

# Arizona Administrative REGISTER

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Vol. 21, Issue 25

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# From the Publisher

## ABOUT THIS PUBLICATION

The paper copy of the *Administrative Register* (A.A.R.) is the official publication for rules and rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The Office of the Secretary of State does not interpret or enforce rules published in the *Arizona Administrative Register* or *Code*. Questions should be directed to the state agency responsible for the promulgation of the rule as provided in its published filing.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor's appointments of state officials and members of state boards and commissions.

## ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rules activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA.

Rulemakings initiated under the APA as effective on and after January 1, 1995, include the full text of the rule in the *Register*. New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

## WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The printed *Code* is the official publication of a rule in the A.A.C. is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012. Paper copies of rules are available by full Chapter or by subscription. The *Code* is posted online for free.

## LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a copy.

# Arizona Administrative REGISTER

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A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact customer service at  
(602) 364-3224.

**PUBLICATION DEADLINES**  
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

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# Participate in the Process

## Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

## Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

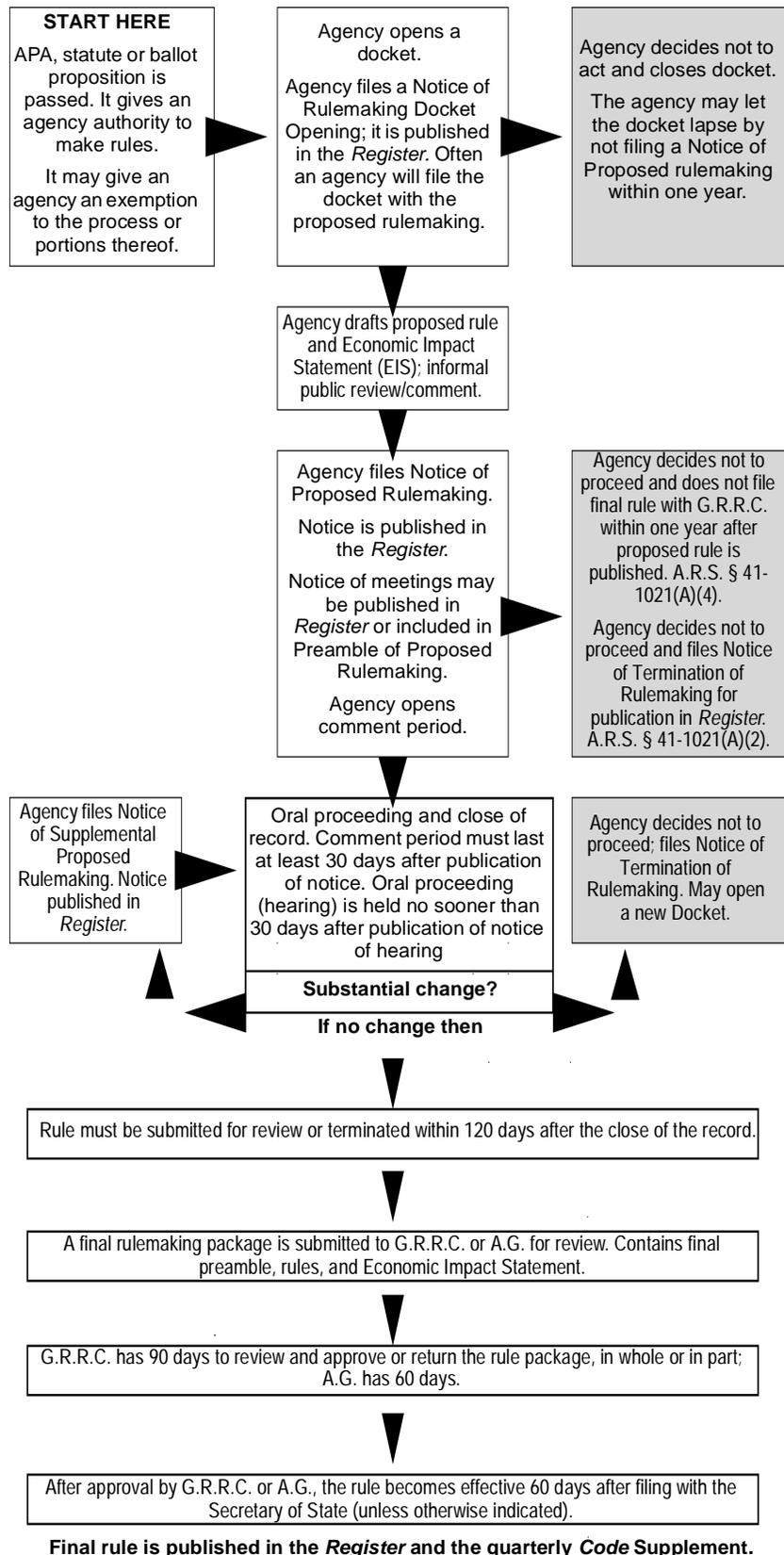
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

## Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

# Arizona Regular Rulemaking Process





**Definitions**

**Arizona Administrative Code (A.A.C.):** Official rules codified and published by the Secretary of State’s Office. Available online at [www.azsos.gov](http://www.azsos.gov).

**Arizona Administrative Register (A.A.R.):** The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at [www.azsos.gov](http://www.azsos.gov).

**Administrative Procedure Act (APA):** A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at [www.azleg.gov](http://www.azleg.gov).

**Arizona Revised Statutes (A.R.S.):** The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The “§” symbol simply means “section.” Available online at [www.azleg.gov](http://www.azleg.gov).

**Chapter:** A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

**Close of Record:** The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

**Code of Federal Regulations (CFR):** The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

**Docket:** A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

**Economic, Small Business, and Consumer Impact Statement (EIS):** The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

**Governor’s Regulatory Review (G.R.R.C.):** Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

**Incorporated by Reference:** An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

**Federal Register (FR):** The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

**Session Laws or “Laws”:** When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word “Laws” is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation “Ch.,” and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at [www.azleg.gov](http://www.azleg.gov).

**United States Code (U.S.C.):** The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

**Acronyms**

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor’s Regulatory Review Council*

U.S.C. – *United States Code*

**About Preambles**

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



**NOTICES OF PROPOSED RULEMAKING**

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, 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 making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency the promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

**NOTICE OF PROPOSED RULEMAKING  
TITLE 4. PROFESSIONS AND OCCUPATIONS  
CHAPTER 5. BOARD OF BARBERS**

[R15-50]

**PREAMBLE**

<b><u>1. Articles, Parts, and Sections Affected (as applicable)</u></b>	<b><u>Rulemaking Action</u></b>
R4-5-101	Amend
R4-5-102	Amend
R4-5-103	Amend
R4-5-104	Amend
R4-5-105	Repeal
R4-5-106	Amend
R4-5-107	Amend
R4-5-108	Amend
Table 1	New Table
R4-5-109	ReNUMBER
R4-5-109	Amend
Article 2	Amend
R4-5-201	Amend
R4-5-202	Amend
R4-5-203	Amend
R4-5-204	ReNUMBER
R4-5-301	Amend
R4-5-302	Amend
R4-5-303	Amend
R4-5-304	Amend
R4-5-305	New Section
R4-5-401	Amend
R4-5-402	Amend
R4-5-403	Amend
R4-5-404	Amend
R4-5-405	Amend
Exhibit 1	Amend
Exhibit 2	Amend
R4-5-406	Amend
R4-5-407	Amend
R4-5-408	Amend
R4-5-409	Amend
R4-5-410	Repeal
R4-5-411	Amend
R4-5-501	Amend



R4-5-502

Amend

**2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 32-304(A)(1)

Implementing statute: A.R.S. §§ 32-304(A)(7), 32-322, 32-323, 32-324, 32-325, 32-326, 32-327, 32-328, 32-351, 32-352, 32-353, 32-354, and 32-355

**3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**

Notice of Rulemaking Docket Opening: 21 A.A.R. 889, June 19, 2015 (*in this issue*).

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

Name: Sam Barcelona  
Address: 1400 W. Washington St., Suite 220  
Phoenix, AZ 85007  
Telephone: (602) 542-4498  
Fax: (602) 542-3093  
E-mail: sam.barcelona@azbarberboard.us  
Web site: www.azbarberboard.us

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

The Board's rules have not been amended since 2005. In a five-year-review report approved by Council on September 14, 2010, the Board identified several rules that needed to be amended. In this rulemaking, the Board makes necessary amendments. Additionally, the Board increases the length of its licensing time-frames and establishes requirements regarding blood and body fluid spills and regarding notice to students when a licensed barber school closes.

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 18, 2015.

**6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to 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 Board has not reviewed and does not propose to rely on a study in its evaluation of or justification for any rule in this rulemaking.

**7. A showing of good cause why the rulemaking 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

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

The Board anticipates the rule changes will have minimal economic impact. The owner of a licensed shop that is not complying with current industry standards regarding sanitation will incur some cost to comply with the new sanitation standards. The owner of a licensed school that closes will incur a minimal cost to provide notice to students affected by the closure.

**9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:**

Name: Sam Barcelona  
Address: 1400 W. Washington St., Suite 220  
Phoenix, AZ 85007  
Telephone: (602) 542-4498  
Fax: (602) 542-3093  
E-mail: sam.barcelona@azbarberboard.us  
Web site: www.azbarberboard.us

**10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

An oral proceeding regarding the proposed rules will be held as follows:

Date: Monday, July 20, 2015  
Time: 9:00 a.m.  
Location: 1400 W. Washington St., 2nd floor conference room  
Phoenix, AZ 85007



**11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

None

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

The licenses listed in Table 1 are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals or entities to conduct activities that are substantially similar in nature.

**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:**

No federal law is applicable to the subject matter of the rules.

**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:**

No analysis was submitted.

**12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**

No materials are incorporated by reference.

**13. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 5. BOARD OF BARBERS**

**ARTICLE 1. GENERAL PROVISIONS**

Section	
R4-5-101.	Definitions
R4-5-102.	Fees and Service Charges
R4-5-103.	Fee Payment
R4-5-104.	Safety and Sanitation Infection Control Provisions
R4-5-105.	<del>Disinfectants: Approval, Usage Guidelines Repealed</del>
R4-5-106.	Change of Ownership or Location
R4-5-107.	Inspections
R4-5-108.	Licensing Time-frames
Table 1.	Time-frames (in days)
<del>R4-5-204.</del> R4-5-109.	License Renewal

**ARTICLE 2. EXAMINATION; AND PRACTITIONER LICENSING BARBER AND INSTRUCTOR LICENSE APPLICATION**

Section	
R4-5-201.	Examinations
R4-5-202.	Barber License Application
R4-5-203.	Instructor License Application
R4-5-204.	<del>License Renewal</del> Renumbered

**ARTICLE 3. SHOPS**

Section	
R4-5-301.	<del>Shop License Application for a License to Operate a Shop</del>
R4-5-302.	<del>Shop Premises and Basic Equipment Required in a Shop</del>
R4-5-303.	Shop Supervision
R4-5-304.	Shop Mobile Units
R4-5-305.	Display of Barber Pole

**ARTICLE 4. SCHOOLS**

Section	
R4-5-401.	<del>Barber School</del> Application for a License to Operate a School
R4-5-402.	Notification of Changes
R4-5-403.	Use of "Accredited," "Approved," or Similar Terms
R4-5-404.	School Premises and Basic Equipment
R4-5-405.	School Operations <del>and Enrollment</del>
Exhibit 1.	Required Age and Education Notice to a Barber Trainee
Exhibit 2.	Required Age and Education Notice to an Instructor Trainee
R4-5-406.	Student Training and Supervision



- R4-5-407. School Curriculum
- R4-5-408. School Records
- R4-5-409. School Closure
- R4-5-410. ~~Multiple Location Schools~~ Repealed
- R4-5-411. Offsite Training Facility

**ARTICLE 5. HEARINGS**

- Section
- R4-5-501. Hearing Procedures
- R4-5-502. Rehearing and Review of Decision

**ARTICLE 1. GENERAL PROVISIONS**

**R4-5-101. Definitions**

The definitions in A.R.S. § 32-301 apply to this Chapter. Additionally, the following definitions apply to this Chapter unless the context otherwise requires:

“Barber pole” means a stationary or revolving sign that features a helical stripe of red, white, and blue or a likeness of the sign.

“Barbering implement” means any tool or device used for barbering.

“Certified hour” means instructional hours for which a barber school has issued a student a Certification of Completion or Withdrawal.

“Change of ownership” means there is a change of 10 percent or more of the owners holding a license to operate a shop or school.

“Diploma from a high school or its equivalent,” as used in A.R.S. § 32-323(B), means any of the following:

A document that certifies successful course completion from any accredited secondary school in the United States, a U.S. territory, the District of Columbia, or a foreign country;

~~A cumulative score of no fewer than 45 points on a General Education Development “GED” test;~~

A high school equivalency diploma that certifies successful passing of a General Education Development “GED” test; or

~~An academic degree from an accredited college or university in the United States, a U.S. territory, the District of Columbia, or a foreign country.~~

“Direct supervision” means a supervisor is physically present and observing the work of a supervisee.

“Disinfect” means the use of chemicals to kill most microbial life that can lead to infection in humans.

“Domestic administration” means barbering performed:

On oneself, or

On another person to whom the practitioner is related as follows:

- Father,
- Mother,
- Grandfather,
- Grandmother,
- Child,
- Step-child,
- Brother,
- Sister,
- Foster parent,
- Legal guardian,
- Step-parent, or
- Spouse.

“Dry sanitizer” means a container large enough to store any barbering implement that requires:

~~Sanitation by a Board-approved fumigant or ultraviolet radiation, and~~

~~Maintenance of the implement’s sanitary condition.~~

“EPA” means the United State Environmental Protection Agency.

“Establishment” means a distinct physical location in which a shop or school is located but does not include an offsite training facility.

“Instructional hour” means 60 minutes during which a student receives classroom or practical instruction.

“Liquid sanitizer” means a container large enough to immerse completely any barbering implement that requires disinfecting by a solution made from an EPA-registered disinfectant by solution sanitization.

“One year’s experience as a licensed barber,” as used in A.R.S. § 32-322(C), means that during ~~any period~~ of 12 consecutive months, ~~a person~~ an individual:

Maintained a valid license prescribed under A.R.S. § 32-322, and

Engaged in barbering at least ~~1,200~~ 1,500 hours.

“Owner” means a person ~~who~~ that has controlling interest in a barber shop or school or the owner’s designee.

“Patron” means ~~a person~~ an individual who receives barbering services.

“Practiced barbering for at least two years,” as used in A.R.S. § 32-323(B), means that during ~~any period~~ of 24 consec-



utive months, ~~a person~~ an individual engaged in barbering at least ~~1,200~~ 1,500 hours during each 12-month consecutive period.

~~“Shop” has the meaning prescribed under A.R.S. § 32-301(6) and when used in this Chapter includes the term “salon.”~~

~~“Study” means to receive classroom or practical instruction in a subject.~~

~~“Tool drawer” means an ultraviolet electrical sanitizer or a clean, dust-proof cabinet, drawer, or other container that is disinfected with an EPA-registered disinfecting agent and used exclusively to store disinfected barbering implements.~~

~~“Two years of high school education or its equivalent,” as used in A.R.S. § 32-322(B), means either of the following:~~

~~Receipt of Successfully completing 10 high school credits,~~

~~Receipt of an overall score of no fewer than 39 points on a GED test, or~~

~~Passing a GED test.~~

~~“Workstation” means a specific location within a shop, mobile unit, offsite training facility, or school where barbering is performed not including hair-cleaning activity.~~

#### **R4-5-102. Fees and Service Charges**

**A.** Under authority of A.R.S. § 32-328, the Board charges the following fees:

1. Barber:
  - a. No change
  - b. No change
  - c. No change
  - d. No change
2. Instructor:
  - a. No change
  - b. No change
  - c. No change
3. Shop:
  - a. No change
  - b. No change
  - c. No change
  - d. Renewal \$50 annually.
4. Late-renewal ~~penalty fee~~ for any license issued under subsections (A)(1) through (A)(3):
  - a. First time in a five-year period \$25 plus the renewal fee.
  - b. Second time in a five-year period \$50 plus the renewal fee.
  - c. Third time in a five-year period \$75 plus the renewal fee.
5. School:
  - a. No change
  - b. No change
  - c. No change
  - d. Renewal \$400 annually.
  - e. Late-renewal ~~penalty fee~~:
    - i. First time in five-year period \$50 plus the renewal fee.
    - ii. Second time in five-year period \$100 plus the renewal fee.
    - iii. Third time in five-year period \$150 plus the renewal fee.
6. No change
  - a. No change
  - b. No change
7. A duplicate of any license issued under this ~~Section~~ Chapter \$20.

**B.** The Board charges the following for copies of non-confidential records:

1. Name and address of licensee \$.25 per licensee.
2. Public records \$.50 per page.

**C.** As authorized under A.R.S. § 44-6852, the Board shall charge and collect from an applicant that provides the Board with a check that is dishonored by the bank the actual amount assessed by the bank plus a \$10 service fee.

#### **R4-5-103. Fee Payment**

**A.** A person shall pay any fee required by the Board in full, in cash, or by certified instrument.

**B.** The Board shall consider a fee payment timely if:

1. The Board receives the fee on or before the date due, or
2. The fee is postmarked on or before the date due.

#### **R4-5-104. Safety and Sanitation Infection Control Provisions**

**A.** A licensee under A.R.S. Title 32, Chapter 3, and this Chapter shall ~~conduct~~ adhere to the following safety and ~~sanitation~~ infection control procedures:

1. Use barbering implements that are:
  - a. New if intended for use on a single patron and disposed of immediately after use in a covered waste receptacle; or



- b. In good repair, ~~and~~ free of defect, ~~and~~ disinfected as described in subsection (A)(2) if intended for multiple use;
- 2. ~~Sanitize~~ Disinfect any barbering implement intended for multiple use according to the following procedure:
  - a. For ~~any immersible a non-electric~~ barbering implement and removable parts of an electric barbering implement, other than a scissors or razor, ~~a licensee shall:~~
    - i. Remove all hair or debris;
    - ii. Wash with soap and water;
    - iii. Rinse with clean water;
    - ~~iii.~~ Completely immerse in a disinfectant solution that is approved and used as prescribed under R4-5-105 an EPA-registered disinfectant used according to manufacturer's instructions;
    - iv. ~~Rinse with water;~~
    - v. Dry completely with a clean cloth or air dry; and
    - vi. Store in a dry sanitizer tool drawer;
  - b. For a scissors or a razor, ~~a licensee may:~~
    - i. ~~follow~~ Follow the procedure under subsection (A)(2)(a); or
    - ii. ~~wipe~~ Wipe the ~~implement~~ scissors or razor with a cloth bearing ~~a disinfectant solution approved and used as prescribed under R4-5-105. The licensee shall store an implement sanitized under this subsection in a dry sanitizer~~ an EPA-registered disinfectant used according to manufacturer's instructions and store the scissors or razor in a tool drawer; and
  - c. For a ~~non-immersible an electric~~ barbering implement, ~~a licensee shall:~~
    - i. Remove all hair or debris;
    - ii. ~~wipe~~ Wipe or spray any parts that contact a patron with ~~a disinfectant solution approved and used as prescribed under R4-5-105. The licensee shall store an implement sanitized under this subsection in a dry sanitizer~~ an EPA-registered disinfectant used according to manufacturer's instructions; and
    - iii. Store in a tool drawer.
- 3. Care and storage of barbering products. ~~Dispense~~ A licensee shall dispense any barbering ~~preparation~~ product listed under subsection (A)(3)(a) according to the procedure prescribed under subsection (A)(3)(b).
  - a. A barbering ~~preparation~~ product under this subsection includes any:
    - i. Oil,
    - ii. Gel,
    - iii. Shampoo,
    - iv. Cream,
    - v. Antiseptic,
    - vi. Clay,
    - vii. Ointment,
    - viii. Waxes, or
    - ~~viii.~~ ix. Other preparation product intended for use on a patron,
  - b. Preparation Product-dispensing procedure. ~~A licensee shall avoid~~ Avoid direct manual contact with a barbering ~~preparation~~ product by:
    - i. Using a manufacturer's dispensing device included with the original container; or
    - ii. Using a new disposable or ~~sanitized~~ disinfected reusable spoon, spatula, or ~~other~~ similar dispensing implement when no manufacturer dispensing device is included with the original container;
  - c. After a barbering product is dispensed, do not return any portion of the dispensed product to the original container; and
  - d. Maintain all barbering product containers with clear, correct labels indicating contents and intended use;
- 4. ~~Maintain a sufficient quantity of uncontaminated sanitizing~~ Ensure that the disinfecting solution approved for use as prescribed under R4-5-105 at all times during the performance of barbering required under subsection (A)(2) is changed if it becomes contaminated or according to the manufacturer's instructions;
- 5. Maintain towels or cloths for patron use that are:
  - a. New and disposed immediately after use if intended for single use,
  - b. ~~Sanitized~~ Disinfected by laundering with detergent and chlorine bleach if intended for multiple use,
  - c. Stored in a closed container when ~~sanitized~~ disinfected before use, and
  - d. Stored in a closed, ventilated, container separate from ~~sanitized~~ disinfected towels or cloths after use;
- 6. Maintain a separate, covered, non-leaking, receptacle for garbage and hair and empty, clean, and disinfect the receptacle daily;
- 7. ~~Maintain all barbering product containers with clear, correct labels indicating contents and intended use;~~
- 7. Exposure to blood or other body fluids. If there is a blood spill or exposure to other body fluids while performing a barbering service, a licensee shall stop the service and:
  - a. If the blood spill or body fluid is on a patron, the licensee shall:
    - i. Put disposable gloves on both of the licensee's hands;



- ii. Use a disposable instrument to clean the wound with an antiseptic solution and dispose of the soiled instrument immediately;
- iii. Use a disposable instrument to apply powdered alum, styptic powder, or a cyanoacrylate to stop bleeding and dispose of the soiled instrument immediately;
- iv. Cover the wound with a sterile bandage; and
- v. Dispose of the gloves used;
- b. If the blood spill or body fluid results from an injury to the licensee, the licensee shall comply with subsections (A)(7)(a)(ii) through (iv) and cover the affected area with a clean, fluid-proof glove or finger cover;
- c. If the blood spill or body fluid contacts any surface area, the licensee shall disinfect the surface area with an EPA-registered disinfectant used according to the manufacturer’s instructions; and
- d. If the blood spill or body fluid contacts any barbering instrument, the licensee shall disinfect the barbering instrument as specified in subsection (A)(2);
- 8. Patron protection. A licensee shall protect the health and safety of a patron by:
  - a. Washing the licensee’s hands with liquid or powder soap and water before serving each patron;
  - b. Disinfecting the head rest of the barber or styling chair after each use or at least daily;
  - c. Placing a clean towel or paper sheet on the head rest of the barber or styling chair for each patron;
  - d. Using a clean neck strip with each patron to avoid having the patron contact a non-sanitized object;
  - e. Not performing a barbering service on a patron while the licensee has a contagious disease unless a medically-approved measure is used to prevent transmission of the disease; and
  - f. Not knowingly performing a barbering service on a patron who has a contagious disease;
- 9. Not use a styptic pencil or lump alum in barbering; Prohibited products. To protect the health and safety of a patron, a licensee shall not use any of the following products when performing barbering services:
  - a. Methyl Methacrylate liquid monomers;
  - b. Alum or other astringents in stick or lump form;
  - c. Fumigants such as formalin (formaldehyde) tablets or liquids;
  - d. Any product that penetrates the dermis layer of the skin; and
  - e. Any product that is banned or deemed to be poisonous or unsafe by any responsible federal, state, or local governmental entity.
- 10. Not reuse a neck strip, end paper, or depilatory wax on multiple patrons; Prohibited practices. To protect the health and safety of a patron, a licensee shall not engage in the following practices when performing barbering services:
  - a. Allow any animal except a service animal on the establishment premises. A covered aquarium that is maintained in a sanitary condition is allowed; or
  - b. Use a shaving brush and mug unless the shaving brush and mug are personally owned by the patron.
- 11. Use a neck strip to prevent a patron’s neck from contacting a non-sanitized object; and
- 12. Store each neck duster not in use in a dry sanitizer.
- B. In addition to licensee requirements under subsection (A), the holder of a licensed license to operate a shop or school owner shall:
  - 1. Ensure that flooring within six feet of each workstation is comprised made of smooth, durable, and impervious material; and
  - 2. Maintain all furniture and fixtures of each facility establishment in a clean and orderly manner at all times; and
  - 3. Provide at least one restroom located on or near the establishment premises; and
  - 4. Comply with all state, local, and federal requirements.

**R4-5-105. ~~Disinfectants: Approval, Usage Guidelines Repealed~~**

- ~~A. Approval. For barbering purposes, the Board approves any disinfectant, sanitation, or sterilization product or method registered by the U.S. Environmental Protection Agency for use as:
 
  - 1. A virucide;
  - 2. A bactericide, or
  - 3. A fungicide.~~
- ~~B. Usage guidelines. Unless a product manufacturer’s instructions specify otherwise, a licensee shall disinfect barbering implements according to the following guidelines:
 
  - 1. Liquid sanitizing. A licensee shall use one or more of the following:~~

Solution type	Strength	Minimum immersion time
Quaternary Ammonium Compounds “Quats” liquid or dissolved tablet	1:1000	20 minutes
Formalin	25%	10 minutes
Formalin	10%	20 minutes



Alcohol* - Ethyl, Grain, or Isopropanol	70%	10 minutes
Sodium Hypochlorite	10%	10 minutes

\* Note: for sharp cutting implement or electrode sanitization

- 2. Dry sanitizing. A licensee shall use either of the following:
  - a. A fumigant prepared as a mixture of:
    - i. One tablespoon of borax; and
    - ii. One tablespoon, one premanufactured tablet, or one container of formalin; or
  - b. An ultraviolet ray electric sanitizer manufactured specifically for sanitation purposes.

**R4-5-106. Change of Ownership or Location**

- A. A license issued to operate a shop or school is not transferable to:
  - 1. A location other than the location specified on the license; or
  - 2. An owner other than the owner specified on the license.
- B. A change in the owner or location of a shop or school requires that the owner apply for a new license.
- C. ~~Within~~ At least 15 days after before a change in location or ownership of a shop or school, the owner of the re-located shop or school or the new owner shall submit the following to the Board:
  - 1. Written notification of the change;
  - 2. A completed application to operate a shop, as prescribed under R4-5-301, or school, operation application as prescribed under R4-5-401; and
  - 3. The applicable fee prescribed under R4-1-102(A)(3)(b), (A)(3)(c), (A)(5)(b), or (A)(5)(c).

**R4-5-107. Inspections**

- A. Applicability. This Section applies to any barbering establishment operating within Arizona.
- B. Time of inspection. An inspector designated by the Board:
  - 1. Shall inspect each establishment's premises at least twice one or more times per calendar year, and
  - 2. May inspect an establishment at any time permitted under A.R.S. § 32-304(B)(2).
- C. Inspection procedure. According to the requirements of A.R.S. Title 32, Chapter 3, and this Chapter, the Board's inspector shall document that:
  - 1. Each applicable license is current and displayed as prescribed under A.R.S. § 32-351;
  - 2. Equipment and barbering implements are present, clean, and in appropriate quantity to the number of employees in the establishment;
  - 3. Each sanitary product, implement, and procedure is appropriately maintained or followed appropriately by facility establishment staff; and
  - 4. All applicable statutes and rules are followed.
- D. Inspection findings. An inspector shall submit a copy of a completed inspection report to:
  - 1. The owner of license holder or individual assigned by the license holder to operate the inspected establishment; and
  - 2. The Board.
- E. Disciplinary action. The Board shall follow disciplinary procedures prescribed under A.R.S. §§ 32-352 through 32-356 for any inspection finding indicating a violation of any provision under A.R.S. Title 32, Chapter 3, or this Chapter.

**R4-5-108. Licensing Time-frames**

- A. ~~Licensure and renewal. For purposes of~~ The overall time-frame described in A.R.S. § ~~41-1073(E)(2)~~ 41-1072(2), ~~the Board shall issue or deny for all licenses and renewals issued by the Board under A.R.S. Title 32, Chapter 3, and this Chapter within seven days of receipt of an application except for an initial school license is specified in Table 1. An applicant and the Executive Director of the Board may agree in writing to extend the substantive review and overall time-frames by no more than 25 percent of the overall time-frame.~~
- B. ~~Initial school licensure. For purposes of A.R.S. Title 41, Chapter 6, Article 7.1, the Board shall issue an initial school license according to the following time-frame:~~
  - 1. ~~The overall time frame for issuance of a license under this subsection is 60 days. The Board and an applicant may agree in writing to extend the substantive review time frame and the overall time frame.~~
  - 2. ~~The administrative completeness review time-frame described in A.R.S. §41-1072(1) for a license under this subsection is 15 days beginning the day issued by the Board is specified in Table 1 and begins on the date the Board receives a school license application.~~
    - 1. ~~a. If the application is incomplete, The the Board shall send the applicant a notice of administrative completeness or deficiencies within the administrative completeness time frame.~~
    - 2. ~~b. In a notice of deficiency, the Board shall list specifying each deficiency and items the information or documents required to complete the application. The administrative completeness review and overall time-frames are suspended until the Board receives the missing information or documents.~~
    - 3. ~~c. The Board shall suspend for a maximum of 30 days the administrative completeness time frame and the overall time-frame to provide the applicant time to submit the items specified in the notice of deficiency under subsection (B)(2)(b).~~



- d. ~~If the applicant fails to submit the deficient items within 30 days after the date of the notice of deficiency, the Board shall consider the application withdrawn.~~
- 2. If the application is complete, the Board shall send the applicant a notice of administrative completeness.
- 3. If the Board grants or denies a license during the administrative completeness review time-frame, the Board shall not issue a separate notice of administrative completeness.
- C. 3. The substantive review time-frame described in A.R.S. §41-1072(3) for a license under this subsection is 45 days beginning issued by the Board begins on the postmark date of a the notice of administrative completeness sent under subsection (B)(2)(a).
  - 1.a. ~~As part of the substantive review for a an initial school license under this subsection, the Board shall inspect the applicant's premises according to the procedure prescribed under R4-5-107.~~
  - b. ~~The Board shall send a license or a written notice of denial to an applicant within the substantive review time-frame.~~
  - 2. e. During the substantive review time-frame, the Board may send a single comprehensive written notice of request for additional information that includes a written statement of the additional information needed for the Board to make a decision. The substantive review and overall time-frames are suspended from the postmark date of the comprehensive written request for additional information until the Board receives the additional information. The Board and the applicant may agree in writing to allow the Board to submit additional supplemental requests for information.
    - d. ~~An applicant shall submit all required information within 15 days after the date of a notice of request for additional information sent under subsection (B)(3)(e).~~
    - e. ~~The Board may suspend the substantive review time-frame if the Board and applicant agree in writing to a specified amount of time necessary for the applicant to return all information required under subsection (B)(3)(e) to the Board. The Board shall not grant a substantive time-frame extension that exceeds the amount of time allowed under A.R.S. § 41-1075(B).~~
- D. f. The Board shall close the file of an applicant if the applicant fails to submit all required information to the Board within: the time specified in Table 1. If a person whose file is closed wishes to be considered further for licensure, the person shall submit another application and fee.
  - i. ~~The number of days specified under subsection (B)(3)(d); or~~
  - ii. ~~The amount of time specified by written agreement under subsection (B)(3)(e) if applicable.~~
  - g. ~~If the Board denies a license under this subsection, the Board shall send a written denial notice to the applicant that specifies each reason for denial.~~
- E. Within the overall time-frame specified in Table 1, the Board shall:
  - 1. Grant a license to a person that meets all requirements in A.R.S. Title 32, Chapter 3 and this Chapter; or
  - 2. Deny a license to a person that fails to meet all requirements in A.R.S. Title 32, Chapter 3 and this Chapter. The Board shall include in the notice of denial the reason for the denial and information regarding the right to
  - 4. A person denied a school license under this Section may immediately reapply according to the provisions of R4-5-401 and may appeal the denial under A.R.S. Title 41, Chapter 6, Article 10.

**Table 1. Time-frames (in days)**

License	Authority	Overall Time-frame	Administrative Time-frame	Time to Respond	Substantive Time-frame	Time to Respond
Barber	<u>A.R.S. §§ 3-322; 3-327</u>	28	21	90	7	30
Instructor	<u>A.R.S. §§ 3-323; 3-327</u>	28	21	90	7	30
School	<u>A.R.S. §§ 3-325; 3-327</u>	105	30	30	75	60
Shop	<u>A.R.S. §§ 3-326; 3-327</u>	105	30	30	75	60

**R4-5-204.R4-5-109. License Renewal**

- A. ~~A licensee shall~~ To renew a any license issued under this Chapter, a licensee shall submit to the Board:
  - 1. The application for renewal form attached to the license issued by the Board;
  - 2. ~~by submitting the~~ The renewal fee for the applicable license type as prescribed under R1-4-102(A)(1)(d), (A)(2)(c), (A)(3)(d), or (A)(5)(d) to the Board:
    - 1. ~~a.~~ No earlier than 30 days before the expiration date; and
    - 2. ~~b.~~ No later than midnight on the expiration date; and
  - 3. If the documentation submitted under R4-5-202(D)(3), R4-5-203(C)(4), R4-5-301(B)(2)(a)(v), or R4-5-401(C)(4)(a)(iii) was a limited form of work authorization issued by the federal government, evidence that the work authorization has not expired.



- B.** ~~The As provided under A.R.S. § 32-355, a licensee shall pay the fee according to R4-1-103 that fails to renew a license timely shall immediately cease providing the services authorized by the license.~~
- C.** An expired license issued under this Chapter may be renewed within five years after the date of expiration by complying with subsection (A) and paying the late-renewal fee prescribed under R4-5-102.

**ARTICLE 2. EXAMINATION; ~~AND PRACTITIONER LICENSING~~ BARBER AND INSTRUCTOR LICENSE APPLICATION**

**R4-5-201. Examinations**

**A. Required examinations.**

1. Except an applicant for licensure by reciprocity, an applicant for:
  - a. A barber license shall pass an examination covering the topics listed in A.R.S. § 32-324(C); and
  - b. An instructor license shall pass the examination described in A.R.S. § 32-324(D);
2. As authorized under A.R.S. § 32-322(A)(2) and A.R.S. § 32-323(A)(2), the Board shall ensure that applicants for licensure by reciprocity possess necessary qualifications by requiring:
  - a. All applicants for licensure by reciprocity to pass an examination regarding A.R.S. Title 32, Chapter 3 and this Chapter; and
  - b. Applicants for licensure by reciprocity as an instructor to pass an examination regarding procedures the Board uses to measure the practical skills of barbering students.

**B.** In addition to requirements prescribed under A.R.S. § 32-324, the Board shall make the following provisions for any examination administered by the Board:

1. The Board shall send an applicant written notification of an assigned examination time and location ~~to an applicant for a license under A.R.S. Title 32, Chapter 3, and this Chapter~~ at least seven days before a scheduled examination.
2. Examination language provision. The Board shall:
  - a. Administer an examination under this Section in ~~the~~ English language; and
  - b. Allow an applicant for a barber license to provide a reader or personal foreign language interpreter ~~that who~~ shall not be:
    - i. A currently or previously licensed barber or cosmetologist,
    - ii. A barber or cosmetology instructor, or
    - iii. A barber or cosmetology student in any state ~~of the U.S.~~ or foreign country.
3. Examination integrity provision. The Board shall not:
  - a. ~~Provide advance disclosure of~~ Disclose examination questions; or
  - b. Return a completed examination or other examination records kept by the Board to a school or applicant.
4. The Board shall dismiss an applicant from an examination under penalty of examination fee forfeiture if the applicant:
  - a. Cheats, or
  - b. Solicits any information from another person except the examiner.
5. The Board shall require re-examination if an applicant fails to apply for a license within one year after ~~successfully completing~~ passing an examination.
6. For purposes of an examination's practical portion, an applicant for a barber license shall supply:
  - a. All necessary barbering implements and supplies; and
  - b. ~~Any necessary~~ A live model who shall not be:
    - i. A currently or previously licensed barber or cosmetologist,
    - ii. A barber or cosmetology instructor, or
    - iii. A barber or cosmetology student in any state ~~of the U.S.~~ or foreign country.
7. If an applicant fails ~~to pass~~ a portion of an examination, the Board shall allow the applicant to ~~review~~ meet with Board staff and participate in a general discussion of the failed portion of the examination if the applicant submits a written ~~review~~ request ~~notice~~ to the Board within 30 days after the examination.

**R4-5-202. Barber License Application**

**A.** ~~On a form provided by the Board, an initial barber license applicant shall submit the following:~~ An applicant for licensure as a barber shall attach the following to the application attachments required under subsections (B) or (C):

1. ~~Full name;~~ Proof that the applicant is at least 16 years old;
2. ~~Full address;~~ Proof that the applicant has at least two years of high school education or its equivalent. Acceptable proof includes an official transcript from the high school attended or a copy of a high school diploma or GED;
3. ~~Telephone number;~~ Documentation specified under A.R.S. § 41-1080(A) that the applicant's presence in the U.S. is authorized under federal law;
4. ~~Social Security number;~~ A photograph as prescribed under A.R.S. § 32-322(A)(3) that is:
  - a. Professionally produced;
  - b. Of the applicant only;
  - c. U.S. passport sized; and
  - d. Signed by the applicant across the front without blocking the face;



- 5. ~~Birth date; If currently licensed as a barber in another state with which Arizona does not have a reciprocity agreement, a copy of the license; and~~
  - 6. ~~Name and location of high school attended; The applicable fee specified in R4-5-102(A)(1).~~
  - 7. ~~Highest school grade completed;~~
  - 8. ~~Alternate school enrollment name if different from that provided under subsection (A)(1);~~
  - 9. ~~Dates of high school attendance;~~
  - 10. ~~Proof of an earned GED, if applicable;~~
  - 11. ~~A statement and explanation if the applicant has had a barber license suspended or revoked in the five-year period before the application date;~~
  - 12. ~~A statement of any current reciprocal license in another state and state name;~~
  - 13. ~~Any other information required by the Board; and~~
  - 14. ~~The applicant's verification that the information contained on the application is correct and complete, and the applicant's notarized signature.~~
- B.** In addition to the requirements under subsections (A), (D)(1), and (D)(2), the Board shall require the following information on a special application form if an applicant applies for licensure by examination License by examination. In addition to the requirements under subsection (A), an applicant for licensure by examination shall submit an application form, which is available from the Board, and provide the following information:
- 1. ~~A statement whether the applicant was ever previously a licensed barber in Arizona Full name;~~
  - 2. ~~A statement whether the applicant was ever licensed as a barber or apprentice in another state or country and the state or country, if applicable Other names, if any, by which the applicant has been known;~~
  - 3. ~~The date of first barber or apprentice license Full address;~~
  - 4. ~~The name and location of barber school attended Telephone number;~~
  - 5. ~~Total number of earned credit hours Social Security number;~~
  - 6. ~~Attendance dates Date and place of birth;~~
  - 7. ~~Proof that the applicant graduated from barber school Unless currently licensed in another state with which Arizona does not have a reciprocity agreement, name and location of barber school attended; and~~
  - 8. ~~The applicant's verification that the information contained on the special application is correct and complete, and the applicant's notarized signature. Unless currently licensed in another state with which Arizona does not have a reciprocity agreement, the number of certified hours obtained from a barber school;~~
  - 9. ~~A statement whether the applicant has ever been licensed as a barber in Arizona and if so, when;~~
  - 10. ~~A statement whether the applicant has ever been licensed in another state or country as a barber or apprentice barber and if so, when and where;~~
  - 11. ~~A statement whether the applicant has had a barber license suspended or revoked in the five years before the date of application and if so, a complete explanation of the circumstances;~~
  - 12. ~~Any other information required by the Board; and~~
  - 13. ~~The applicant's notarized signature and verification that the information provided is correct and complete.~~
- C.** In addition to the requirements under subsections (A), (D)(1), and (D)(2), an applicant for a barber license by reciprocity shall submit to the Board the following documentation License by reciprocity. In addition to the requirements under subsections (A) and (B)(1) through (6) and (9) through (13), an applicant for licensure by reciprocity shall submit the following:
- 1. ~~Proof the applicant is at least 16 years old A copy of a current barber license issued by a state with which Arizona has a reciprocity agreement; and~~
  - 2. ~~Proof of a minimum tenth grade education in one of the following forms: Documentation of at least one year of barbering work experience. The documentation shall contain the notarized signature of the barber where the work was performed.~~
    - a. ~~A copy of a high school diploma;~~
    - b. ~~A high school transcript or letter that verifies the minimum education requirement under this subsection;~~
    - c. ~~Military discharge documentation that verifies the minimum education requirement under this subsection; or~~
    - d. ~~A GED grade report indicating an overall passing grade as prescribed under R4-5-101 for two years of high school education or its equivalent;~~
  - 3. ~~A copy of a current barber license from a state that has a reciprocity agreement with Arizona; and~~
  - 4. ~~Documentation of at least one year of barbering work experience, notarized by the barber where the work was performed.~~
- D.** The Board shall require any applicant under this Section to submit the following application attachments:
- 1. ~~A photograph as prescribed under A.R.S. § 32-322(A)(3) that is:~~
    - a. ~~A professionally produced photograph of the applicant only;~~
    - b. ~~U.S. passport sized; and~~
    - c. ~~Signed by the applicant across the front, but without blocking the face;~~
  - 2. ~~The applicable fee in cash or by certified instrument for the type of license for which application is made.~~

**R4-5-203. Instructor License Application**

- A.** An applicant for licensure as an instructor shall attach the following to the application required under subsections (B)



and (C):

1. Proof that the applicant is at least 19 years old;
  2. Proof that the applicant has a high school diploma or its equivalent;
  3. Proof that the applicant has practiced barbering for at least two years. The proof shall contain the notarized signature of the barber or barbers where the work was performed;
  4. Documentation specified under A.R.S. § 41-1080(A) that the applicant's presence in the U.S. is authorized under federal law;
  5. A photograph that is:
    - a. Professionally produced;
    - b. Of the applicant only;
    - c. U.S. passport sized; and
    - d. Signed by the applicant across the front without blocking the face;
  6. If currently licensed as a barber instructor in another state with which Arizona does not have a reciprocity agreement, a copy of the license; and
  7. The applicable fee specified in R4-5-102(A)(2).
- B.** ~~On a form provided by the Board, an applicant for a barbering instructor license~~ License by examination. In addition to the requirements under subsection (A), an applicant for licensure by examination shall submit an application form, which is available from the Board, and provide the following information:
1. Full name;
  2. Other names, if any, by which the applicant has been known;
  - 2-3. Full address;
  - 3-4. Telephone number;
  5. Social Security number;
  - 4-6. Birth date;
  - 5-7. Current Arizona barber license number;
  - 6-8. If the applicant attended school for training as a barber instructor:
    - a. Name and address of barbering school attended for instructor training;
    - 7-b. Total hours of instructor training; and
    - 8-c. Attendance dates Dates during which instructor training was obtained;
  9. ~~An indication~~ A statement whether the applicant:
    - a. ~~Completed more than one instructor examination in Arizona before the current application~~ Has ever been licensed as a barber instructor in Arizona and if so, when;
    - b. ~~Has ever been a licensed barber instructor in any other country or state of the U.S. and if so, the country or state and dates of licensure as a barber instructor;~~ and
    - c. ~~Had~~ Has had a former instructor license suspended or revoked in the five years before the date of application and if so, a complete explanation of the circumstances;
  10. ~~Name and location of high school attended;~~
  11. ~~Highest school grade completed;~~
  12. ~~Alternate school enrollment name if different from that provided under subsection (A)(1);~~
  13. ~~Dates of high school attendance;~~
  14. ~~Proof of an earned GED, if applicable;~~
  - 15-10. ~~Any other information required by the Board; and~~
  - 16-11. ~~The applicant's verification~~ notarized signature verifying that the information contained on the license application provided is correct and complete, and the applicant's notarized signature.
- B.C.** ~~An applicant shall submit the instructor license fee in cash or by certified instrument with the completed application.~~ License by reciprocity. In addition to the requirements under subsections (A) and (B)(1) through (6) and (9) through (11), an applicant for an instructor license by reciprocity shall submit the following:
1. A copy of the current license to instruct barber students issued by a state that has a reciprocity agreement with Arizona; and
  2. Documentation of at least one year's experience as a licensed instructor of barber students. The documentation shall contain the notarized signature of the owner of the barber school at which instruction was provided.

#### **R4-5-204. ~~License Renewal~~ Renumbered**

### ARTICLE 3. SHOPS

#### **R4-5-301. ~~Shop License Application for a License to Operate a Shop~~**

- A. ~~Application time frame. An applicant~~ A person shall submit to the Board the items under subsections (B) and (C) no fewer than seven business days before the ~~opening date on which the person intends to open a barber shop. of the applicant's~~ A person shall not operate a barber shop until an application has been submitted to the Board. A person that intends to operate more than one shop shall apply for and be issued a separate license to operate each shop.
- B. ~~On a form provided by available from the Board, a shop license~~ an applicant for a license to operate a shop shall submit provide the following information:



1. Indicate the applicant's requested licensing action:
  - a. A license to operate a new shop;
  - b. A change of location of an operating shop including the following information:
    - i. The Board file number, and
    - ii. Both the old and new addresses of the shop; or
  - c. A change of ownership of an operating shop including the following information:
    - i. Former owner's name;
    - ii. Former shop name, if the shop name is changed;
    - iii. Board file number; and
    - iv. A copy of the shop's bill of sale or the signature of the former owner on the application;
- ~~1.2.~~ Ownership information:
  - a. Name and Social Security number of If the owner is an individual or partnership:
    - i. Name,
    - ii. Address,
    - iii. Telephone number,
    - iv. Social Security number of the individual or each partner owning at least 10 percent of the partnership, and
    - v. Documentation specified under A.R.S. § 41-1080(A) that the presence in the U.S. of the individual or each partner owning at least 10 percent of the partnership is authorized under federal law; or
  - b. Partnership If the owner is a corporation:
    - i. or corporate Corporate name;;
    - ii. names Names of the all individuals comprising owning at least 10 percent of the partnership or corporation; and
    - iii. the tax Tax identification number of the partnership or corporation;
    - iv. Name and telephone number of a contact person;
    - v. Name and address of the statutory agent, if required by law;
    - vi. Address of corporation; and
    - vii. Telephone number of corporation;
- ~~2.3.~~ Shop information:
  - a. Shop name,
  - b. Full physical address of the shop,
  - c. Telephone number, and
  - d. A map of approximate shop location indicating the names of major cross streets; and;
  - e. Any applicable corporate information that includes:
    - i. Corporate name if different from subsection (B)(2)(a);
    - ii. Name of contact person;
    - iii. Address of corporate headquarters; and
    - iv. Telephone number;
- ~~3.4.~~ If known at the time of application, the name and Arizona license number of the barber who will manage directly supervise the shop on behalf of the licensed owner license holder;
- ~~4.5.~~ A projected date for the Board's initial inspection shop to open;
5. Indicate the applicant's requested licensing action:
  - a. A new shop license;
  - b. A shop relocation; or
  - e. A change of ownership including the following information:
    - i. Former owner's name;
    - ii. Former shop name,
    - iii. Board file number; and
    - iv. A copy of the shop's bill of sale or the signature of the former owner on the application;
6. A listing list of equipment in the applicant's shop including the total number of the following:
  - a. Barber or styling chairs,
  - b. Sinks with hot and cold running water,
  - c. Dry sanitizers Tool drawers,
  - d. Liquid sanitizers,
  - e. Workstations,
  - e-f. Soiled-towel receptacles, and
  - f-g. Garbage and hair receptacles;
7. A description of the shop's floor covering;
8. An indication of whether the applicant's shop is a license to operate the shop has been or will be licensed by obtained from the Board of Cosmetology;
9. Any other information required by the Board; and



10. The applicant's verification that the information contained on the application is correct and complete, and the applicant's notarized signature.
- C. Fee. In addition to ~~the~~ completed shop application form required under subsection (B), an applicant shall submit to the Board ~~in cash or by certified instrument~~ the appropriate fee specified in R4-5-102(A)(3) for the licensing action requested under subsection (B)(1).

**R4-5-302. ~~Shop Premises and~~ Basic Equipment Required in a Shop**

- A. The holder of a license to operate a shop ~~owner~~ shall ensure that ~~each~~ the shop has at least the following equipment:
1. A barber or styling chair;
  - ~~1-2.~~ A One sink, that which has hot and cold running water, for every two barber or styling chairs and located no more than three feet from the barber or styling chairs;
  - ~~2-3.~~ Soap Liquid or powder soap and clean paper towels for use at each sink; and
  - ~~3-4.~~ A separate, covered, receptacle for each of the following:
    - a. Garbage and hair, and
    - b. Reusable towels or cloths that are soiled;
  5. One tool drawer and one liquid sanitizer for each barber or styling chair and the necessary EPA-registered disinfectants for each;
  6. One wall mirror located near each barber or styling chair;
  7. One workstation for each barber or styling chair; and
  8. Cabinet in which to store additional supplies.

**R4-5-303. Shop Supervision**

- A. The holder of a license to operate a shop shall designate a barber licensed under this Chapter to directly supervise the shop during all hours of operation.
- ~~A-B.~~ A shop owner license holder or supervising barber licensed under this Chapter shall ensure that:
1. Each Every individual, whether an employee, or independent contractor, or supervisor that who practices barbering in the shop has a current license that meets the requirements of issued under A.R.S. § 32-322 and R4-5-202;
  2. Each required license and the most recent Board inspector's record are displayed according to A.R.S. § 32-351(A); and
  3. Each licensee complies with any all applicable provision provisions of A.R.S. Title 32, Chapter 3, and this Chapter.
- ~~B-C.~~ The Board shall hold a shop owner license holder and any supervising barber responsible for any violation of an applicable provision of A.R.S. Title 32, Chapter 3, or this Chapter.
- ~~C-D.~~ A The holder of a license to operate a shop owner who is a an Arizona-licensed barber may directly supervise a the shop.

**R4-5-304. Shop Mobile Units**

- A. To operate a mobile unit as a shop, the owner of the mobile unit shall make application for a license under R4-5-301.
- B. The Board shall issue a license to operate a mobile unit as a shop only if:
1. The mobile unit is self-contained;
  2. The mobile unit meets all requirements for a shop specified under A.R.S. Title 32, Chapter 3, and this Chapter; and
  3. The owner of the mobile unit's owner unit agrees to provide the Board with 15-day written or oral advance notice at least 15 days before of the unit's proposed mobile unit is placed in a location or moved to a change in new location.

**R4-5-305. Display of Barber Pole**

- A. Under A.R.S. § 32-355(A)(4), it is unlawful to display a sign or advertise as being engaged in the practice or business of barbering without being licensed under A.R.S. Title 32, Chapter 3, and this Chapter.
- B. The Board has trademarked through the Office of the Secretary of State the barber pole as a sign of the barbering business.
- C. A business shall not display a barber pole unless a barber licensed under A.R.S. Title 32, Chapter 3, and this Chapter is available to provide barbering services during the business hours that the barber pole is displayed.

**ARTICLE 4. SCHOOLS**

**R4-5-401. Barber School Application for a License to Operate a School**

- A. Before submitting an application under this Section, an applicant for a license to operate a school may request that Board staff review the proposed application and perform a courtesy inspection of the proposed school location.
- B. The owner of a barber school that operates in more than one location, except at an offsite training facility, shall apply for and obtain a separate license to operate the barber school at each location.
- ~~A-C.~~ Application form. On a form provided by available from the Board an applicant for a license to operate a barber school shall submit provide the following information:
1. Indicate the applicant's requested licensing action:
    - a. A license to operate a new school;
    - b. A change of location of an operating school including the following information:
      - i. The Board file number, and
      - ii. Both the old and new addresses of the school; or



- c. A change of ownership of an operating school including the following information:
  - i. Former owner's name;
  - ii. Former school name, if the school name is changed;
  - iii. Board file number; and
  - iv. A copy of the school's bill of sale or the signature of the former owner on the application;
- 2. School information:
  - ~~1-a.~~ School name;
  - ~~2-b.~~ Physical location address of the school; and
  - ~~3-c.~~ Telephone number;
- ~~4-3.~~ Applicant information:
  - a. Name,
  - b. Address, and
  - c. Telephone number;
- ~~5-4.~~ Owner information. If the school owner is other than the person specified under (A)(4), the applicant shall supply the following owner information:
  - a. Owner name; If the owner is an individual or partnership:
    - i. Name of the individual and all partners owning at least 10 percent of the partnership;
    - ii. Social Security number of the individual and all partners owning at least 10 percent of the partnership, and
    - iii. Documentation specified under A.R.S. § 41-1080(A) that the presence in the U.S. of the individual and all partners owning at least 10 percent of the partnership is authorized under federal law; or
  - b. Home address, and If the owner is a corporation:
    - i. Corporate name;
    - ii. Names of all individuals owning at least 10 percent of the corporation;
    - iii. Tax identification number of the corporation;
    - iv. Name and telephone number of a contact person;
    - v. Name and address of the statutory agent, if required by law;
    - vi. Address of corporation; and
    - vii. Telephone number of corporation;
  - e. Telephone number;
- ~~6-5.~~ School manager supervisor information:
  - a. Name, and
  - b. Applicable barber or instructor Arizona instructor license number;
- ~~7.~~ An indication of whether the school is or will be licensed by the Board of Cosmetology;
- ~~8.~~ An indication of the requested licensing action:
  - a. A new school license;
  - b. A school move, or
  - e. A change of ownership;
- ~~9.~~ If the applicant indicates a school move under subsection (A)(8)(b):
  - a. The Board file number, and
  - b. The school's new address;
- ~~10.~~ If the applicant indicates a change of ownership under subsection (A)(8)(c):
  - a. The Board file number;
  - b. The school's former name if applicable, and
  - e. A copy of the bill of sale or the signature of the former owner on the application;
- ~~11-6.~~ A listing list of equipment in the applicant's school including the total number of the following:
  - a. Barber chairs,
  - b. Sinks,
  - c. Dry sanitizers Tool drawers,
  - d. Liquid sanitizers,
  - e. Latherizers,
  - f. Soiled-towel receptacles,
  - g. Garbage and hair receptacles,
  - h. Workstations, and
  - h-i. Student lockers;
- ~~12-7.~~ A description of the establishment's floor covering in the area in which students practice barbering skills;
- ~~8.~~ Number and square footage of classrooms;
- ~~9.~~ Number of students to be admitted;
- ~~10.~~ Number of licensed instructors;
- ~~11.~~ Hours during which instruction will be provided;
- ~~13-12.~~ A projected ready date for the Board's initial inspection;



~~14-13.~~ Any other information required by the Board; and

~~15-14.~~ The applicant's verification, under oath, that the information contained on the application is correct and complete, and the applicant's notarized signature.

**D.** An applicant for a license to operate a school shall attach the following to the application required under subsection (C):

1. A current school catalog.

2. A list of all courses offered at the school and the number of instructional hours devoted to each course, and

~~B.3.~~ Bond. An applicant for a license to operate a school shall attach to the completed application a A copy of the bond in the amount required under A.R.S. § 32-325(C)(6).

~~C.E.~~ Fee. In addition to ~~a the completed barber school application form~~ required under subsections (C) and (D), an applicant shall submit to the Board ~~in cash or by certified instrument~~ the appropriate fee specified under R4-5-102(A)(5) for the applicant's indicated licensing action requested under subsection (C)(1).

#### **R4-5-402. Notification of Changes**

~~A~~ The holder of a license to operate a school owner shall send written ~~notification~~ notice and updated information to the Board within 15 days if the ~~school owner~~ license holder:

1. Amends the school catalog,

2. ~~Offers a new curriculum~~ Stops offering a course.

3. Offers a new course,

4. Changes the number of instructional hours devoted to a course listed under R4-5-401(C).

~~4-5.~~ Changes the school operating schedule hours during which instruction is provided,

~~5-6.~~ Changes the school name,

~~6-7.~~ Changes the school manager supervisor.

7. ~~Opens an additional location,~~ or

8. Establishes an offsite training facility in a shop under the provisions of R4-5-411.

#### **R4-5-403. Use of "Accredited," "Approved," or Similar Terms**

If "accredited," "approved," or a similar term appears in a school catalog or advertisement, the ~~school's owner~~ holder of the license to operate the school shall ensure that the catalog or advertisement includes the name of the accrediting or approving organization.

#### **R4-5-404. School Premises and Basic Equipment**

**A.** In addition to the requirements of A.R.S. § 32-325(C)(2) and (C)(3), the holder of a license to operate a school owner shall ensure that the school has at least the following ~~at a minimum~~:

1. An instructor, licensed in Arizona, to teach each required course ~~of instruction~~;

2. Instructional furnishings and fixtures for instructor and student use;

3. A workstation for each student scheduled for practical instruction;

4. Filing cabinets for school and student records;

5. Chalkboards or other writing boards;

6. A dispensary to prepare, mix, store, and dispose of supplies and chemicals used to ~~sanitize~~ disinfect barbering implements;

7. ~~One liquid sanitizer and one dry sanitizer at each workstation;~~

~~8-7.~~ At least one One latherizer for every ~~10 students~~ five barber chairs;

~~9-8.~~ At least one One sink, with hot and cold running water, liquid or powder soap, and towels for every ~~three students~~ two barber chairs; ~~and~~

~~10-9.~~ A student library that contains at least the following:

a. A dictionary;

b. Current barbering manuals and textbooks;

c. A current copy of A.R.S. Title 32, Chapter 3; and

d. A current copy of this Chapter; ~~and~~

10. A clock; and

11. All equipment, implements, materials, and supplies necessary for student instruction.

**B.** ~~A~~ The holder of a license to operate a school owner shall ensure that each student workstation has at least the following:

1. A barber chair;

~~1-2.~~ A wall mirror located behind the barber chair;

~~2-3.~~ A work stand workstation that includes a tool drawer; and

~~3-4.~~ A chair for the patron One liquid sanitizer and one spray disinfectant.

**C.** ~~A~~ The holder of a license to operate a school owner shall ensure that each student at a workstation has access to the following:

1. A covered receptacle for soiled towels and cloths;

2. A covered receptacle for garbage and hair; and

3. A sufficient supply of ~~tonics, lotions, shampoos, and chemical preparations used to process hair~~ barbering products listed under R4-5-104(A)(3).



**R4-5-405. School Operations and Enrollment**

- A. ~~A The holder of a license to operate a school owner~~ shall file the school’s operating schedule with the Board before the first scheduled class begins.
- B. ~~A The holder of a license to operate a school owner~~ shall ensure that ~~any item~~ all equipment provided under this Chapter is of ~~shop~~ sufficient quality to meet the educational needs of students and maintained in good repair.
- C. Unless a student who is studying barbering possesses ~~items~~ the equipment listed under this subsection at the time of enrollment, ~~a the holder of a license to operate a school owner~~ shall provide ~~each~~ the student with a non-returnable training kit that includes the following equipment, all of which are new:
  - 1. Course textbooks,
  - 2. One mannequin for barbering practice,
  - 3. Twelve combs and ~~six~~ four brushes ~~without defects,~~
  - 4. One hair dryer,
  - 5. One straight razor with interchangeable blades,
  - 6. One pair of haircutting shears with at least six-inch blades,
  - 7. One pair of thinning shears,
  - 8. One clipper with interchangeable blades sizes 1 and .000 or an adjustable clipper, ~~and~~
  - 9. One neck duster, and
  - 10. A copy of the current statutes and rules governing the Board.
- D. ~~Trainee age and education requirement~~ notices. At the time ~~a the holder of a license to operate a school owner~~ enrolls a student, the ~~school owner~~ license holder shall give Exhibit 1 or 2 to the student, as appropriate, and maintain the completed document for ~~five years~~ the time specified in R4-5-408(H).
- E. An instructor trainee shall not teach students until the instructor trainee has received 40 instructional hours of training in methods of teaching. An instructor trainee shall complete all training in no more than six months.
- F. ~~A person~~ An individual who is not ~~a an~~ an Arizona-licensed instructor shall not teach in a school but may demonstrate any process, product, or appliance to students when the ~~person~~ individual is under the supervision of ~~a an~~ an Arizona-licensed instructor.
- G. Within five days after enrolling a student, ~~a the holder of a license to operate a school owner~~ shall send the following to the Board:
  - 1. A copy of the student’s written application to attend the school ~~that contains~~ containing the following:
    - a. The student’s name and address,
    - b. The student’s enrollment date,
    - c. ~~Indicate~~ An indication whether the student is enrolled in a barber or instructor course, and
    - d. The student’s signature, and
  - 2. Two passport-size photographs of the student.
- H. Within 90 days after enrolling a student, the holder of a license to operate a school shall send the following to the Board:
  - 1. Proof that the student is 16 if enrolled in a barber course or 19 if enrolled in an instructor course;
  - 2. Proof that the student has at least a tenth-grade education if enrolled in a barber course or graduated from high school or its equivalent if enrolled in an instructor course; and
  - 3. Documentation specified under A.R.S. § 41-1080(A) that the student’s presence in the U.S. is authorized under federal law.
- H.I. ~~Upon receipt of enrollment information under subsection (G), the~~ The Board shall use the information provided under subsection (G) to prepare and issue an educational card to a student. The ~~student~~ holder of a license to operate a school shall ensure that a student:
  - 1. ~~Display~~ Displays the card at the student workstation, and
  - 2. ~~Return~~ Returns the card to the Board upon completion of ~~the course~~ or ~~upon~~ withdrawal from the course ~~for any reason.~~

**Exhibit 1. Required Age and Education Notice to a Barber Trainee**

NOTICE

This Notice is required by the Arizona State Board of Barbers.

You have applied to this school for training that will qualify you to apply for a license to be a barber in Arizona. The Arizona State Board of Barbers will not issue you a license unless: ~~you~~

- 1. You are at least 16 years of age when you apply for the license, ~~and you can~~
- 2. You demonstrate to the Board ~~of Barbers~~ that you have completed and received appropriate credits for at least two years of high school education or its equivalent, and
- 3. You document that your presence in the U.S. is authorized under federal law.

It is your responsibility to make sure ~~that you can~~ meet the requirements of the Board of Barbers, ~~particularly regarding the completion of two years of high school or its equivalent.~~ If you are unsure about whether you ~~can~~ meet the requirements, you should contact the Board of Barbers for further information.

ACKNOWLEDGEMENT OF RECEIPT OF NOTICE

I ~~hereby~~ acknowledge that I ~~have~~ received and understand the foregoing Notice.



(student signature and date) ~~(signature date)~~

## Exhibit 2. Required ~~Age and Education~~ Notice to an Instructor Trainee

### NOTICE

This Notice is required by the Arizona State Board of Barbers.

You have applied to this school for training that will qualify you to apply for a license to be a barber instructor in Arizona. The Arizona State Board of Barbers will not issue you a license unless; ~~you~~

1. You are at least 19 years of age when you apply for the license, ~~and you can~~
2. You demonstrate to the Board of Barbers that you hold a high school diploma or its equivalent; and
3. You document that your presence in the U.S. is authorized under federal law.

It is your responsibility to make sure that you ~~can~~ meet the requirements of the Board of Barbers, ~~particularly regarding the holding of a high school diploma or its equivalent.~~ If you are unsure about whether you ~~can~~ meet the requirements, you should contact the Board of Barbers for further information.

### ACKNOWLEDGEMENT OF RECEIPT OF NOTICE

I ~~hereby~~ acknowledge that I ~~have~~ received and understand the foregoing Notice.

(student signature and date) ~~(signature date)~~

#### R4-5-406. Student Training and Supervision

- A. ~~A The holder of a license to operate a school owner shall grade~~ ensure that students are graded at least monthly and ~~inform the students~~ informed of their grades and instructional hours completed.
- B. ~~A~~ A licensed instructor may assist students in the performance of barbering.
- C. A student shall not dismiss a patron until a licensed instructor inspects and approves the student's work.
- D. A student shall not attend a school for ~~longer~~ more than eight hours per day.
- E. A student may receive a maximum of 20 ~~credit~~ instructional hours for field trips pertaining to barbering.
- F. A student may receive up to 50 percent of the student's ~~total~~ training at an offsite training facility operated under the provisions of R4-5-411.
- G. ~~The~~ A licensed instructor shall not ask a student to perform barbering on ~~the public~~ a patron while the student is engaged in classroom instruction or taking a written examination.
- H. A student shall wear a name tag during school attendance that clearly identifies the student by name and student status.

#### R4-5-407. School Curriculum

- A. ~~A The holder of a license to operate a school owner shall offer~~ ensure that the barbering curriculum offered ~~that~~ complies with A.R.S. § 32-325(B).
- B. In addition to the minimum requirements under A.R.S. § 32-325(B)(1), ~~a school owner~~ the license holder shall include instruction in the following:
  1. Professional ethics,
  2. Shop management, and
  3. Regulatory provisions prescribed under A.R.S. Title 32, Chapter 3, and this Chapter.

#### R4-5-408. School Records

- A. ~~A The holder of one license to operate a school owner of one school~~ shall keep a student's records at the student's enrollment location.
- B. ~~A The holder of multiple licenses to operate multiple school owner of a multiple location school~~ schools may keep a student's records at the student's enrollment location or ~~as prescribed at R4-5-410~~ a location that serves all the schools operated by the same license holder.
- ~~B.C.~~ A The holder of a license to operate a school owner shall at least weekly enter into each student's record the following:
  1. The date of the recorded entry,
  2. Each subject studied and the number of ~~each~~ instructional hours earned for each subject,
  3. An indication whether instruction in a subject listed under subsection ~~(B)(2)~~ (C)(2) was classroom or practical instruction, and
  4. The student's signature on a paper copy of the record to acknowledge ~~modification~~ accuracy of information in of the record within three days after each record update.
- ~~C.D.~~ A The holder of a license to operate a school owner shall maintain a ~~permanent~~ complete and accurate record file for each student that includes:
  1. The signed contract made between the student and the school,
  2. The student's current transcript,
  3. The applicable original notice required under R4-5-405(D), and
  4. ~~The records~~ Both the record created under subsection ~~(B)~~ (C) and the student-signed paper copy of the record.
- ~~D.E.~~ Within 15 days after the end of each month, ~~a the holder of a license to operate a school owner~~ shall submit a report to the Board that includes:
  1. A list of each student who graduated during the ~~reporting period~~ month;



- 2. The name and license number of:
  - a. ~~The school's chief supervising~~ instructor, and
  - b. ~~Each licensed instructor providing classroom or practical instruction during the month;~~
- 3. ~~A list of all students currently enrolled and:~~
  - a. A list of total instructional hours earned by each student during the reporting period month;
  - ~~4-b.~~ A list of each student's cumulative instructional hours; and
  - c. A copy of the student-signed reports required under subsection (C)(4) and prepared during the month;
- ~~5-4.~~ The name of any student who, during the applicable reporting period month:
  - a. ~~Transfers~~ Transferred to another school,
  - b. ~~Withdraws~~ Withdrawn, or
  - c. ~~Takes~~ Took a leave-of-absence;
- 6. ~~A copy of the documents signed by a student under R4-5-408(B)(4) during the reporting period;~~ and
- ~~7-5.~~ The signature of the holder of the license to operate the school owner or the owner's license holder's representative verifying that all information provided is correct and complete.

**F. If a student transfers from one school to another, the holder of the license to operate the school from which the student transferred shall:**

- 1. Make final entries to ensure the student's transcript is complete and accurate, and
- 2. Forward a copy of the student's transcript to the student and Board within three days after the student provides notice of transfer.

**G. When a student graduates or withdraws from a school, the holder of the license to operate the school shall:**

- 1. Complete a Student's Completion of Hours or Withdrawal form;
- 2. Certify the number of hours completed by the student;
- 3. Have the form notarized; and
- 4. Forward a copy of the form to the graduating or withdrawing student and the Board.

**H. The holder of a license to operate a school shall maintain the student record file required under subsection (D) permanently unless required under R4-5-409(E) to forward the records to the Board.**

**R4-5-409. School Closure**

- A. The Board shall consider a school closed if the school fails ~~to provide instruction for a five consecutive five-day period~~ school days to provide instruction in accordance ~~that does not comply~~ with the operating schedule on file with the Board.
- B. Closure notification. ~~A~~ The holder of the license to operate a school owner that is closing shall deliver written or oral ~~notification~~ notice of a the school's closure to each currently enrolled student and the Board:
  - 1. Ten days in advance of before closure in a case when the owner anticipates if the license holder can reasonably anticipate the school closure, or
  - 2. Within five days after closure if the school's closure was could not be reasonably anticipated by the owner license holder.
- C. The holder of the license to operate a school that is closing shall ensure that the notice provided to currently enrolled students under subsection (B) includes the following information:
  - 1. When a full refund of paid tuition will be provided to the student.
  - 2. How to make a claim against the bond required under A.R.S. § 32-325(C)(6) and R4-5-401(C)(3).
  - 3. How to obtain a copy of the student's transcript and certification of hours completed.
  - 4. How to obtain possession of the training kit provided under R4-5-405(C) and other personal possessions, and
  - 5. How to access the student's records in the future.
- D. The holder of the license to operate a school that is closing shall obtain a signed statement from each currently enrolled student verifying that the license holder complied with subsection (C).
- ~~C-E.~~ Disposition of student records. A The holder of the license to operate a school owner that is closing shall:
  - 1. Ensure that all student records are updated as required under R4-5-408(C) through the last day on which instruction was provided;
  - 2. ~~forward~~ Forward all records for each ~~student~~ currently enrolled students to the Board within 10 days after the school ~~closure~~ closes; and
  - 3. Forward to the Board a copy of all the signed statements required under subsection (D).

**R4-5-410. Multiple Location Schools Repealed**

The following provisions apply to a school that operates in more than one location:

- 1. ~~The operator of a multiple location school shall obtain a license for each school location; and~~
- 2. ~~The owner of a multiple location school may keep school records in a single location.~~

**R4-5-411. Offsite Training Facility**

- A. ~~A~~ The holder of a license to operate a school owner may operate an offsite training facility in a shop that complies with the provisions of A.R.S. § 32-325(C) and R4-5-404(A)(11), R4-5-405(B), (E), and (F), and R4-5-406(B), (C), (D), (G), and (H).
- B. In addition to subsection (A), a ~~school owner~~ license holder operating an offsite training facility shall comply with the following:



1. R4-5-404(A)(1), (3), (6), (7), (8), and (9) if ~~training only practical instruction is provided~~ at the facility ~~is practical only~~; or
  2. Requirements of subsection (B)(1) and R4-5-404(A)(2) and (A)(5) if ~~training classroom instruction is provided~~ at the facility ~~includes classroom study~~.
- C. In addition to the requirements of ~~subsection (A)~~ subsections (A) and (B), a ~~school owner~~ license holder operating an offsite training facility shall:
1. Clearly indicate to the public the specific portion of the shop designated as an offsite training facility,
  2. Post a sign indicating that barbering services at the offsite training facility are provided by students,
  3. Require a student to ~~orally~~ orally give oral notice of status as a student to each patron, and
  4. Restrict student barbering ~~only~~ to the portion of the shop designated as an offsite training facility.

## ARTICLE 5. HEARINGS

### R4-5-501. Hearing Procedures

For purposes of A.R.S. § 32-354(D), the Board shall conduct all formal ~~hearings proceedings~~ according to A.R.S. Title 41, Chapter 6, Article 10.

### R4-5-502. Rehearing and Review of Decision

- A. The Board shall provide for a rehearing and review of a decision under A.R.S. Title 41, Chapter 6, Article 1
- B. ~~A~~ Except as provided in subsection (I), a party ~~shall~~ is required to file a motion for rehearing or review of a Board decision ~~of the Board~~ to exhaust the party's administrative remedies.
- C. A party may amend a motion for rehearing or review at any time before the Board rules on the motion.
- D. The Board may grant a rehearing or review for any of the following reasons materially affecting a party's rights:
1. Irregularity in the proceedings of the Board, or any order or abuse of discretion, that deprived the moving party of a fair hearing;
  2. Misconduct of the Board, its staff, an administrative law judge, or the prevailing party;
  3. Accident or surprise that could not have been prevented by ordinary prudence;
  4. Newly discovered material evidence that could not, with reasonable diligence, have been discovered and produced at the hearing;
  5. Excessive penalty;
  6. Error in the admission or rejection of evidence or other errors of law occurring at the hearing or during the progress of the proceedings;
  7. ~~That the~~ The Board's decision is a result of passion or prejudice; or
  8. ~~That the~~ The findings of fact or decision is not justified by the evidence or is contrary to law.
- E. The Board may affirm or modify a decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons in subsection (D). An order modifying a decision or granting a rehearing shall specify with particularity the grounds for the order.
- F. If a motion for rehearing or review is based upon an affidavit, the affidavit shall be served with the motion. An opposing party may, within 15 days after service, serve opposing affidavits. The Board may extend this period for a maximum of 20 days, ~~for good cause as described in subsection (I) if the parties agree~~.
- G. Not later than 30 days after the date of a decision, after giving parties notice and an opportunity to be heard, the Board may grant a rehearing or review on its own initiative for any reason for which it might have granted relief on motion of a party. The Board may grant a motion for rehearing or review, timely served, for a reason not stated in the motion.
- H. If a rehearing is granted, the Board shall hold the rehearing within 60 days after the issue date on the order granting the rehearing.
- I. ~~The Board may extend all time limits listed in this Section upon a showing of good cause. A party demonstrates good cause by showing that the grounds for the party's motion or other action could not have been known in time, using reasonable diligence, and:~~
1. ~~A ruling on the motion will further administrative convenience, expedition, or economy; or~~
  2. ~~A ruling on the motion will avoid undue prejudice to any party. If the Board makes a specific finding that a particular decision needs to be effective immediately to preserve the public peace, health, or safety and that a review or rehearing of the decision is impracticable, unnecessary, or contrary to the public interest, the Board shall issue the decision as a final decision without an opportunity for rehearing or review.~~



NOTICES OF RULEMAKING DOCKET OPENING

This section of the Arizona Administrative Register contains Notice of Rulemaking Docket Openings.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF BARBERS

[R15-51]

- 1. Title and its heading: 4, Professions and Occupations
Chapter and its heading: 5, Board of Barbers
Article and its heading: 1, General Provisions; 2, Examination and Practitioner Licensing; 3, Shops; 4, Schools; 5, Hearings
Section numbers: R4-5-101 through R4-5-108, R4-5-201 through R4-5-204, R4-5-301 through R4-5-304, R4-5-401 through R4-5-405, Exhibit 1, Exhibit 2, R4-5-406 through R4-5-411, R4-5-501, and R4-5-502
2. The subject matter of the proposed rule: The Board's rules have not been amended since 2005. In a five-year-review report approved by Council on September 14, 2010, the Board identified several rules that needed to be amended. In this rulemaking, the Board makes necessary amendments. Additionally, the Board increases several fees, increases the length of its licensing timeframes, and establishes requirements regarding blood and body fluid spills.
3. A citation to all published notices relating to the proceeding: Notice of Proposed Rulemaking: 21 A.A.R. 869, June 19, 2015 (in this issue).
4. Name and address of agency personnel with whom persons may communicate regarding the rule: Name: Sam Barcelona; Address: 1400 W. Washington St., Suite 220 Phoenix, AZ 85007; Telephone: (602) 542-4498; E-mail: sam.barcelona@azbarberboard.us; Web site: www.azbarberboard.us
5. The time during which the agency will accept written comments and the time and place where oral comments may be made: The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.
6. A timetable for agency decisions or other action on the proceeding, if known: See the Notice of Proposed Rulemaking on page 869 of this issue.



**NOTICE OF AGENCY GUIDANCE DOCUMENTS**

The Administrative Procedure Act requires the publication of guidance documents and substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)).

Substantive policy statements and guidance documents are written expressions which inform the general public of an agency’s current approach to rule or regulation practice.

Substantive policy statements and agency guidance documents do not include internal procedural documents which may only affect the internal procedures of the agency and do not impose additional requirements or penalties on regulated parties in accordance with A.R.S. Title 41.

**NOTICE OF AGENCY GUIDANCE DOCUMENTS**

**ARIZONA DEPARTMENT OF REVENUE**

[M15-127]

- 1. Title of the guidance document and the guidance document number by which the document is referenced:**  
Procedure for a Taxpayer Requesting a Taxpayer Assistance Order (TAO); GTP 15-1
- 2. Date of the publication of the guidance document and the effective date of the document if different from the publication date:**  
January 22, 2015
- 3. Summary of the contents of the guidance document:**  
Explains how to request a Taxpayer Assistance Order from the Problem Resolution Officer at the Department of Revenue.
- 4. A statement as to whether the guidance document is a new document or a revision:**  
This guidance document supersedes Arizona General Tax Procedure GTP 94-5.
- 5. The name and address of the person to whom questions and comments about the guidance document may be directed:**  
Name: Arizona Department of Revenue, Tax Research & Analysis Section  
Address: 1600 W. Monroe – Division Code 3  
Phoenix, AZ 85007-2650  
Telephone: (602) 716-6803
- 6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**  
Anyone wishing to obtain a copy of this document should call (602) 255-3381, or write to:  
Taxpayer Information and Assistance  
Arizona Department of Revenue  
1600 W. Monroe – Division Code 11  
Phoenix, AZ 85007-2650  
This information is also available by visiting our web site at <http://www.azdor.gov>.

**NOTICE OF AGENCY GUIDANCE DOCUMENTS**

**ARIZONA DEPARTMENT OF REVENUE**

[M15-128]

- 1. Title of the guidance document and the guidance document number by which the document is referenced:**  
Procedure for Submitting an Authorization for Disclosure of Confidential Information and Powers of Attorney, GTP 15-2
- 2. Date of the publication of the guidance document and the effective date of the document if different from the publication date:**  
May 23, 2015
- 3. Summary of the contents of the guidance document:**  
This guidance document details the information required on an authorization to disclose confidential information, lists the available Department disclosure forms and their uses and outlines who is authorized to sign an authorization to disclose confidential information on behalf of a taxpayer.

**4. A statement as to whether the guidance document is a new document or a revision:**

This guidance document supersedes and rescinds GTP 95-2 and GTP 95-2A.

**5. The name and address of the person to whom questions and comments about the guidance document may be directed:**

Name: Arizona Department of Revenue, Tax Research & Analysis Section  
Address: 1600 W. Monroe – Division Code 3, Phoenix, AZ 85007-2650  
Telephone: (602) 716-6803

**6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**

Anyone wishing to obtain a copy of this document should call (602) 255-3381, or write to:  
Taxpayer Information and Assistance

Arizona Department of Revenue  
1600 W. Monroe – Division Code 11  
Phoenix, AZ 85007-2650

This information is also available by visiting our web site at <http://www.azdor.gov>.

**NOTICE OF AGENCY GUIDANCE DOCUMENTS****ARIZONA DEPARTMENT OF REVENUE**

[M15-129]

**1. Title of the guidance document and the guidance document number by which the document is referenced:**

Procedure for Individuals Deducting a Net Operating Loss Carryback, ITP 13-1

**2. Date of the publication of the guidance document and the effective date of the document if different from the publication date:**

December 5, 2013

**3. Summary of the contents of the guidance document:**

Explains the method individuals should use to carryback a net operating loss deduction for individual income taxes.

**4. A statement as to whether the guidance document is a new document or a revision:**

This guidance document supersedes ITP 99-1.

**5. The name and address of the person to whom questions and comments about the guidance document may be directed:**

Name: Arizona Department of Revenue, Tax Research & Analysis Section  
Address: 1600 W. Monroe – Division Code 3, Phoenix, AZ 85007-2650  
Telephone: (602) 716-6803

**6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**

Anyone wishing to obtain a copy of this document should call (602) 255-3381, or write to:  
Taxpayer Information and Assistance

Arizona Department of Revenue  
1600 W. Monroe – Division Code 11  
Phoenix, AZ 85007-2650

This information is also available by visiting our web site at <http://www.azdor.gov>.

**NOTICE OF AGENCY GUIDANCE DOCUMENTS****ARIZONA DEPARTMENT OF REVENUE**

[M15-130]

**1. Title of the guidance document and the guidance document number by which the document is referenced:**

Procedure for Individuals Who Claim Federal and/or Arizona Bonus Depreciation; ITP 15-1

**2. Date of the publication of the guidance document and the effective date of the document if different from the publication date:**

January 22, 2015

**3. Summary of the contents of the guidance document:**

Explains how individuals calculate the bonus depreciation adjustments for Arizona when filing their individual



income tax returns.

**4. A statement as to whether the guidance document is a new document or a revision:**

This guidance document supersedes Arizona Individual Income Tax Procedure ITP 14-3.

**5. The name and address of the person to whom questions and comments about the guidance document may be directed:**

Name: Arizona Department of Revenue, Tax Research & Analysis Section  
Address: 1600 W. Monroe – Division Code 3, Phoenix, AZ 85007-2650  
Telephone: (602) 716-6803

**6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**

Anyone wishing to obtain a copy of this document should call (602) 255-3381, or write to:  
Taxpayer Information and Assistance  
Arizona Department of Revenue  
1600 W. Monroe – Division Code 11  
Phoenix, AZ 85007-2650

This information is also available by visiting our web site at <http://www.azdor.gov>.

**NOTICE OF AGENCY GUIDANCE DOCUMENTS**

**ARIZONA DEPARTMENT OF REVENUE**

[M15-131]

**1. Title of the guidance document and the guidance document number by which the document is referenced:**

Procedure for a Tobacco Distributor’s Post-Revocation Disposition of Tax Stamps and Untaxed Tobacco Products, LTP 15-1

**2. Date of the publication of the guidance document and the effective date of the document if different from the publication date:**

May 11, 2015

**3. Summary of the contents of the guidance document:**

Provides the procedure that a former tobacco distributor licensee must follow to lawfully remove any unaffixed tax stamps or untaxed tobacco products in its possession.

**4. A statement as to whether the guidance document is a new document or a revision:**

This is a new guidance document.

**5. The name and address of the person to whom questions and comments about the guidance document may be directed:**

Name: Arizona Department of Revenue, Tax Research & Analysis Section  
Address: 1600 W. Monroe – Division Code 3, Phoenix, AZ 85007-2650  
Telephone: (602) 716-6803

**6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**

Anyone wishing to obtain a copy of this document should call (602) 255-2060, or write to:  
Taxpayer Information and Assistance  
Arizona Department of Revenue  
1600 W. Monroe – Division Code 11  
Phoenix, AZ 85007-2650

This information is also available by visiting our web site at <http://www.azdor.gov>.

**NOTICE OF AGENCY GUIDANCE DOCUMENTS**

**ARIZONA DEPARTMENT OF REVENUE**

[M15-132]

**1. Title of the guidance document and the guidance document number by which the document is referenced:**

Procedure for Requesting Refunds Under Laws 2013, Chapter 153, 51st Legislature, TPP 13-1

**2. Date of the publication of the guidance document and the effective date of the document if different from the publication date:**

September 9, 2013

**3. Summary of the contents of the guidance document:**

Refund procedure for requesting a refund under Laws 2013, Chapt. 153, 51st Legislature.

**4. A statement as to whether the guidance document is a new document or a revision:**

This is a new guidance document.

**5. The name and address of the person to whom questions and comments about the guidance document may be directed:**

Name: Arizona Department of Revenue, Tax Research & Analysis Section

Address: 1600 W. Monroe – Division Code 3, Phoenix, AZ 85007-2650

Telephone: (602) 716-6803

**6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the document:**

Anyone wishing to obtain a copy of this document should call (602) 255-2060, or write to:

Taxpayer Information and Assistance

Arizona Department of Revenue

1600 W. Monroe – Division Code 11

Phoenix, AZ 85007-2650

This information is also available by visiting our web site at <http://www.azdor.gov>.



## NOTICES OF PROPOSED DELEGATION AGREEMENTS

This section of the *Arizona Administrative Register* contains Notices of Proposed Delegation Agreements.

The Administrative Procedure Act requires the publication of notices of proposed delegation agreements in the Register. A delegation agreement is an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers, or duties conferred on the delegating agency by a provision of law.

Delegation agreements are not intergovernmental agreements pursuant to A.R.S. Title 11, Chapter 7, Article 3. For at least 30 days after publication of the Notice of Proposed Delegation Agreement in the Register, the agency shall provide persons the opportunity to submit in writing statements, arguments, data, and views on the proposed delegation agreement and shall provide an opportunity for a public hearing if there is sufficient interest. The delegating agency shall follow the procedures for delegation agreements specified in A.R.S. Title 41, Chapter 6, Article 8.

### NOTICE OF PROPOSED DELEGATION AGREEMENT

[M15-117]

**1. Name of the agency proposing the delegation agreement:**

Arizona Department of Environmental Quality

**2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:**

Santa Cruz

**3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:**

Approvals of On-Site Wastewater Treatment Facilities, Sewage Collection Systems, and Private Residential Gray Water Drinking Water Systems and Swimming Pools

Name: Daniel Czecholinski  
Title: Manager, Drinking Water Section  
Address: Arizona Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-4617  
E-mail: [dc5@azdeq.gov](mailto:dc5@azdeq.gov)

Compliance and Enforcement

Name: Mindi Cross  
Title: Manager, Water Quality Compliance Section  
Address: Arizona Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
Phone: (602) 771-2209  
E-mail: [mc4@azdeq.gov](mailto:mc4@azdeq.gov)

**4. A summary of the delegation agreement and the subjects and issues involved:**

Under A.R.S. §§ 49-107 and 41-1081 and paragraph (L) of Delegation Agreement #EV12-0062 with Santa Cruz County executed in 2012 and amended in 2013, the Arizona Department of Environmental Quality proposes to amend the Delegation Agreement with Santa Cruz County, the Local Agency (LA). The proposed delegation agreement makes the following changes to Appendix A, Subpart A:

- Requires the LA to notify ADEQ Southern Regional Office (SRO) within 5 business days after receipt of a complaint or request for compliance assistance related to Type 1 General Aquifer Protection Permits for specified facility types and to maintain written logs of complaints and requests
- Requires ADEQ to respond to such complaints and requests within 5 business days after receipt of referrals from Santa Cruz County and to maintain written records of its responses
- Requires ADEQ SRO to inspect certain on-site wastewater treatment facilities and sewage treatment facilities as appropriate



**5. Copies of the proposed delegation agreement may be obtained from the agency as follows:**

An electronic copy of the existing Agreement may be downloaded from the following web site address:

<http://azdeq.gov/function/permits/delegated.html>

Or contact: Sherri Zendri, Administrative Counsel  
Arizona Department of Environmental Quality  
Office of Administrative Counsel  
1110 W. Washington  
Phoenix, AZ 85007  
Telephone: (602) 771-2242  
E-mail: slz@azdeq.gov

**6. The schedule of public hearings on the proposed delegation agreement:**

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m. or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency's decision on whether to enter into the proposed delegation agreement.



NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the Register.

Because of the variety of Notices of Public Information, the Office of the Secretary of State has not established a specific publishing format for these notices. We do however require agencies to use a numbered list of questions and answers and follow our filing requirements by presenting receipts with electronic and paper copies.

NOTICE OF PUBLIC INFORMATION

[M15-119]

ARIZONA DEPARTMENT OF AGRICULTURE

LIVESTOCK & CROP CONSERVATION GRANT PROGRAM

- 1. Title and its heading: 41, State Government
Chapter and its heading: 3, Administrative Boards and Commissions
Article and its heading: 1.1, Arizona State Parks Board

2. The public information relating to the listed statute:
The Arizona Department of Agriculture is responsible for developing, implementing and managing the Livestock & Crop Conservation Grant Program (LCCGP). This grant program was created by the State Legislature through A.R.S. § 41-511.23(G)(1). Per the grant program authorizing statute, eligible applicants include individual land-owners and grazing and agricultural lessees of state or federal lands that desire to implement conservation based management alternatives using livestock or crop production practices, or reduce livestock or crop production, to provide wildlife habitat or other public benefits that preserve open space.

The Department must provide public notice and sixty days for public comment on the grant guidelines and criteria, including public hearings. The LCCGP grant guidelines and criteria are posted on the Arizona Department of Agriculture website, https://agriculture.az.gov, under 'About Us' and then 'Grant Opportunities.' You may also direct questions or request a copy of the grant program guidelines and criteria by contacting the LCCGP staff listed below. At the conclusion of the public comment period, the grant program manual and application will be finalized, published and a grant application deadline will be announced.

- 3. The name and address of agency personnel with whom persons may communicate:
Lisa James, Ashley Worthington
LCCGP Grant Program Manager, LCCGP Grant Program Coordinator
Arizona Department of Agriculture, Arizona Department of Agriculture
1688 W. Adams St., 1688 W. Adams St.
Phoenix, AZ 85007, Phoenix, AZ 85007
Phone: (602) 542-3262, Phone: (602) 542-0972
E-mail: ljames@azda.gov, E-mail: aworthington@azda.gov
Toll Free Outside Maricopa County: (800) 294-0308
Fax: (602) 364-0830

4. The time during which the agency will accept written comments and the time and place where oral comments may be made:
Written comments may be submitted to the grant program staff listed above between June 22, 2015 and August 21, 2015.

A public hearing to solicit public comment on the FY16 grant program guidelines and criteria will be held as follows:

July 29, 2015 1 PM
Arizona Department of Agriculture
1688 W. Adams St., Room 206
Phoenix, AZ 85007

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting agency ADA Coordinator, Danielle Salomon (602) 542-4315 (voice) or 1-800-367-3839 (TDD Relay). Requests should be made as early as possible to allow time to arrange the accommodation.




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## GOVERNOR EXECUTIVE ORDERS

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The Administrative Procedure Act (APA) requires the full-text publication of Governor Executive Orders.

With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed.

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### EXECUTIVE ORDER 2015-01

#### Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies

*Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2015, as a notice to the public regarding state agencies' rulemaking activities.*

[M15-02]

**WHEREAS**, Arizona has lost more jobs per capita than any other state and has yet to recover all of those jobs;

**WHEREAS**, burdensome regulations inhibit job growth and economic development;

**WHEREAS**, each agency of the State of Arizona should promote customer-service-oriented principles for the people that it serves;

**WHEREAS**, each State agency should undertake a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay, and legal uncertainty associated with government regulation;

**WHEREAS**, overly burdensome, antiquated, contradictory, redundant, and nonessential regulations should be repealed;

**WHEREAS**, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor;

**NOW, THEREFORE, I, Douglas A. Ducey**, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

1. A State agency, subject to this Order, shall not conduct any rulemaking except as permitted by this Order.
2. A State agency, subject to this Order, shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justification for the rulemaking:
  - a. To fulfill an objective related to job creation, economic development, or economic expansion in this State.
  - b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
  - c. To prevent a significant threat to the public health, peace or safety.
  - d. To avoid violating a court order or federal law that would result in sanctions by a court or the federal government against an agency for failure to conduct the rulemaking action.
  - e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
  - f. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
  - g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
  - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud, or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
3. Paragraphs 1 and 2 apply to all State agencies, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission, or (c) any State agency whose agency head is not appointed by the Governor. Those State agencies to which Paragraphs 1 and 2 do not apply are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
4. Pursuant to Article 5, Section 4 of the Arizona Constitution and Arizona Revised Statutes Section 41-101(A)(1), the State agencies identified in Paragraph 3 must provide the Office of the Governor with a written report for each proposed rule 30 days prior to engaging in any rulemaking proceeding and must also provide the Office of the



Governor with a written report within 15 days of any rulemaking. The reports required by this Paragraph shall explain, in detail, how the rulemaking advances the priorities and principles set forth in this Order.

5. No later than September 1, 2015, each State agency shall provide to the Office of the Governor an evaluation of their rules, with recommendations for which rules could be amended or repealed consistent with the priorities and principles set forth in this Order. The evaluation shall also include a summary of licensing time frames and describe how those time frames compare to real processing time, and whether or not they can be reduced. Additionally, each agency shall identify any existing licenses or permits in which a general permit could be used in lieu of an individual permit, pursuant to Arizona Revised Statutes Section 41-1037.
6. No later than July 1, 2015, each State agency shall provide to the Office of the Governor an update on divisions where electronic reporting and payment are not implemented and a suggested plan for how to implement this customer-service-oriented service.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule” and “rulemaking” have the same meanings prescribed in Arizona Revised Statutes Section 41-1001.
8. This Executive Order expires on December 31, 2015.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

**Douglas A. Ducey**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this fifth day of January in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**ATTEST:**  
**Michele Reagan**  
**Secretary of State**



**GOVERNOR PROCLAMATIONS**

The Administrative Procedure Act (APA) requires the publication of Governor proclamations of general applicability, and ceremonial dedications issued by the Governor.

**\* COLORECTAL CANCER AWARENESS MONTH \***

[M15-122]

**WHEREAS**, colorectal cancer is the second leading cause of cancer deaths in the United States and Arizona; and

**WHEREAS**, there were 2,403 Arizonans diagnosed with colorectal cancer in 2011, comprising nine percent of all new cancer cases; and

**WHEREAS**, surgical cure was usually possible in about 39 percent of these cases because the cancer was discovered before it had spread, and

**WHEREAS**, the Colon Cancer Alliance – Central Arizona Chapter is a non-profit, non-partisan advocacy group working to reduce the impact of colorectal cancer in Arizona by providing current information and support to patients, survivors, supporters and caregivers, and is working to promote general community awareness and education to aid in the prevention and early detection of colorectal cancer; and

**WHEREAS**, colorectal cancer often has no symptoms in the earliest and most beatable stages, and often does not show symptoms until the disease is in advanced stages; and

**WHEREAS**, many cases of colorectal cancer can be cured through early detection; and

**WHEREAS**, Arizona will observe Colorectal Cancer Awareness Month in March with events taking place throughout the State, including activities to educate colorectal cancer patients, survivors, the healthcare community, and to raise public awareness of colorectal cancer.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim March 2015 as

**\* COLORECTAL CANCER AWARENESS MONTH \***

and, I further encourage all citizens to learn about the signs and symptoms of this disease and discuss preventative testing with your medical team.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this thirteenth day of February in the year Two Thousand and Fifteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**ATTEST:**  
**Michele Reagan**  
**Secretary of State**

**\* ENDOMETRIOSIS AWARENESS MONTH \***

[M15-123]

**WHEREAS**, endometriosis is one of the most common diseases among females; affecting 1 in 8, or 342,607 women in Arizona; and 200 million women worldwide; and

**WHEREAS**, endometriosis is a disease in which endometrial tissue releases within the abdominal cavity often causing significant damage to the reproductive system and or all vital organs – it is an urgent women’s health crisis that demands support from all levels of government; and



**WHEREAS**, the economic impact of endometriosis is staggering, with treatment costs and productivity losses topping \$118 billion annually; and

**WHEREAS**, the average diagnosis can take years to ascertain; and

**WHEREAS**, it is important to ensure that education and awareness begins in the teenage years, with diagnosis at the earliest stage possible and proper treatment started before the illness has reached its most destructive stages; and

**WHEREAS**, the State of Arizona is honored to take part in the annual observance of Endometriosis Awareness Month in the belief that it will lead to a better understanding and management of this illness.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim March 2015 as

**\* ENDOMETRIOSIS AWARENESS MONTH \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this thirteenth day of February in the year Two Thousand and Fifteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**ATTEST:**  
**Michele Reagan**  
**Secretary of State**

**\* RED LIGHT RUNNING AWARENESS MONTH \***

[M15-126]

**WHEREAS**, red light, yield and stop sign running is the leading cause of urban crashes; and

**WHEREAS**, motorists, passengers and pedestrians are more likely to be injured or killed in crashes caused by red light running than any other type; and

**WHEREAS**, tens of thousands of innocent people survive the horrific impact of intersection crashes only to suffer permanent, incapacitating injuries often requiring expensive, prolonged medical care and rehabilitation; and

**WHEREAS**, car crashes are the number one killer of teens and young adults in the United States; and

**WHEREAS**, the Red Means Stop Traffic Safety Alliance, DrivingMBA, State Farm Insurance Co., AAA Arizona and local, state and national agencies are advocating for education and awareness programs to change driver behavior, reduce crashes and save lives.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim March 2015 as

**\* RED LIGHT RUNNING AWARENESS MONTH \***

and, I further encourage all residents to support the efforts to raise awareness to the dangers of red light running, and to do all they can to stop red light running on our roadways.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**  
**G O V E R N O R**



**DONE** at the Capitol in Phoenix on this twenty-fourth day of February in the year Two Thousand and Fifteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**ATTEST:**

**Michele Reagan**  
**Secretary of State**

**\* WOMEN IN CONSTRUCTION WEEK \***

[M15-125]

**WHEREAS**, the Greater Phoenix Chapter and the Tucson Chapter of the National Association of Women in Construction have distinguished themselves for years as the voice of women in construction in Arizona; and

**WHEREAS**, the work done by these Chapters has benefited all of Arizona through community development and educational programs; and

**WHEREAS**, the Arizona Chapters have sought to achieve successful results for Arizona in a cooperative spirit with other organizations; and

**WHEREAS**, the Arizona Chapters have unceasingly promoted the employment and advancement of women in the construction industry; and

**WHEREAS**, the Arizona Chapters are a driving force in fostering community development through renovation and beautification projects, promotion of skilled trades, careers, and a positive vision for the future.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim March 1 - 7, 2015 as

**\* WOMEN IN CONSTRUCTION WEEK \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twenty-fourth day of February in the year Two Thousand and Fifteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**ATTEST:**

**Michele Reagan**  
**Secretary of State**



**COUNTY NOTICES ACCORDING TO A.R.S. § 49-112**

This section of the *Arizona Administrative Register* contains County Notices (according to A.R.S. § 49-112).

Each county writes rules and regulations in its own unique style. Although these notices are published in the *Register*, they do not conform to the standards specified in

the *Arizona Rulemaking Manual*. With the exception of minor formatting changes, County Notices (including subsection labeling, spelling, grammar, and punctuation) are reproduced as submitted.

**Pinal County Air Quality Control District**

P. O. Box 987  
Florence, Arizona 85132

(520) 866-6929 Fax: (520) 866-6967

**NOTICE OF FINAL RULEMAKING  
PINAL COUNTY AIR QUALITY CONTROL DISTRICT**

PURSUANT TO §49-471.01 *et seq.*

[M15-120]

**1. Preamble**

A. The Pinal County Board of Supervisors adopted amendments to local rules during their May 27, 2015 meeting. This rulemaking took place to align the PCAQCD definition of a Major Source to the Federal Regulation (40 CFR §52.21(b)(1)(i)(c)). Under current EPA rules (40 CFR §52.21(b)(1)(i)(c)), a modification to a minor source is subject to EPA’s NSR program, only if it results in an increase in and of itself greater than or equal to the major source threshold.

B. All of the adopted corresponding changes are discussed in subsection F. of this preamble, and include the following sections:

<b>Section Affected</b>	<b>Rulemaking Action</b>
§1-1-105.....	Amend
§3-3-203 Definitions.....	Amend

C. Previous Arizona Administrative Register Notices associated with this rulemaking.

- Notice of Expedited Rulemaking Docket Opening, 21 A.A.R. 506, April 3, 2015
- Notice of Expedited Rulemaking, 21 A.A.R. 501, April 3, 2015

D. Those wishing further information regarding any aspect of this rulemaking may contact Scott DiBiase, Planning Manager, Pinal County Air Quality, 31 North Pinal St., Building F, Florence, Arizona, 85132, 520-866-6929, scott.dibiase@pinalcountyaz.gov.

E. Given the obligatory nature of the action, this rule-adoption followed the expedited rule-making process defined in A.R.S. §49-471.08. It followed the publication of a notice of expedited rulemaking and a 30-day public comment period. There were no comments received by PCAQCD during the 30-day public comment period. The proposal was submitted to the Board of Supervisors for consideration and possible adoption. The date for the hearing-of-adoption before the Board of Supervisors was Wednesday, May 27, 2015. The meeting was held in the Board of Supervisors Hearing Room located at 135 N. Pinal St., Florence, AZ. 85132.



F. The adopted revisions include the following:

1. §1-1-105 – Addition of 5/27/15 adoption date to Chapter 3, Article 3. Section 1-1-105 is a list designating which rules (and their corresponding adoption dates) are to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP
2. §3-3-203 – Removal/replacement of/with the following language in 3-3-203(2)(c) to align that particular aspect of the Pinal County rule with the federal rule in 40 CFR 51.166(b)(1)(i)(c).

e. ~~Any change to a minor source which would increase its emissions to the qualifying levels specified under Paragraphs a. or b. of this subdivision; or~~

c. Any physical change that would occur at a stationary source not otherwise qualifying under paragraphs a. or b. of this subdivision, as a major stationary source if the change would constitute a major source by itself.

G. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did 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:

EPA Region 9 January 26, 2015 comment letter from Gerardo Rios, Chief, Permits Office, Air Division to Scott DiBiase, Pinal County Air Quality.

H. Economic, small business and consumer impact statement

Given the “at least as stringent” mandate of A.R.S. §49-479, the District has not attempted to assess any added costs associated with the conforming changes discussed in subsection D above.

I. In accord with A.R.S. §49-471.07(F), the proposed changes took effect upon approval by the Board of Supervisors on May 27, 2015.

J. Compliance with the Fee-limitations of A.R.S. §49-112 (A) or (B).

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following:

Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable. To the extent the County's program affects certain sources that ADEQ either does not regulate or does not charge, these rule changes do not impose any additional fees on those sources.

K. Pursuant to A.R.S. 49-471.08(A)(2), Michael Sundblom, the Control Officer for the District, finds that the adopted rule is substantially identical to the sense, meaning and effect of the underlying federal and state mandates (40 CFR §52.21(b)(1)(i)(c)) and Arizona Revised Statutes § 49-480.B.

**2. The full text of the adopted changes follows:**



**1-1-105. SIP list**

- A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:
  - 1. Chapter 1
    - a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
    - b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
    - c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of “maximum achievable control technology.”)
  - 2. Chapter 2
    - a. Article 1. (As amended 10/12/95).
    - b. Article 2. (As amended 5/14/97).
    - c. Article 3. (As amended 10/12/95).
    - d. Article 4. (As amended 10/12/95).
    - e. Article 5. (As amended 10/12/95).
    - f. Article 6. (As amended 10/12/95).
    - g. Article 7. (As amended 10/12/95).
    - h. Article 8. (As amended 5/18/05, as amended 1/7/09).
  - 3. Chapter 3
    - a. Article 1. (As amended 5/14/97, and 5/27/98 and 7/12/00), excluding:
      - i. §3-1-020
      - ii. §3-1-045
      - iii. §3-1-080
      - iv. §3-1-100
    - b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
    - c. Article 3. (As amended 10/12/95, 05/27/15).
    - d. Article 8. (As amended 10/12/95 and 10/27/04).
  - 4. Chapter 4
    - a. Article 1. (As amended 2/22/95).
    - b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
    - c. Reserved.
    - d. Article 4 (As amended 6/3/09).
    - e. Article 5 (As amended 6/3/09).
    - f. Reserved.
    - g. Article 7 (As amended 6/3/09)
    - h. Reserved.
    - i. Article 9, limited to:
      - i. §4-9-320 (As amended 6/3/09)
      - ii. §4-9-340 (As amended 6/3/09)
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
  - 1. “construction,” as defined in Nov. '93 Code §1-3-140.28; or
  - 2. “modification,” as defined in Nov. '93 Code §1-3-140.85; and
- C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
  - 1. Operate as elements of the SIP insofar as they pertain to other than “conventional pollutants,” as defined in §1-3-140.33;
  - 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:



- a. §111 of the Clean Air Act; or
  - b. Title IV of the 1990 amendments to the Clean Air Act; or
  - c. Title VI of the 1990 amendments to the Clean Air Act; or
  - d. Any section of this Code that is not a part of the SIP;
3. Operate as an element of the SIP, at least insofar as they impose a “fee”;
  4. Operate as an element of the SIP, at least insofar as they require a “certification”;
  5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to “renewals”;
  6. Operate as an element of the SIP, at least insofar as they impose requirements regarding “excess emissions”;
  7. Operate as an element of the SIP, at least insofar as they impose requirements regarding “compliance plans.”
- D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
  2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
  3. Chapter 3, Article 8 (2/22/95) *Open Burning*
  4. [Reserved]
  5. [Reserved]
  6. [Reserved]
  7. [Reserved]
  8. [Reserved]
  9. [Reserved]
  10. [Reserved]
  11. [Reserved]
  12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*
  13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
  14. §5-21-920 (2/22/95) *Fossil Fuel Fired Industrial and Commercial Equipment Standard Applicability*
  15. §5-21-930 (2/22/95 and 7/12/00) *Fossil Fuel Fired Industrial and Commercial Equipment Particulate Emission Standard*
  16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
  17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
  18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
  19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
  20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
  21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
  22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
  23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*
  24. §5-24-1055 (2/22/95) *Pumps and Compressors - Organic Compound Emissions*

### 3-3-203. Definitions

For purposes of this article, the following definitions shall apply:

1. ADVERSE IMPACT ON VISIBILITY - Visibility impairment which interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of a Class I area, as determined according to §3-3-280.
2. MAJOR SOURCE -
  - a. Any stationary source located in a nonattainment area which emits, or has the potential to emit, 100 tons per year or more of any conventional air pollutant, except as follows:



Pollutant Emitted	Nonattainment Pollutant and Classification	Quantity Threshold tons/year or more
Carbon Monoxide (CO)	CO, Serious, with stationary sources as more than 25% of source inventory	50
Volatile Organic Compounds (VOC)	Ozone, Serious	50
VOC	Ozone, Severe	25
PM <sub>10</sub>	PM <sub>10</sub> , Serious	70

- b. Any stationary source located in an attainment or unclassifiable area which emits, or has the potential to emit, 100 tons per year or more of any conventional air pollutant if the source is classified as a categorical source, or 250 tons per year or more of any pollutant subject to regulation under the Clean Air Act (1990) if the source is not classified as a categorical source; or
- e. ~~Any change to a minor source which would increase its emissions to the qualifying levels specified under Paragraphs a. or b. of this subdivision; or~~
- c. Any physical change that would occur at a stationary source not otherwise qualifying under paragraphs a. or b. of this subdivision, as a major source if the change would constitute a major source by itself.
- d. Any stationary source which emits, or has the potential to emit, five or more tons of lead per year; or
- e. Any source classified as major undergoing modification that meets the definition of reconstruction.
- f. A major source that is major for volatile organic compounds shall be considered major for ozone.
- g. A major source that is major for oxides of nitrogen shall be considered major for ozone in nonattainment areas classified as marginal, moderate, serious or severe.

3. RESOURCE RECOVERY PROJECT - Any facility at which solid waste is processed for the purpose of extracting, converting to energy, or otherwise separating and preparing solid waste for reuse. Only energy conversion facilities that utilize solid waste which provides more than 50 percent of the heat input shall be considered a resource recovery project under this article.



## REGISTER INDEXES

The Register is published by volume in a calendar year (See "Information" in the front of each issue for a more detailed explanation).

Abbreviations for rulemaking activity in this Index include:

### PROPOSED RULEMAKING

- PN = Proposed new Section
- PM = Proposed amended Section
- PR = Proposed repealed Section
- P# = Proposed renumbered Section

### SUPPLEMENTAL PROPOSED RULEMAKING

- SPN = Supplemental proposed new Section
- SPM = Supplemental proposed amended Section
- SPR = Supplemental proposed repealed Section
- SP# = Supplemental proposed renumbered Section

### FINAL RULEMAKING

- FN = Final new Section
- FM = Final amended Section
- FR = Final repealed Section
- F# = Final renumbered Section

### SUMMARY RULEMAKING

#### PROPOSED SUMMARY

- PSMN = Proposed Summary new Section
- PSMM = Proposed Summary amended Section
- PSMR = Proposed Summary repealed Section
- PSM# = Proposed Summary renumbered Section

#### FINAL SUMMARY

- FSMN = Final Summary new Section
- FSMM = Final Summary amended Section
- FSMR = Final Summary repealed Section
- FSM# = Final Summary renumbered Section

### EXPEDITED RULEMAKING

#### PROPOSED EXPEDITED

- PEN = Proposed Expedited new Section
- PEM = Proposed Expedited amended Section
- PER = Proposed Expedited repealed Section
- PE# = Proposed Expedited renumbered Section

#### SUPPLEMENTAL EXPEDITED

- SPEN = Supplemental Proposed Expedited new Section
- SPEM = Supplemental Proposed Expedited amended Section
- SPER = Supplemental Proposed Expedited repealed Section
- SPE# = Supplemental Proposed Expedited renumbered Section

#### FINAL EXPEDITED

- FEN = Final Expedited new Section
- FEM = Final Expedited amended Section
- FER = Final Expedited repealed Section
- FE# = Final Expedited renumbered Section

### EXEMPT RULEMAKING

#### EXEMPT PROPOSED

- PXN = Proposed Exempt new Section
- PXM = Proposed Exempt amended Section
- PXR = Proposed Exempt repealed Section
- PX# = Proposed Exempt renumbered Section

#### EXEMPT SUPPLEMENTAL PROPOSED

- SPXN = Supplemental Proposed Exempt new Section
- SPXR = Supplemental Proposed Exempt repealed Section
- SPXM = Supplemental Proposed Exempt amended Section
- SPX# = Supplemental Proposed Exempt renumbered Section

#### FINAL EXEMPT RULMAKING

- FXN = Final Exempt new Section
- FXM = Final Exempt amended Section
- FXR = Final Exempt repealed Section
- FX# = Final Exempt renumbered Section

### EMERGENCY RULEMAKING

- EN = Emergency new Section
- EM = Emergency amended Section
- ER = Emergency repealed Section
- E# = Emergency renumbered Section
- EEXP = Emergency expired

### RECODIFICATION OF RULES

- RC = Recodified

### REJECTION OF RULES

- RJ = Rejected by the Attorney General

### TERMINATION OF RULES

- TN = Terminated proposed new Sections
- TM = Terminated proposed amended Section
- TR = Terminated proposed repealed Section
- T# = Terminated proposed renumbered Section

### RULE EXPIRATIONS

- EXP = Rules have expired
- See also "emergency expired" under emergency rulemaking*

### CORRECTIONS

- C = Corrections to Published Rules



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## RULE EFFECTIVE DATES CALENDAR

*A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.*

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/4	2/3	4/4	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/5	2/4	4/5	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/9	2/8	4/9	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/10	2/9	4/10	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/12	2/11	4/12	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/13	2/12	4/13	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/14	2/13	4/14	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/15	2/14	4/15	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/16	2/15	4/16	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/17	2/16	4/17	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/18	2/17	4/18	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/19	2/18	4/19	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/20	2/19	4/20	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/21	2/20	4/21	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/22	2/21	4/22	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/23	2/22	4/23	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/25	2/24	4/25	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/26	2/25	4/26	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/27	2/26	4/27	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/28	2/27	4/28	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/29	2/28	4/29	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/30			3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/31			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	4/1			3/31	5/30			5/31	7/30		



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1



## REGISTER PUBLISHING DEADLINES

*The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.*

<b>Deadline Date (paper only) Friday, 5:00 p.m.</b>	<b>Register Publication Date</b>	<b>Oral Proceeding may be scheduled on or after</b>
April 17, 2015	May 8, 2015	June 8, 2015
April 24, 2015	May 15, 2015	June 15, 2015
May 1, 2015	May 22, 2015	June 22, 2015
May 8, 2015	May 29, 2015	June 29, 2015
May 15, 2015	June 5, 2015	July 6, 2015
May 22, 2015	June 12, 2015	July 13, 2015
May 29, 2015	June 19, 2015	July 20, 2015
June 5, 2015	June 26, 2015	July 27, 2015
June 12, 2015	July 3, 2015	August 3, 2015
June 19, 2015	July 10, 2015	August 10, 2015
June 26, 2015	July 17, 2015	August 17, 2015
July 3, 2015	July 24, 2015	August 24, 2015
July 10, 2015	July 31, 2015	August 31, 2015
July 17, 2015	August 7, 2015	September 8, 2015 (Tuesday)
July 24, 2015	August 14, 2015	September 14, 2015
July 31, 2015	August 21, 2015	September 21, 2015
August 7, 2015	August 28, 2015	September 28, 2015
August 14, 2015	September 4, 2015	October 5, 2015
August 21, 2015	September 11, 2015	October 13, 2015 (Tuesday)
August 28, 2015	September 18, 2015	October 19, 2015
September 4, 2015	September 25, 2015	October 26, 2015
September 11, 2015	October 2, 2015	November 2, 2015
September 18, 2015	October 9, 2015	November 9, 2015
September 25, 2015	October 16, 2015	November 16, 2015
October 2, 2015	October 23, 2015	November 23, 2015
October 9, 2015	October 30, 2015	November 30, 2015
October 16, 2015	November 6, 2015	December 7, 2015
October 23, 2015	November 13, 2015	December 14, 2015
October 30, 2015	November 20, 2015	December 21, 2015



## GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year-Review Reports and any adopted rule submitted to the Governor's Regulatory Review Council. Council meetings and *Register* deadlines do not correlate. We publish these deadlines as a courtesy.

All rules and Five-Year Review Reports are due in the Council office by 5:00 p.m. of the deadline date. The Council's office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit [www.grrc.state.az.us](http://www.grrc.state.az.us).

DEADLINE TO BE PLACED ON COUNCIL AGENDA	FINAL MATERIALS DUE FROM AGENCIES	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
November 17, 2014	December 17, 2014	December 30, 2014	January 6, 2015
December 15, 2014	January 14, 2015	January 27, 2015	February 3, 2015
January 20, 2015	February 11, 2015	February 24, 2015	March 3, 2015
February 17, 2015	March 18, 2015	March 31, 2015	April 7, 2015
March 16, 2015	April 15, 2015	April 28, 2015	May 5, 2015
April 20, 2015	May 13, 2015	May 28, 2015	June 2, 2015
May 18, 2015	June 17, 2015	June 30, 2015	July 7, 2015
June 15, 2015	July 15, 2015	July 28, 2015	August 4, 2015
July 20, 2015	August 12, 2015	August 25, 2015	September 1, 2015
August 17, 2015	September 16, 2015	September 29, 2015	October 6, 2015
September 21, 2015	October 14, 2015	October 27, 2015	November 3, 2015
October 19, 2015	November 12, 2015	November 24, 2015	December 1, 2015
November 16, 2015	December 16, 2015	December 29, 2015	January 5, 2016