the furtherance of a commercial enterprise.

**3. A citation to all published notices relating to the proceeding:**

None

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

Name: Dora L. Vasquez, Administrative Rules Supervisor  
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Please visit the ADOT web site to track the progress of this rule and any other agency rulemaking matters at <http://www.azdot.gov/MVD/MVDrules/rules.asp>.

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Division will accept written and oral comments on this rulemaking Monday through Friday, 8:00 a.m. to 5:00 p.m., with the exception of state holidays. Interested parties may provide comments to the analyst listed in item 4. Public hearings may be scheduled to provide a forum for interactive discussion with interested parties.

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

To be determined