

Arizona Administrative REGISTER

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~ Administrative Register Contents ~

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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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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., and 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.

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ADMINISTRATIVE REGISTER
This publication is available online for
free at www.azsos.gov.

ADMINISTRATIVE CODE
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 us at
(602) 364-3223.

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.

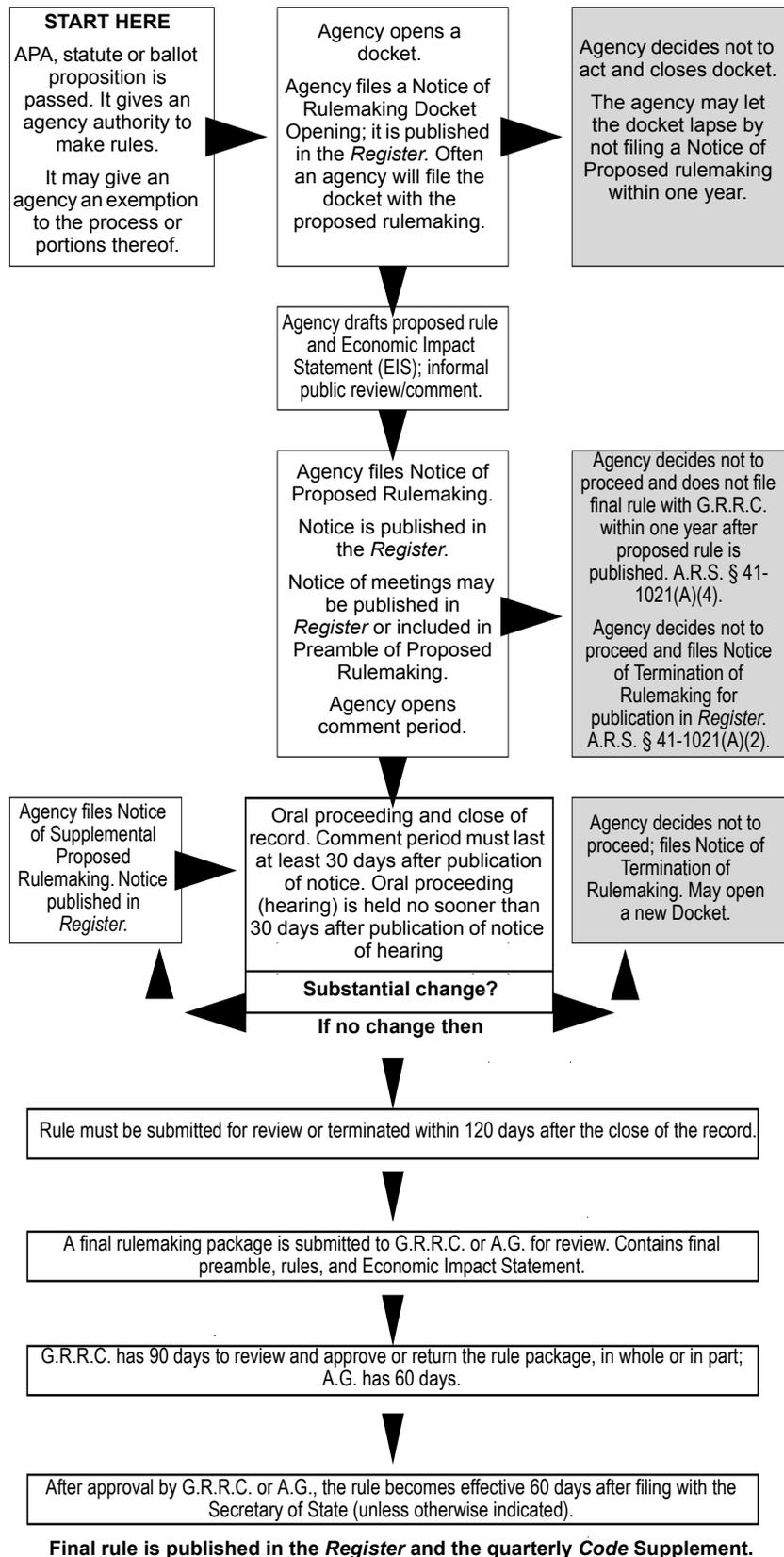
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

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.

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

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at 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.

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.

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 that 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 17. TRANSPORTATION
CHAPTER 1. DEPARTMENT OF TRANSPORTATION
ADMINISTRATION**

[R17-132]

PREAMBLE

- | | |
|---|---------------------------------|
| <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| Article 7 | New Article |
| R17-1-701 | New Section |
| R17-1-702 | New Section |
| R17-1-703 | New Section |
| R17-1-704 | New Section |
| R17-1-705 | New Section |
| R17-1-706 | New Section |
| R17-1-707 | New Section |
| R17-1-708 | New Section |
| R17-1-709 | New Section |
| R17-1-710 | New Section |
| R17-1-711 | New Section |
| R17-1-712 | New Section |
| R17-1-713 | New Section |
| R17-1-714 | New Section |
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statutes: A.R.S. §§ 28-366 and 28-7045
 Implementing statutes: A.R.S. §§ 28-7059, 28-7316, and 28-7913
- 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 rules:**
 Notice of Rulemaking Docket Opening: 22 A.A.R. 3139, November 4, 2016
- 4. The agency's contact person who can answer questions about the rulemaking:**
 Name: John Lindley, Administrative Rules
 Address: Department of Transportation
 Government Relations and Policy Development Office
 206 S. 17th Ave., Mail Drop 140A
 Phoenix, AZ 85007
 Telephone: (602) 712-8804
 E-mail: jlindley@azdot.gov
 Web site: Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at www.azdot.gov/about/GovernmentRelations.
- 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 Arizona Department of Transportation (ADOT) engages in this rulemaking to establish guidelines necessary for the implementation of Laws 2016, Chapter 66 (HB2250), specifically A.R.S. § 28-7316, which provides that the Department may establish a program to:



- Lease or sell advertising on non-highway assets of the Department; and
- Allow monetary sponsorship of other facilities and other assets of the Department.

This rulemaking contains provisions relating to the operation, modification, and termination of the Department’s Advertising and Sponsorship Program. The rules provide advertisers, sponsors, and other potential contractors with clarification on the types of facilities the Department deems suitable for advertising and sponsorship activities, and establish reasonable time, place, and manner restrictions necessary to protect the public health, peace, and safety while ensuring that the Department remains in compliance with the Federal Highway Administration’s policies on sponsorship acknowledgment, sponsorship agreements, and outdoor advertising control.

The Department’s primary reason for entering into advertising and sponsorship agreements, and in establishing designated advertising venues involving its non-highway assets and facilities, is to generate additional revenue for the state highway fund. A secondary purpose is to provide useful information to Department customers and patrons about motor vehicle- and motorist-related goods and services that may be of value or further promote efforts to enhance the public safety. The Federal Highway Administration (FHWA) has urged state Departments of Transportation to seek sponsorship opportunities for programs currently facing funding challenges, such as traffic congestion management and traveler information systems. This rulemaking provides potential advertisers and sponsors with information regarding the Department’s sponsorship agreements and how a sponsor may be acknowledged for supporting or providing a service on behalf of the Department under a sponsorship agreement.

This rulemaking allows the Department to:

- Generate additional funding for the state highway fund as provided under Laws 2016, Chapter 66 (HB2250);
- Promote economic development by providing businesses with new and unique opportunities for the direct marketing of motor vehicle- and motorist-related goods, services, and safety information relevant to the motoring public;
- Preserve the public health, peace, and safety by establishing and enforcing reasonable standards for appropriate content and viewpoint-neutral advertising and sponsorships that will not create a forum for public discourse or the exchange of viewpoints on any issue, subject matter, or topic;
- Maintain compliance with federal requirements; and
- Ensure continued eligibility for future federal highway grant funding.

6. A reference to any study relevant to the rules that the agency reviewed and proposes to either rely on or not to rely on in its evaluation of or justification for the rules, 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 agency did not review or rely on any study for 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:

As the nature of highway financing continues to evolve, private sector investment promises to be a significant source of revenue for individual states to meet their current and future highway construction and maintenance needs. For this reason, the Federal Highway Administration (FHWA) has recently updated its policy on Sponsorship Acknowledgment and Sponsorship Agreements within Highway Rights-of-way (FHWA Order 5160.1A, dated April 7, 2014) to assist the growing number of states seeking to create their own advertising and sponsorship programs.

A.R.S. § 28-7316, as added by Laws 2016, Ch. 66, § 3, provides that the Department may establish a program to lease or sell advertising on *non*-highway assets of the Department and to allow monetary sponsorship of facilities and other assets of the Department. The Department intends to implement and administer an Advertising and Sponsorship Program that will generate additional revenue for deposit into the state highway fund for use as authorized under A.R.S. § 28-6993. The additional revenue generated will assist the Department in providing other services critical to enhancing the safety and efficiency of Arizona highways. A.R.S. § 28-7316 also authorizes the Department to contract with a third party to administer and operate all or portions of its advertising and sponsorship program.

In establishing an Advertising and Sponsorship Program at the state level, the Department has worked closely with the FHWA to ensure compliance and consistency with all existing federal laws and programs applicable to highway infrastructure funded, in whole or in part, with federal-aid. As required under FHWA Order 5160.1A, dated April 7, 2014, if federal-aid funds were used on a highway or facility for which a sponsored service is being provided, all monetary contributions received as part of that sponsorship agreement must be used for highway purposes. Sponsorship and acknowledgment opportunities will be made available on both highway and non-highway assets and facilities of the Department, while advertising opportunities under this program will be limited to *non*-highway assets and facilities of the Department or rest area facilities as prescribed under 23 U.S.C. 111.

Sponsorship

The Federal Highway Administration (FHWA) anticipates that sponsorship programs will grow in popularity and provide significant opportunities for highway agencies to secure the additional funding and critical support needed to build, operate, and maintain key highway facilities and services, including highway construction and maintenance activities, traffic management programs, rest area operation and maintenance, emergency service patrols, travel information services, parkway and interchange landscape maintenance, adopt-a-highway litter removal and other highway beautification programs.

Since the FHWA and A.R.S. § 28-7316 now provide the flexibility needed for the Department to pursue such innovative sources of financing for transportation system improvements, the Department anticipates that its advertising and sponsorship program will provide valuable benefits for the traveling public. Though not yet fully realized or quantifiable, a sponsor may provide a highway-



related service, a monetary contribution toward a highway-related service, or a product that the Department or its contractor can use in providing a highway-related service. The funding source the Department would otherwise have used to provide that product or service is then made available for use in other critical transportation infrastructure projects.

One of the most common ways for the Department to recognize support provided by a sponsor is to arrange for the placement of an acknowledgment sign, which may display the name or logo of the sponsor to members of the public who may be interested in receiving information from or about the sponsor. Other options that can be used to recognize sponsors include acknowledgment on service patrol or maintenance vehicles, inclusion on outreach and educational materials, or identification on internet web sites or telephone messages such as those of 511 systems. The Department may use other opportunities for sponsor recognition or acknowledgment where possible, and appropriate, while minimizing the number of additional signs and informational load imposed on drivers.

Advertising

Advertising on non-highway assets and facilities of the Department may allow a sponsor to increase name recognition or commercial brand awareness by promoting motor vehicle- and motorist-related goods, services, and information directly to vehicle owners, operators, buyers, and sellers who are most likely interested in receiving such information.

Opportunities for advertising on Department designated non-highway assets and facilities are limited under A.R.S. § 28-7316, and may provide unique opportunities for advertisers and sponsors to distribute promotional information or other consideration involving:

Motor vehicle-related goods or services, including the promotion of:

- Arizona-licensed automobile dealers;
- Automotive insurance;
- Automotive parts;
- Automotive repair;
- Automotive towing companies;
- Car wash and detailing services;
- Motor clubs;
- Roadside assistance; or
- Specialty license plates issued by the Department; and

Motorist-related goods or services, including the promotion of:

- Automobile clubs;
- Campgrounds;
- Convenience stores;
- Department authorized third-party providers of title, registration, and driver license services;
- Department programs, including Grand Canyon State Logo Signs;
- Department publications, including *Arizona Highways Magazine*;
- Gasoline and service stations;
- Legal service providers for motorists;
- Pharmacies open 24 hours;
- Professional driver training schools licensed by the Department;
- Public service announcements (organ donation/highway beautification);
- Restaurants;
- Road maps and Global Positioning System (GPS) services;
- Telecommunications providers;
- Tourist and community attractions; or
- Vehicle-for-hire services (taxis, limousines, livery vehicles, and transportation network companies).

Costs incurred under the Department's advertising and sponsorship program will be paid under agreements negotiated between the Department and the advertisers or sponsors seeking to join the Department in providing motor vehicle- and motorist-related goods, services, and information directly to the motoring public throughout the state.

Additional administrative costs to the Department may result from sales, contracting, billing and payment processing, and program management. Operational costs for sign fabrication, sign construction and installation, sign repair, and sign removal will also be incurred. The Department anticipates that these costs will be minimal, approximately equal to revenue (breakeven) for the first 12 to 18 months due to the initial infrastructure investment and then profitable thereafter, and no additional staffing is required.

Acknowledgment signs installed prior to the effective date of these rules will be subject only to the terms and conditions provided in any existing lease or agreement already in force between the Department and the advertiser or sponsor. Replacement of an existing acknowledgment sign for compliance with this Article is not required unless the currently installed acknowledgment sign is no longer serviceable or the advertiser or sponsor requests a modification of the sponsor name or logo that is consistent with these rules.

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

Name: John Lindley, Administrative Rules
Address: Department of Transportation
Government Relations and Policy Development Office
206 S. 17th Ave., Mail Drop 140A
Phoenix, AZ 85007
Telephone: (602) 712-8804



E-mail: jilindley@azdot.gov

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

Written comments regarding this rulemaking or the accuracy of the Department’s economic, small business, and consumer impact statement should be directed to the person listed under item 4.

The Department has scheduled the following oral proceeding for public comments:

- Date: August 29, 2017
- Time: 1:00 p.m.
- Location: Arizona Department of Transportation Auditorium
206 S. 17th Ave., Room #107
Phoenix, AZ 85007
- Nature: Oral Proceeding/Public Hearing

All comments must be received by close of public record at 5:00 p.m. on Tuesday, August 29, 2017.

Pursuant to Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA), ADOT does not discriminate on the basis of race, color, national origin, age, gender, disability or limited English proficiency. Persons that require a reasonable accommodation based on language or disability should contact ADOT Civil Rights at (602) 712-8946 or civilrightsoffice@azdot.gov. Requests should be made as early as possible to ensure the state has an opportunity to address the accommodation.

Personas que requieran asistencia o una adaptación razonable por habilidad limitada en Inglés o discapacidad deben ponerse en contacto con la Oficina de Derechos Civiles de ADOT al (602) 712-8946 or civilrightsoffice@azdot.gov. Las solicitudes deben hacerse tan pronto como sea posible para asegurar que el estado tiene la oportunidad de abordar el alojamiento.

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:

The Department and the Federal Highway Administration are both obligated to promote the reasonable, orderly, and effective display of outdoor advertising while remaining consistent with the national policy to protect the public investment in interstate and primary highways, to promote the safety and recreational value of public travel, and to preserve Arizona’s natural beauty.

The Department is additionally responsible for balancing any new Advertising and Sponsorship Program requirements with all state and federal statutes, rules, and agreements currently in effect regarding Highway Beautification. The statutes and rules outlining the Department’s obligations under the federal Highway Beautification Act are provided under 23 U.S.C. 131, Control of Outdoor Advertising, Arizona Revised Statutes, Title 28, Chapter 23, Highway Beautification, and 17 A.A.C. 3, Article 5, Highway Encroachments and Permits and Article 7, Highway Beautification.

a. Whether the rules require a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

If the Department utilizes a contractor to administer its advertising and sponsorship program, the rules require the contractor to obtain an encroachment permit under 17 A.A.C. 3, Article 5, before installing, maintaining, or removing sponsorship content or copy from a highway-related facility or asset of the Department located along a state highway. The encroachment permit process allows the Department to closely analyze, monitor, approve, or disapprove placement of fixed or temporary sponsorship acknowledgment signs or plaques within a state highway right-of-way, or any activity requiring the temporary use of, or intrusion on, a state highway right-of-way. Issuance of a general permit for this purpose is not technically feasible, since some requirements for obtaining an encroachment permit are generally applicable to all encroachment activities while others are specific to the encroaching activity, the location under consideration, and the timing involved. Therefore, the Department believes that encroachment permits fall outside the criteria provided under A.R.S. § 41-1037 and are an exception to the general permit requirement.

b. Whether a federal law is applicable to the subject of the rules, whether the rules are more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

This rulemaking mirrors the most current FHWA policy directives, which serve to streamline and emphasize information pertaining to sponsorship acknowledgment, sponsorship of rest areas, and other sponsorship acknowledgment activities relative to any existing federal standards. The provisions in this rulemaking apply to new and modified installations of acknowledgment signs and are intended to promote a degree of national uniformity and consistency. Existing acknowledgment signs already installed will remain unchanged, except when a sponsor name or logo on an existing acknowledgment sign requires modification or the sign is no longer serviceable.

The Department and its contractor, as applicable, are obligated to follow all federal laws, rules, and guidelines relating to highways built or maintained with federal-aid funding. Although all of the following references apply to the subject matter of the rules, the rules are not more stringent than any of the federal laws, rules, or guidelines:

- Title 23, United States Code (U.S.C.), Section 109(d), Standards for Federal-Aid Highways;
- 23 U.S.C. 111(b), Rest Areas;
- 23 U.S.C. 131, Control of Outdoor Advertising;
- 23 U.S.C. 156, Proceeds from the Sale or Lease of Real Property;
- 23 U.S.C. 402, Highway Safety Programs;
- 23 Code of Federal Regulations (CFR), Section 1.23(b), Rights-of-way;



Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), published by the Federal Highway Administration (FHWA) at 23 CFR 655, Subpart F, Traffic Control Devices on Federal-Aid and Other Streets and Highways;
 23 CFR 655.603, Standards for Traffic Control Devices on Federal-Aid and Other Streets and Highways;
 23 CFR Part 750, Highway Beautification (for controlled routes);
 49 CFR 1.48(b), Delegations to Federal Highway Administrator; and
 FHWA Order 5160.1A, Policy on Sponsorship Acknowledgment and Agreements within the Highway Right-of-Way (April 7, 2014).

c. Whether a person submitted an analysis to the agency regarding the rule's impact of the competitiveness of businesses in this state as compared to the competitiveness of businesses in other states:

No analysis was submitted to the Department.

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

This rulemaking incorporates no materials by reference.

13. The full text of the rules follows:

**TITLE 17. TRANSPORTATION
 CHAPTER 1. DEPARTMENT OF TRANSPORTATION
 ADMINISTRATION**

ARTICLE 7. ADVERTISING AND SPONSORSHIP PROGRAM

Section

<u>R17-1-701.</u>	<u>Definitions</u>
<u>R17-1-702.</u>	<u>Program Administration</u>
<u>R17-1-703.</u>	<u>Request for Advertising or Sponsorship: Approval or Denial; Timeframes</u>
<u>R17-1-704.</u>	<u>Advertising or Sponsorship Approval: Agreement; Lease</u>
<u>R17-1-705.</u>	<u>Advertising or Sponsorship Acknowledgment: Content Approval</u>
<u>R17-1-706.</u>	<u>Advertising or Sponsorship Acknowledgment: Prohibited Content</u>
<u>R17-1-707.</u>	<u>Denial of a Request for Advertising or Sponsorship; Administrative Hearing; Timeframes</u>
<u>R17-1-708.</u>	<u>Program Administration; Pricing and Lease Procedures; Priority; Renewal</u>
<u>R17-1-709.</u>	<u>Acknowledgment Signs and Plaques: Design and Placement</u>
<u>R17-1-710.</u>	<u>Criteria for Highway-related Acknowledgment Signs and Plaques</u>
<u>R17-1-711.</u>	<u>Highway-related Sponsorship Restrictions and Allowances; Existing Leases or Agreements</u>
<u>R17-1-712.</u>	<u>Program Eligibility and Compliance</u>
<u>R17-1-713.</u>	<u>Advertising or Sponsorship Agreement or Lease Termination</u>
<u>R17-1-714.</u>	<u>Removal of Advertising or Sponsorship Content; Program Termination</u>

ARTICLE 7. ADVERTISING AND SPONSORSHIP PROGRAM

R17-1-701. Definitions

In addition to the definitions provided under A.R.S. §§ 28-601, 28-7316, and 28-7901, the following terms apply to this Article:

“Acknowledgment plaque” means a sign panel intended only to inform the traveling public that a highway-related service, product, or monetary contribution was provided by the sponsor portrayed on the sign panel.

“Acknowledgment sign” means a sign intended only to inform the traveling public that a highway-related service, product, or monetary contribution was provided by the sponsor portrayed on the sign. Acknowledgment signs are a way of recognizing a company, business, or volunteer group that provides a highway-related service.

“Advertise” means to display or promote commercial brands, products, or services on authorized non-highway assets and facilities of the Department. Advertising may contain descriptive words or phrases providing information relating to promotional offers, location directions, amenity listings, telephone numbers, internet addresses (including domain names), slogans, or any other message essential in identifying the advertiser or sponsor, and informing the public of where the promoted products or services can be obtained.

“Advertiser” means a person, firm, or entity authorized to enter into a lease agreement with the Department or its contractor for providing a motor vehicle-, motorist-, or highway-related service or product to the Department, or a monetary contribution to the state highway fund as provided under A.R.S. § 28-7316, in exchange for the ability to advertise on non-highway assets or facilities authorized by the Department.

“Advertising agreement” means a written lease agreement between an advertiser and the Department or its contractor allowing the advertiser to advertise on authorized non-highway assets and facilities of the Department.

“Contract” means a written agreement between a contractor and the Department, which describes the obligations and rights of both parties relative to the administration, operation, and maintenance of an advertising and sponsorship program, or element thereof, when conducted on behalf of the Department.

“Contractor” means a person, firm, or entity that enters into a contract with the Department to administer, operate, and maintain an advertising and sponsorship program, or element thereof, on behalf of the Department, and that is responsible for conducting all aspects of the advertising and sponsorship program as outlined in the contract and this Article.



“Clear zone” means the unobstructed relatively flat area beyond the edge of a roadway that allows a driver to stop safely or regain control of a vehicle that leaves the main traveled way.

“Department” means the Arizona Department of Transportation as the owner of the highway on which signs are placed and the organization that directly receives the highway-related service, product, or monetary contribution from a sponsor, and to which the sponsorship policy and agreement applies. The Department, or a contractor engaged by the Department to administer its advertising and sponsorship program, may receive a highway-related service, product, or monetary contribution from a sponsor.

“Driver distraction” means a driver’s inattention to the driving task at hand, resulting from internal or external events or actions.

“FHWA” means the Federal Highway Administration of the U.S. Department of Transportation.

“Highway” has the same meaning as prescribed in A.R.S. § 28-101, under “street or highway.”

“Highway right-of-way” means a strip of property, owned by the Department, within which a highway exists or is planned to be built. The highway right-of-way consists of all lands within the defined highway right-of-way limits, including the airspace above and below. This area typically includes: roadways; shoulders; sidewalks; rest areas; clear zones; and areas for drainage, utilities, landscaping, berms, and fencing.

“Interstate highway” or “Interstate highway system” has the meaning prescribed in A.R.S. § 28-7901, under “Interstate system.”

“Lease” or “Lease agreement” means a written agreement between the Department, or its contractor, and an advertiser or sponsor, which authorizes the advertiser or sponsor to advertise in, or otherwise sponsor, certain assets or facilities of the Department subject to the terms and conditions outlined in the agreement and this Article.

“MUTCD” means the federal Manual on Uniform Traffic Control Devices for Streets and Highways used by road managers nationwide for uniform installation and maintenance of traffic control devices, as published by the FHWA at www.mutcd.fhwa.dot.gov, and amended by the Arizona Manual on Uniform Traffic Control Devices as published by the Department on its web site at www.azdot.gov.

“Primary highway” has the meaning prescribed in A.R.S. § 28-7901, under “Primary system.”

“Rest area” means an area or site established and maintained within, or adjacent to, the right-of-way of an interstate or primary highway under the supervision and control of the Department for the safety, recreation, and convenience of the traveling public.

“Serviceable” means an acknowledgment sign or plaque that is usable, in working order, and adequately fulfills its function.

“Sponsor” means a person, firm, or entity authorized to enter into a lease agreement with the Department or its contractor for sponsorship of a certain element of the Department’s operation of an asset or facility by providing a motor vehicle-, motorist-, or highway-related service or product to the Department, or a monetary contribution to the state highway fund as provided under A.R.S. § 28-7316, in exchange for placement of an acknowledgment sign or plaque to inform the public that a monetary contribution or a motor vehicle-, motorist-, or highway-related service or product was provided by the sponsor.

“Sponsorship agreement” means a written lease agreement between a sponsor and the Department or its contractor, which authorizes sponsorship of a certain element of the Department’s operation of an asset or facility.

R17-1-702. Program Administration

- A.** The Department may operate an advertising and sponsorship program, or may select a contractor to administer its advertising and sponsorship program, to generate additional revenue for the state highway fund as provided under A.R.S. § 28-7316.
- B.** If the Department utilizes a contractor to administer its advertising and sponsorship program, the Department shall solicit offers to select a contractor as provided under A.R.S. Title 41, Chapter 23, Arizona Procurement Code.
- C.** Use of highway right-of-way for advertising purposes is prohibited, except as provided in 23 U.S.C. 111(b), Rest Areas.
- D.** The Department or its contractor may provide opportunities for:
 - 1.** Advertisers to buy or lease advertising space or media on authorized non-highway assets and facilities of the Department;
 - 2.** Advertisers to buy or lease advertising space or media for conducting limited commercial activities at rest areas as permitted under 23 U.S.C. 111; and
 - 3.** Sponsors to provide monetary sponsorship of any element of the Department’s operation of highway or non-highway assets and facilities by providing highway-related services or products to the Department, or monetary contributions to the state highway fund as provided under A.R.S. § 28-7316.

R17-1-703. Request for Advertising or Sponsorship: Approval or Denial: Timeframes

- A.** An advertiser or sponsor seeking to participate in the Department’s advertising and sponsorship program by leasing or purchasing advertising on non-highway assets of the Department, or providing monetary sponsorship of highway-related facilities and assets of the Department, may complete and submit electronically to the Department or its contractor an online request form provided by the Department at www.azdot.gov.
- B.** The Department shall, within 10 days of receiving a request under subsection (A) or (C), provide written notice to the advertiser or sponsor acknowledging receipt of the request:
 - 1.** If the request is complete, the notice shall acknowledge receipt of a complete request and indicate the date the Department received the complete request; or
 - 2.** If the request is incomplete, the notice shall indicate the current date and include an itemized list of all additional information the advertiser or sponsor must provide to the Department before the request can be considered complete and subsequently processed.
- C.** An advertiser or sponsor with an incomplete request shall respond to the notice provided by the Department under subsection (B)(2) within 15 days after the date indicated on the notice or the Department may deny the request for advertising or sponsorship.



- D. The Department shall render a decision on the request within 20 days after the date on the notice the Department provided to the advertiser or sponsor under subsection (B)(1) acknowledging receipt of a complete request.
- E. For the purpose of A.R.S. § 41-1073, the Department establishes the following time-frames:
 - 1. Administrative completeness review time-frame: 10 days.
 - 2. Substantive review time-frame: 20 days.
 - 3. Overall time-frame: 30 days.
- F. Advertisers and sponsors authorized by the Department or its contractor to participate in the Department's advertising and sponsorship program may lease or purchase advertising on authorized assets or facilities of the Department, conduct limited commercial activities at rest areas, or provide monetary sponsorship of authorized facilities and assets of the Department if the advertiser or sponsor:
 - 1. Is a provider of motor vehicle- or motorist-related goods or services, as provided under A.R.S. § 28-7316;
 - 2. Is authorized to enter into a lease agreement with the Department or its contractor for:
 - a. Advertising on, or sponsorship of, non-highway assets or facilities of the Department;
 - b. Advertising on, or sponsorship of, rest area facilities as permitted under 23 U.S.C. 111; or
 - c. Sponsorship of highway-related assets or facilities of the Department; and
 - 3. Is otherwise eligible under this Article to participate in the Department's advertising and sponsorship program.

R17-1-704. Advertising or Sponsorship Approval: Agreement; Lease

- A. An advertiser or sponsor seeking to participate in the Department's advertising and sponsorship program shall first negotiate and enter into a written advertising or sponsorship agreement with the Department or its contractor.
- B. An advertising or sponsorship agreement made between the Department, or its contractor, and the advertiser or sponsor may be of any duration up to five years and, in the sole discretion of the Department, shall:
 - 1. Provide economic viability and a net benefit to the public;
 - 2. Include provisions for maintenance and removal of physical elements of the advertising or sponsorship acknowledgment after the agreement expires or the advertiser or sponsor withdraws;
 - 3. Identify any specific highway sites, corridors, or operations supported by any monetary contribution provided by a sponsor, if the sponsor is making a monetary contribution;
 - 4. Be approved by the FHWA Division Administrator before it becomes effective, if the agreement involves the Interstate highway system;
 - 5. Require that the authorized advertiser or sponsor comply with all state laws prohibiting discrimination based on race, religion, color, age, sex, national origin, and other applicable laws;
 - 6. Include a termination clause based on all of the following, as determined by the Department in its sole discretion:
 - a. Safety concerns;
 - b. Interference with the free and safe flow of traffic;
 - c. Construction activities approved or initiated by the Department in the area, which may pose conflicts with advertising or sponsorship activities, including construction and maintenance projects, road widening, detour, diversion, rebuilding, re-routing, temporary or permanent closure because of weather or other damage, land-use changes, changes in applicable federal or state laws, or any similar reason for termination of the agreement;
 - d. Payment default by the advertiser or sponsor;
 - e. Noncompliance with contractual terms or provisions of the agreement; or
 - f. A determination, made by the Department, concluding that the agreement is not in the public interest;
 - 7. Include only the types of advertisers and sponsors deemed acceptable under applicable state and federal laws;
 - 8. Recommend that for assets and facilities on which federal-aid funds were not used, the advertising or sponsorship revenue or monetary contributions received as part of the agreement be used for highway purposes as permitted under state law;
 - 9. Require that for assets and facilities on which federal-aid funds were used, the advertising or sponsorship revenue or monetary contributions received as part of the agreement be used only for highway purposes;
 - 10. Require that for rest areas authorized for limited commercial activities under 23 U.S.C. 111, the advertising or sponsorship revenue or monetary contributions received as part of the agreement be used to cover the costs of acquiring, constructing, operating, and maintaining rest areas;
 - 11. Require the advertiser or sponsor to certify that the advertiser or sponsor will comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and contractual requirements of the Department's advertising and sponsorship program and maintain content- and viewpoint-neutral standards as provided under this Article; and
 - 12. Require the advertiser or sponsor to acknowledge that it is the Department's intent to preserve the assets and facilities of the Department as a non-public forum, notwithstanding the placement in those locations of the advertising or sponsorship content referenced in the agreement.
- C. The Department or its contractor shall provide a copy of any signed advertising or sponsorship agreement to the advertiser or sponsor if approved.
- D. All advertising or sponsorship agreements under this Article are public records under A.R.S. Title 39, Chapter 1, Article 2, and A.R.S. Title 41, Chapter 1, Article 2.1. The Department or its contractor shall not agree with any advertiser or sponsor to keep confidential, or not to disclose upon receipt of a public record request, either the content of any written agreement under this Article, or the negotiations leading up to any agreement, nor the advertiser's proprietary or trade information disclosed to the Department or its contractor in the course of negotiating or executing such written agreement, without regard to whether such information, including a logo, slogan, or other commercial message is claimed to be confidential, proprietary, trademarked, copyrighted, or otherwise registered by the advertiser, sponsor, or agent with rights reserved.



R17-1-705. Advertising or Sponsorship Acknowledgment; Content Approval

- A.** An advertiser or sponsor authorized by the Department or its contractor to participate in the Department’s advertising and sponsorship program shall obtain Department approval of all advertising or sponsorship content, in accordance with the standards provided under this Article and any other applicable law, before the advertising or sponsorship content appears on any asset or facility the Department designates for advertising or sponsorship opportunities under this Article or any other advertising or sponsorship agreement.
- B.** An advertiser or sponsor shall deliver to the Department or its contractor for installation, advertising content, images, or copy that meets all of the Department’s content standards and technical specifications provided under this Article for the appropriate creation and display of advertising or sponsorship acknowledgment.
- C.** For advertising on, or sponsorship of, authorized assets and facilities of the Department, the Department or its contractor shall:
 - 1. Review all advertising or sponsorship acknowledgment content for compliance with the standards provided under this Article and any other applicable law; and
 - 2. Ensure that advertising or sponsorship acknowledgment content does not interfere with the business activities of the Department and its customers.
- D.** For monetary sponsorship of an element of the Department’s operation of any highway-related assets and facilities, the Department or its contractor shall additionally:
 - 1. Ensure that the most current FHWA policy directives are followed when using signs to acknowledge the provision of highway-related services under both corporate and volunteer sponsorship programs;
 - 2. Ensure that all signs are of reasonable size, as determined by the Department, and as specified in the provisions of the MUTCD and FHWA policy directives; and
 - 3. Ensure that all sign message content is simple, brief, and minimizes driver distraction.

R17-1-706. Advertising or Sponsorship Acknowledgment; Prohibited Content

- A.** The Department shall deny a request for placement of advertising or sponsorship content if the content is not for a motor vehicle-, motorist-, or highway-related service, message, or product, unless otherwise authorized by law. The Department shall also deny a request for placement of advertising or sponsorship content if the content is likely to:
 - 1. Conflict with other advertising or sponsored content for which the Department has an existing or pending agreement;
 - 2. Conflict with the reasonable standards established by the Department under this Section;
 - 3. Conflict with the time, place, manner, or duration of the Department’s office or highway operations or security;
 - 4. Create an unreasonable risk of injury to a person or risk of damage to property;
 - 5. Interfere with the work of a Department employee or the business or mission of the Department; or
 - 6. Result in non-compliance with other applicable statutes or rules.
- B.** The Department, in its sole discretion, may reject types of advertising or sponsorship content that the Department deems unacceptable for its advertising and sponsorship program. Content deemed unacceptable by the Department for its advertising and sponsorship program shall include any advertising or sponsorship content that:
 - 1. Contains obscene, pornographic, indecent or explicit messages, or contains an offensive level of sexual overtone, innuendo, or double entendre, as determined by the Department in accordance with community standards in the vicinity of where the content would be displayed;
 - 2. Contains profanity or vulgar language;
 - 3. Creates non-compliance with federal and state nondiscrimination laws, regulations, and policies;
 - 4. Denigrates a person, organization, or group based on gender, sexual orientation, religion, race, ethnic or political affiliations, or national origin;
 - 5. Includes the name of a person, organization, or group that has historically advocated the denigration of other persons or groups based on gender, sexual orientation, religion, race, ethnic or political affiliations, or national origin;
 - 6. Includes or concerns political or election campaign messaging, imagery, or symbolism;
 - 7. Promotes, identifies, highlights, criticizes or endorses a political candidate, political party or movement, or any ballot measure circulated, submitted, or scheduled for consideration by the electorate of any jurisdiction, past, present, or future;
 - 8. Promotes, identifies, highlights, suggests, or expresses an opinion for or against contraceptive products or services, or any services related to abortion, euthanasia, or counseling with regard to any of these products, services, procedures, or issues;
 - 9. Promotes, identifies, highlights, suggests, or expresses an opinion for or against the use of alcohol, tobacco, marijuana or fire-arms;
 - 10. Promotes, identifies, highlights, or suggests the use of a drug or other substance in violation of either federal or state law or regulations; or
 - 11. Promotes, identifies, highlights, or suggests the use of products or services with sexual overtones such as massage parlors, escort services, or establishments for show or sale of X-rated, adult-only, or pornographic movies, products or services, or for establishments primarily featuring nude or semi-nude images or performances.

R17-1-707. Denial of a Request for Advertising or Sponsorship; Administrative Hearing; Timeframes

- A.** An advertiser or sponsor whose request for placement of advertising or sponsorship content is denied by the Department may request an administrative hearing in connection with the denial, or any other action taken by the Department in connection with the rules prescribed in this Article, as provided under A.R.S. Title 41, Chapter 6, Article 6, and Article 5 of this Chapter, as applicable.
- B.** If the Department denies a request for placement of advertising or sponsorship content, the Department or its contractor shall send written notification of the denial to the advertiser or sponsor within five days of denying a request for placement of advertising or sponsorship content. Written notification of the denial shall state:
 - 1. The Department’s reason for the denial, citing all applicable supporting statutes or rules;
 - 2. The advertiser’s or sponsor’s right to request a hearing under A.R.S. § 41-1065 to contest the Department’s decision; and
 - 3. The time-frame for requesting a hearing with the Department’s Executive Hearing Office as prescribed under A.R.S. § 41-1065 and Article 5 of this Chapter.



- C.** If an advertiser or sponsor requests a hearing, the Department shall hold the hearing according to the procedures provided under A.R.S. Title 41, Chapter 6, Article 6, this Article, and 17 A.A.C. 1, Article 5, as applicable. The Department shall:
- Schedule a hearing within 30 days after receiving a written request for a hearing from an advertiser or sponsor;
 - Provide the advertiser or sponsor requesting the hearing at least a twenty-day notice of the date and time of the hearing as provided under A.R.S. § 41-1061;
 - Ensure that the presiding officer, within 10 days after the hearing, makes a written determination of the presiding officer's findings of fact, conclusions, and decisions; and
 - Mail a copy of the written determination to the advertiser or sponsor who requested the hearing.
- D.** The scope of the hearing shall be limited to a determination of whether the Department possessed grounds to take the action indicated in the notice of action provided by the Department in connection with the rules prescribed in this Article.

R17-1-708. Program Administration; Pricing and Lease Procedures; Priority; Renewal

- A.** For administration of the Department's advertising and sponsorship program, the Department or its contractor may use:
- Rate schedules that are established and periodically adjusted by the Department; or
 - Competitive pricing established by one or more offers from potential or current advertisers or sponsors.
- B.** The Department or its contractor may use competitive pricing or rate schedules to determine the ranking order of potential or current advertisers or sponsors who may be awarded advertising and sponsorship opportunities at specific locations authorized by the Department for such activities.
- C.** In determining competitive pricing and rate schedules, the Department may consider the amount of space available for advertising and sponsorship activities, and one or more of the following additional factors:
- The average annual daily traffic at, or adjacent to, the location of the Department's available asset or facility;
 - The population mix and relative distribution between all other advertisers or sponsors that meet all of the Department's advertising and sponsorship program requirements;
 - The ranking order determined by the Department or its contractor based on existing rate schedules or competitive pricing proposed or offered by potential or current advertisers or sponsors for each Department authorized location; or
 - The competitive market conditions, as well as economic, regulatory, logistical, and other related factors as determined by the Department or its contractor.
- D.** If any of the factors provided under subsection (C) are used in determining competitive pricing or rate schedules, the Department or its contractor shall make the information relevant to these factors available to advertisers and sponsors on the Department's or its contractor's website.
- E.** If a clear ranking order of preference for awarding a specific location cannot be determined using the factors provided under subsection (C), the Department or its contractor shall prioritize the remaining requests for advertising or sponsorship opportunities based on the following additional factors, in order:
- The advertiser or sponsor having the closest business location to the Department facility or asset location requested;
 - The advertiser or sponsor providing the most days and hours of service to the public; and
 - The advertiser or sponsor first requesting authorization to place advertising or sponsorship content on the Department authorized facility or asset at that location.
- F.** If a potential advertiser or sponsor requests placement of advertising or sponsorship content on a specific Department facility or asset where there are no available placements, a competitive bidding process may be used to determine which potential advertiser will participate, assuming the Department determines in its sole discretion that the location may be made available for advertising or sponsorship.
- G.** The Department or its contractor may choose not to renew an existing advertising or sponsorship agreement, or an advertising or sponsorship agreement expiring within the next 60 days, if another eligible advertiser or sponsor with a higher priority ranking requests placement of advertising or sponsorship content at that same location.
- H.** The Department or its contractor may collect all applicable taxes due from an advertiser or sponsor under the advertising or sponsorship agreement.
- I.** An advertiser or sponsor may request reimbursement of any pre-paid lease payments if, for a reason solely caused by the Department or its contractor, the Department or its contractor does not install the advertiser's or sponsor's content or copy within 90 days after receiving the pre-paid lease payments.
- J.** The Department or its contractor shall refund any pre-paid lease payments to an advertiser or sponsor within 30 days after the advertiser or sponsor requests reimbursement under subsection (I).
- K.** The Department may require an advertiser or sponsor who requests reimbursement of pre-paid lease payments to provide additional information if required by the State of Arizona for processing a refund.

R17-1-709. Acknowledgment Signs and Plaques; Design and Placement

- A.** The Department may acknowledge sponsors with acknowledgment signs or plaques. Acknowledgment signs and plaques shall meet all of the general principles and specific design and placement criteria prescribed in the MUTCD, Part 2, Signs, as supplemented by the most recent edition of the FHWA Standard Highway Signs and Markings Book:
- An acknowledgment sign is installed only as an independent sign assembly unless the acknowledgment sign is part of the Department's Adopt-a-Highway Volunteer Program; and
 - An acknowledgment plaque is installed only in the same sign assembly below a primary sign that provides the road user specific information on accessing the service being sponsored. A plaque legend is displayed on a separate substrate from that of the sign below which it is mounted.
- B.** Acknowledgment signs and plaques shall:
- Be appropriately sized for the legibility needs of a bikeway or path user when located on a bikeway or shared-use path;
 - Be placed near the site being sponsored, consistent with the purpose and principles of traffic control devices in the MUTCD, Part 1, General and Part 2, Signs;



- 3. Be placed approximately one mile away from other acknowledgment signs or plaques associated with the same element of the Department’s highway operation, such as Adopt-a-Highway, when facing the same direction, as consistent with the purpose and principles of traffic control devices in the MUTCD, Part 1, General and Part 2, Signs;
 - 4. Display no directional information or indicators;
 - 5. Display no telephone numbers, internet addresses, or other legends prohibited by the MUTCD for the purpose of contacting the sponsor or to obtain information on the sponsorship program, such as how to become a sponsor at an available site, unless such information is part of the sponsor’s official name; and
 - 6. Remain in place only for the duration of the sponsorship agreement.
- C. The Department or its contractor shall not place acknowledgment signs or plaques at key decision points where a driver’s attention is more appropriately focused on traffic control devices, roadway geometry, or traffic conditions.

R17-1-710. Criteria for Highway-related Acknowledgment Signs and Plaques

- A. For highway-related sponsorship opportunities, the Department or its contractor shall:
- 1. Ensure that acknowledgment signs and plaques take only the form of static, non-changeable, non-electronic legends to maintain the recognition value of official devices used for traffic control;
 - 2. Ensure that messages on acknowledgment signs and plaques are not interspersed, combined, or alternated with other official traffic control messages, either in the same display space, by adjacency in the same assembly, or by adjacency of multiple assemblies whose longitudinal separation does not meet the placement criteria contained in the MUTCD, including when placed on opposite sides of the roadway facing the same direction of travel, except as provided for acknowledgment plaques under R17-1-711(B);
 - 3. Ensure that the focus remains on the service provided rather than on the sponsor, and that the sponsor logo area on an acknowledgment sign or plaque is a horizontally oriented rectangle, consistent with the provisions on business logos in the MUTCD, Chapter 2J, Specific Service Signs. The width of the rectangle shall be at least approximately 1.67 times its height, the total area of which shall not exceed the maximum referenced or specified in this Article or the MUTCD. The word legend describing the activity, such as “SPONSORED BY,” shall be composed of upper-case lettering of the FHWA standard alphabets at least three inches high on conventional roads and at least four inches high on expressways and freeways;
 - 4. Ensure that any slogan displayed on an acknowledgment sign is a brief jurisdiction-wide slogan or that of a program name, such as “ADOPT-A-HIGHWAY.” Slogans for companion, supplementary, or other programs unrelated to the service being sponsored shall not be displayed on any acknowledgment sign or plaque, in accordance with the MUTCD, Section 2H.08, Acknowledgment Signs.
 - 5. Ensure that if a graphic business logo is used to represent a sponsor, instead of a word legend using the FHWA Standard Alphabets, the logo is the principal trademarked official logo that represents the business name of the sponsor. Secondary logos or representations, even if trademarked, copyrighted, or otherwise protected, are classified as promotional advertising and are not allowed as provided under the MUTCD, Section 1A.01, Purpose of Traffic Control Devices;
 - 6. Ensure compliance with the following design guidelines if a graphic business logo is used to represent a sponsor:
 - a. Logos shall be as simple as possible and provide good readability during both daylight and nighttime hours;
 - b. Logos may consist of a symbol, trademark, or a legend message identifying the name or abbreviation of a specific business;
 - c. Logos shall not contain a telephone or fax number, street name, e-mail or Internet address, or a direction indicator as part of the business logo unless such information is part of the sponsor’s official name;
 - d. Logos shall not resemble an official traffic control device; and
 - e. Symbols or trademarks used alone for acknowledgment shall be simple and dignified and reproduced in the colors and general shape consistent with customary use, and any integral legend shall be in proportionate size.
 - 7. Obtain an encroachment permit if applicable under 17 A.A.C. 3, Article 5, before installing, maintaining, or removing sponsorship content or copy from a highway-related facility or asset of the Department located along a state highway; and
 - 8. Determine the best placement of sponsorship content or copy and cooperate with the sponsor to provide all appropriate information to the public as outlined in both the contract and the sponsorship agreement, while remaining in full compliance with any encroachment permit requirements, if the contractor requests an encroachment permit under 17 A.A.C. 3, Article 5.
- B. For highway-related sponsorship opportunities, the Department or its contractor shall not:
- 1. Install acknowledgment signs or plaques overhead due to maximum overall size limitations and related safety considerations. Only roadside, post-mounted installations of acknowledgment signs and plaques are allowed;
 - 2. Allow promotional advertising on any traffic control device or its supports, as provided under the MUTCD, Section 1A.01, Purpose of Traffic Control Devices;
 - 3. Allow acknowledgment signs and plaques to contain an alternative business name that appears to have the sole or primary purpose of circumventing the MUTCD provisions. Such content or copy is considered promotional advertising rather than acknowledgment of a sponsor providing a highway-related service; and
 - 4. Allow sponsorship acknowledgment signs or plaques that include displays that mimic, or in the Department’s sole discretion, attempt to mimic, imitate, or resemble advertising. The determination of whether a sign mimics or constitutes advertising lies solely with the Department, applying in good faith the relevant standards set forth by the FHWA.

R17-1-711. Highway-related Sponsorship Restrictions and Allowances: Existing Leases or Agreements

- A. For sponsorship of rest areas, the Department or its contractor:
- 1. May install one acknowledgment sign for each direction of travel on the highway mainline;
 - 2. May place additional acknowledgment signs within a rest area, provided that the sign legends are not visible to the highway mainline traffic and do not pose safety risks to rest area users;
 - 3. Shall not append acknowledgment signs to any other sign, sign assembly, or other traffic control device; and
 - 4. Shall not place acknowledgment signs within 500 feet of other traffic control devices located on the highway mainline.



- B.** For sponsorship of travel service programs that are not site specific, such as 511 traveler information, radio-weather, radio-traffic, and emergency service patrol, the Department or its contractor may mount an acknowledgment plaque below a general service sign for that program in the same sign assembly. The acknowledgment plaque shall:
1. Be a horizontally oriented rectangle, with the horizontal dimension longer than the vertical dimension;
 2. Be of a size not to exceed approximately one-third of the area of the general service sign below which it is mounted or 24 square feet, whichever is less;
 3. Be of a size not to exceed approximately one-third of the area of the largest size prescribed in the MUTCD for the specific standard sign below which the acknowledgment plaque is mounted, even if the standard sign was enlarged under the MUTCD, Sections 2A.11, Dimensions and 2I.01, Sizes of General Service Signs, or was designated in the MUTCD as being oversized for its application; and
 4. Be of a size that is equivalent to the unmodified national standard for the sign, as provided in the MUTCD, even if the size of the standard sign is modified based on the Arizona supplement to the MUTCD, or other equivalent, and would result in a sign size larger than that of the standard sign prescribed in the MUTCD.
- C.** For sponsorship by way of providing highway-related services, products, or monetary contributions that result in a naming sponsorship granted by the Department, where the sponsor is allowed naming rights to an officially mapped, named or numbered highway, the Department or its contractor:
1. May use only acknowledgment signs to place an unofficial overlay or secondary designation in the name of the sponsor on the official highway name or number through proclamation, contract, agreement, or other means for acknowledgment within the highway right-of-way; and
 2. Shall not display on an acknowledgment sign a legend that states, either explicitly or by implication, that the highway is named for the sponsor.
- D.** For the purpose of protecting life or property, the Department may install on any highway or non-highway asset or facility under its jurisdiction a changeable message sign, traffic control device, or other official sign provided by a sponsor. The name of the sponsor who made placement of the item possible may be affixed to the official sign or device in a conspicuous location visible from the main traveled roadway, unless specifically prohibited by federal law, including on the sign base, apron, supports, or other structural member. No more than one sponsor's name may appear on any one official sign or device at any given time.
- E.** The Department or its contractor shall solely determine the placement of any new advertising or sponsorship content as new opportunities arise, whether a previously leased location is vacated, a waiting list exists, another advertiser or sponsor seeks to lease or sponsor a specific asset or facility, or a new location is identified and made available for advertising or sponsorship opportunities.
- F.** The provisions of this Article apply to new and modified acknowledgment sign installations in support of national uniformity and consistency. Acknowledgment signs installed prior to the effective date of this Section are subject only to the terms and conditions provided in any existing lease or other agreement already in effect between the Department and an advertiser or sponsor. Replacement of an existing acknowledgment sign for compliance with this Article is not required unless the currently installed acknowledgment sign is no longer serviceable or the advertiser or sponsor requests a modification of the sponsor name or logo that is consistent with this Article.

R17-1-712. Program Eligibility and Compliance

- A.** An advertiser or sponsor participating in the Department's advertising and sponsorship program shall ensure compliance with A.R.S. § 28-7316 and all criteria established under this Article.
- B.** The Department or its contractor may choose not to enter into, or renew, an advertising or sponsorship agreement if the eligibility criteria provided under this Article is not met.
- C.** An advertiser or sponsor is ineligible to place advertising or sponsorship content on any asset or facility of the Department if:
1. Thirty days have elapsed since the Department or its contractor issued a notice of default to the advertiser or sponsor and the default remains uncured, or
 2. The advertiser or sponsor has defaulted on an advertising or sponsorship agreement made with the Department or its contractor.

R17-1-713. Advertising or Sponsorship Agreement or Lease Termination

- A.** If an advertiser or sponsor becomes ineligible to participate in the Department's advertising and sponsorship program, the Department or its contractor shall remove any existing content or copy from the Department asset or facility after notifying the ineligible advertiser or sponsor as provided in the advertising or sponsorship agreement.
- B.** An advertiser or sponsor who becomes ineligible to participate in the Department's advertising and sponsorship program may be held responsible for the costs involved with removal or reinstallation of advertising or sponsorship acknowledgment signs in accordance with the terms and conditions provided in the advertiser's or sponsor's written lease or other agreement with the Department or its contractor.

R17-1-714. Removal of Advertising or Sponsorship Content; Program Termination

- A.** If the Department temporarily requires removal of an acknowledgment sign or advertising or sponsorship content or copy from any Department facility or asset for construction activities in the area that may pose conflicts with the sponsorship, as provided under R17-1-704(B) (i.e. sign needs to be removed due to a road widening project), the Department or its contractor, in its sole discretion, may:
1. Relocate the acknowledgment sign or advertising or sponsorship content or copy to a comparable site for the duration of the advertising or sponsorship agreement, if requested by the advertiser or sponsor and the acknowledgment sign or advertising or sponsorship content or copy is for a program that is not site-specific; or
 2. Re-erect the acknowledgment sign or advertising or sponsorship content or copy at its original location once the construction activities are completed, if possible, and revise the original advertising or sponsorship agreement to remain in place until the minimum lease obligations are fulfilled.
- B.** If the Department's advertising and sponsorship program is terminated, the Department or its contractor shall:



1. Notify an advertiser or sponsor by mail, or a mutually agreed upon electronic communication method, of the program termination and the location where an advertiser or sponsor may claim its materials, if any.
2. Remove all advertising or sponsorship content or copy from any Department facilities or assets; and
3. Refund unused lease payments to each advertiser or sponsor on a prorated basis.



NOTICES OF FINAL RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Final Rulemaking. Final rules have been through the regular rulemaking process as defined in the Administrative Procedures Act. These rules were either approved by the Governor's Regulatory Review Council or the Attorney General's Office. Certificates of Approval are on file with the Office.

The final published notice includes a preamble and

text of the rules as filed by the agency. Economic Impact Statements are not published.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the final rules should be addressed to the agency that promulgated them. Refer to Item #5 to contact the person charged with the rulemaking. The codified version of these rules will be published in the Arizona Administrative Code.

**NOTICE OF FINAL RULEMAKING
TITLE 17. TRANSPORTATION
CHAPTER 5. DEPARTMENT OF TRANSPORTATION
COMMERCIAL PROGRAMS**

[R17-133]

PREAMBLE

- | | |
|---|---------------------------------|
| 1. <u>Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| R17-5-301 | Amend |
| R17-5-302 | Amend |
| R17-5-303 | Amend |
| R17-5-305 | Amend |
| R17-5-306 | Amend |
| R17-5-307 | Amend |
| R17-5-308 | Amend |
| R17-5-309 | Amend |
| R17-5-311 | Amend |
| R17-5-313 | Amend |
| R17-5-315 | Amend |
| R17-5-318 | Amend |
| R17-5-323 | Amend |
- 2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. §§ 28-366, 28-3411, 32-2352, and 32-2372.01
 Implementing statute: A.R.S. §§ 28-3413 through 28-3416, 32-2371, 32-2371.01, 32-2373, 32-2374, 32-2391, 41-1009, and 41-1064
- 3. The effective date of the rule:**
 September 5, 2017
- a. If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**
 Not applicable
- b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**
 Not applicable
- 4. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:**
 Notice of Rulemaking Docket Opening: 22 A.A.R. 2569, September 16, 2016
 Notice of Proposed Rulemaking: 23 A.A.R. 7, January 6, 2017
- 5. The agency's contact person who can answer questions about the rulemaking:**
 Name: Candace Olson, Rules Analyst
 Address: Government Relations and Policy Development Office
 Department of Transportation
 206 S. 17th Ave., Mail Drop 140A
 Phoenix, AZ 85007
 Telephone: (602) 712-4534
 E-mail: COlson2@azdot.gov
 Web site: http://www.azdot.gov/about/GovernmentRelations



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

The Department engages in this rulemaking to implement Laws 2016, Chapter 371, which eliminated the requirement for professional driver training school (PDTs) instructors to be licensed, by repealing A.R.S. § 32-2372, effective January 1, 2017. In addition, pursuant to A.R.S. § 32-2372.01, the Department is required to adopt rules to establish requirements and minimum standards for commercial motor vehicle instructors on or before December 31, 2016, to which, the Department needed more time in order to properly determine the implementation of this legislation, review the existing rules, and ensure the rules have been properly vetted by the PDTs industry. The Department was able to file the Notice of Proposed Rulemaking with the Office of the Secretary of State on December 16, 2016. The Department does not currently enforce the PDTs instructor rules since the repeal of A.R.S. § 32-2372 became effective. The statutory requirements for PDTs and agents to be licensed by the Department remain in law at A.R.S. §§ 32-2371 and 32-2371.01, respectively. PDTs educate and train persons, either practically or theoretically, or both, to operate or drive commercial motor vehicles and prepare applicants for an examination given for a commercial driver license or instruction permit. Amendments made in this rulemaking include removing PDTs instructor license verbiage, temporary PDTs instructor license verbiage, and the PDTs instructor license application process; establishing PDTs instructor requirements; specifying that the statutory agent needs to be listed as in the Articles of Incorporation during the PDTs school application; and making minor streamlining and technical changes. In addition, in an effort to reduce regulatory burdens the Department is removing the requirements that school licensees (PDTs and traffic survival school (TSS)) and instructors must be at least 21 years of age and have a high school diploma or equivalent. The Department is also removing the requirement that applicants for a school license to attend Department-approved training and pass one or more required examinations administered by the Department or private entity. The Department has determined that these requirements are unnecessary and other factors are in place to help determine the eligibility of the applicants.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on 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:

The Department did not review or rely on any study relevant to the rules.

8. 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

9. A summary of the economic, small business, and consumer impact:

Pursuant to Laws 2016, Chapter 371, this rulemaking amends the rules relating to the licensure and administration of PDTs instructors by removing the licensing requirements and instead adopting instructor requirements and standards. The rule amendments are necessary in order for the Department to continue to be in compliance with state law and to ease the burden on the schools and instructors and their clients. The establishment of qualifications and requirements of instructors will continue the Department's ability to ensure some measure of consumer protection for individuals utilizing PDTs services.

Last year, the Department licensed and provided administrative oversight for 12 PDTs and 96 PDTs instructors. PDTs instruction is being offered at 13 licensed locations (12 principal places of business and 1 branch location).

The Department estimates that the PDTs and PDTs instructors may incur minimal administrative costs in relation to these rules. Legislation and this rulemaking will benefit the schools and instructors in decreased costs and time savings from no longer having to go through the instructor license application process. The schools and instructors will no longer need to pay the licensing fee (\$10) to the Department and the fingerprint clearance card fee (\$67) to the Arizona Department of Public Safety (DPS).

The Department will realize minimal annual savings which include no longer having to print applicable forms, purchasing applicable office and operational supplies, and paying postage fees and archival fees for the administration of the PDTs instructors. The removal of the licensing of the PDTs instructors will cost a minimal loss of revenue to the Department (\$960 in possible annual license fees) and a moderate loss to DPS (\$6,432 in possible fingerprint clearance card fees).

While most of the changes in this rulemaking benefit PDTs and their instructors, some of the streamlining, technical changes, and removal of the age, education, and examination requirements will benefit the licensed TSSs and reduce their regulatory burden. The TSSs should not incur any costs from this rulemaking. In addition, the Department does not anticipate this rulemaking providing much of a cost savings to the TSSs.

The removal of the age, education and, when applicable, the examination requirements may provide for a slightly bigger pool of eligible owners and instructors.

10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

In R17-5-301, revised the definition of "character and reputation" by adding "of application date" after "12 months" in the last requirement to clarify the timeframe and ensure the language is consistent.

In R17-5-302(B)(5), removed "driver license number" to clarify and ensure the language is accurate and consistent with the requirements of the Arizona Corporation Commission, which allows a statutory agent to be a business entity and as such will not have a driver license.

In R17-5-306(A), removed the requirement that applicants for a school license to attend Department-approved training and pass one or more required examinations administered by the Department or private entity by eliminating the language, "a school or instructor license or for" in an effort to lessen the burden of this requirement from the school license applicants. In addition, due to the removal of this requirement, the Department made the following conforming changes:

R17-5-306(A)(1) is removed and (A)(2) is removed as an unnecessary statement.

R17-5-306(B), removed the new language, "school license applicant or".



R17-5-307(C), besides the removal of “or professional driver training instructor” expanded the removal to “issue a license to the school or professional driver training instructor applicant or”.

In addition, minor grammatical and technical corrections were made as needed.

11. An agency’s summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

Company/Individual	Comment	Department’s Response
National Traffic Safety Institute/Alex Smith	<p>R17-5-301, “Applicant” and “Principal” The Department received the following written comment: As business grows, personnel increases and duties shift between individuals. We would ask that consideration for larger operations be considered and that more than one person working as a principal be acknowledge as agents who may be assigned duties under the principal for certain functions within the rule’ this related directly with R17-5-306(A) wherein an applicant must attend the training required by the Department. For TSS, this means instructor training for a person or persons that will never step into a classroom. This requirement is unnecessary in this instance.</p> <p>The Department also received a verbal comment that reiterated that organizations have multiple managers or agents and that some activities are delegated to certain managers or agents and not require all principles or the school or the stakeholders to complete the training in R17-5-306(A).</p>	<p>The Department does not believe the definitions for “applicant” or “principal” exclude large operations or constrain the schools to one principal. Under R17-5-310, the Department requires a new application for principal changes since all principals are required to undergo a fingerprint clearance check and submit all the same requirements of the original principal(s). It also ensures the current owners and business structure is on file with the Department and the contracted private entity. The Department also allows for the use of a business manager, as defined in R17-5-301, to be used in some situations. As for R17-5-306(A), see the Department’s response below.</p>
National Traffic Safety Institute/Alex Smith	<p>R17-5-302(B)(5) The Department received the following written comment: Not all statutory agents are individuals; some are firms or businesses within the State of Arizona. As such, businesses may not apply for Arizona Driver Licenses. Requiring a driver license in this section should be struck. Instead, we suggest requiring the statutory agent’s information match that on the Arizona Secretary of State website and the corporate annual report.</p> <p>The Department also received a verbal comment that essentially reiterated his written comment.</p>	<p>The Department agrees with the removal of requiring the driver license number but prefers the statutory agent information (name and Arizona address) still match what is contained in the Articles of Incorporation that the applicants submit with their applications as required under R17-5-302(B)(4)(a)(i).</p>
National Traffic Safety Institute/Alex Smith	<p>R17-5-306(A) The Department received the following written comment: Not all applicants are people. I an enterprise wishes to apply for licensure for TSS, an authorized representative should be allowed to attend the training required by the Department. We suggest the following change: “An applicant for a school license, an authorized representative, or instructor for traffic survival school qualification under this ...”</p> <p>The Department also received a verbal comment that reiterated the above and mentioned that this language has been an issue for his school and that it didn’t make sense because it was instructor training and not all stakeholders need to teach the class. Language should be changed to make room for the authorized individuals in charge of that particular activity and not all people, officers, or managers of the organization.</p>	<p>The Department reconsidered this requirement and determined that while there is a need to ensure that the schools and TSS instructors are qualified and knowledgeable, which can be determined by the training and examination, that need is a more vital requirement for the TSS instructors and is more of a secondary need for the school owners, their business managers, or other representatives. The Department, in an effort to lessen the burden of this regulation, has removed the applicants for a school license from this requirement and restructured it towards the TSS instructors only.</p>

12. 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:

There are no other matters prescribed by statute applicable to the Department or to any specific rule or class of rules.

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:

These rules do contain regulations concerning the licenses of PDTs and TSSs. These licenses do fall under the definition of general permits since the activities and practices licensed or qualified are substantially similar in nature for all to perform that specified activity or function.

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:



These rules are not more stringent than any applicable federal law because federal law is not applicable to TSSs and the rules concerning PDTSSs are in keeping with the federal motor carrier regulations.

c. Whether a person submitted an analysis to the agency that compares the rule’s impact on the competitive-ness of business in this state to the impact on business in other states:

No analysis was submitted to the Department.

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

This rulemaking incorporates no materials by reference.

14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

Not applicable

15. The full text of the rules follows:

**TITLE 17. TRANSPORTATION
CHAPTER 5. DEPARTMENT OF TRANSPORTATION
COMMERCIAL PROGRAMS**

ARTICLE 3. PROFESSIONAL DRIVER SERVICES

Section

- R17-5-301. Definitions
- R17-5-302. Professional Driver Training School and Traffic Survival School Licensing; Eligibility and Application Requirements
- R17-5-303. Professional Driver Training School Instructor ~~Licensing; Eligibility and Application Requirements; Temporary Professional Driver Training Instructor License~~ Qualifications and Requirements
- R17-5-305. Traffic Survival School Qualified Instructor Status; Eligibility and Application Requirements
- R17-5-306. Required Training and Examination of School and Instructor Applicants
- R17-5-307. Approval or Denial of Application; Hearing; Appeal
- R17-5-308. License Issuance; Effective Date; Expiration; Display
- R17-5-309. Renewal of License
- R17-5-311. Professional Conduct; Conflicts of Interest; Advertising
- R17-5-313. Method of Instruction; Curriculum
- R17-5-315. Record Retention
- R17-5-318. Instructor Responsibilities
- R17-5-323. Non-compliance; Notice of Corrective Action; Cancellation, Suspension, or Revocation of a Professional Driver Training School ~~or Instructor License or Traffic Survival School License~~ or Qualification of a Traffic Survival School Instructor; Hearing and Appeal

ARTICLE 3. PROFESSIONAL DRIVER SERVICES

R17-5-301. Definitions

In addition to the definitions under A.R.S. §§ 28-101 and 32-2351, the following definitions apply to this Article, unless otherwise specified:

“Activity” means a function or service that is provided by a licensed professional driver training school pursuant to A.R.S. Title 32, Chapter 23 or licensed traffic survival school pursuant to A.R.S. Title 28, Chapter 8, Article 7.1 and that is performed by a ~~licensed professional driver training school~~ instructor or traffic survival school qualified instructor as defined in this Article.

“Applicant” means an individual or school, including principals, requesting in the manner set forth in this Article the issuance or renewal of a license or to become a qualified instructor under A.R.S. Title 28, Chapter 8, Article 7.1 or Title 32, Chapter 23 and this Article.

“Application date” means the date the Department or private entity receives a signed application from an applicant.

“Audit” means a review of the operations, facilities, equipment, and records of a licensee under this Article, which is performed by the Department or private entity under A.R.S. § 28-3411 or 32-2352 to assess and ensure compliance with all applicable federal and state laws and rules.

“Branch” means a licensed professional driver training school’s or licensed traffic survival school’s business location that is an additional established place of business, but not the school’s principal place of business.

“Business day” means a day other than a Saturday, Sunday, or legal state holiday.

“Business manager” means an owner or employee of a licensed school who has primary and sufficient oversight, supervision, and responsibility for all operations necessary to ensure full compliance with all applicable federal or state laws, rules, and school guidelines.

“Certificate of completion” means an electronic or paper document that is approved by the Department or private entity and that is issued by a traffic survival school or high school qualified instructor to a student who has demonstrated successful completion of a training or educational session or both conducted under this Article.



“Character and reputation” means a person:

Has not been convicted of a class 1 or 2 felony by a court of competent jurisdiction.

Has not within five years of application date been convicted of any other felony or misdemeanor offense having a reasonable relationship to the functions of the activity or the employment or category for which the qualification is sought, and

Has not within 12 months of application date had an application or an examination required for license or qualification under this Chapter denied or revoked due to fraud or misrepresentation.

“Commercial driver license motor vehicle record” has the same meaning as a CDLIS motor vehicle record as defined in 49 CFR 384.105.

“Department-approved inventory” means educational media and related items or other resources provided and approved by the Department or private entity that are deemed necessary or useful for traffic survival school instruction, which includes curriculum, computer disks or drives, classroom training materials, instructor workbooks, instructor training manuals, or other materials, whether stored in paper or electronic formats.

“Established place of business” means a licensed professional driver training school’s or licensed traffic survival school’s business location that is:

- Approved by the Department,
- Located in Arizona,
- Not used as a residence, and
- Where the licensed school performs licensed activities.

“~~Good moral character~~” means a person:

~~Has not been convicted of a class 1 or 2 felony by a court of competent jurisdiction;~~

~~Has not within five years of application date been convicted of any other felony or misdemeanor offense having a reasonable relationship to the functions of the activity or the employment or category for which the qualification is sought;~~

~~Has not within five years of application committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence or incompetence if the act has a reasonable relationship to the person’s proposed area of license or qualification;~~

~~Has not within 12 months engaged in fraud or misrepresentation in connection with an application or an examination required for license or qualification under this Chapter;~~

“Good standing” means an applicant:

- Has not had a similar business license, qualification, or approval suspended, revoked, canceled, or denied within the previous three years of the application date;
- Does not have any pending corrective action, as defined under R17-5-323, relating to a Department-issued business license, qualification, or approval;
- Has not had a fingerprint clearance card required for licensure under this Article suspended, revoked, or canceled;
- Does not owe delinquent fees, taxes, or unpaid balances to the Department or private entity;
- Has not had any substantiated derogatory information relevant to the requested license reported to the Department about the applicant from any state agency ~~or from any consumer protection agency~~ contacted by the Department; or
- Has not been dismissed, or resigned in lieu of dismissal, from a position for cause following allegations of misconduct having a reasonable relationship to the person’s proposed area of licensure or qualification, if the applicant is a former Department employee or a former principal or employee of a licensed professional driver training school or licensed traffic survival school.

“Immediate family member” has the same meaning as prescribed in A.R.S. § 28-2401.

“Inactivation” or “inactive” means a temporary or permanent status, assigned by the Department to a school ~~or professional driver training school instructor~~ previously licensed under this Article, which prohibits the school ~~or instructor~~ from further engaging in the previously licensed activity after the occurrence of any of the following actions:

- Cancellation of license, as defined in R17-5-323;
- Suspension of license, as defined in R17-5-323;
- Revocation of license, as defined in R17-5-323;
- Non-renewal of license; or
- Relinquishment of license.

“Licensee” means a school ~~or instructor~~ licensed by the Department or private entity under A.R.S. § 28-3413; ~~or 32-2371, or 32-2372,~~ and this Article, to perform a licensed activity.

“Principal” means any of the following:

- If a sole proprietorship, the sole proprietor;
- If a partnership, limited partnership, limited liability partnership, limited liability company or corporation, the:
 - Partner;
 - Manager;
 - Member;
 - Officer;
 - Director;
 - Agent; or
- If a limited liability company or corporation, each stockholder owning 20 percent or more of the limited liability company or corporation; or



If a political subdivision or government agency, the political subdivision or agency head.

“Principal place of business” means a licensed professional driver training school’s or licensed traffic survival school’s administrative headquarters, which shall not be used as a residence.

“Private entity” means an entity that contracts with the Department under A.R.S. § 28-3411 or 32-2352.

“Professional driver training school instructor license” means an ~~annual license issued by the Department or private entity under A.R.S. § 32-2372, and renewable under A.R.S. § 32-2374, which authorizes a person to individual meeting the qualifications under R17-5-303 who can~~ present specific training and educational curriculum to professional driver training school students as provided under this Article.

“Satisfactory driver record” means an applicant has not had within the past 39 months:

A conviction for driving under the influence, reckless or aggressive driving, racing on a highway, or leaving the scene of an accident;

A driver license previously canceled, suspended, revoked, or disqualified for any reason except for failing to meet or maintain the commercial driver license physical qualifications under 49 CFR 391.41 and A.A.C. R17-4-508; and

More than three previous assignments to attend traffic survival school and no pending assignment.

~~“Temporary professional driver training school instructor license” means the preliminary license issued to an instructor applicant by the Director or private entity under A.R.S. § 32-2372, which authorizes the applicant to perform school activities under this Article.~~

“Traffic survival school qualified instructor” means an individual deemed qualified by the Department or private entity under this Article to conduct instruction of an education session on behalf of a licensed traffic survival school.

R17-5-302. Professional Driver Training School and Traffic Survival School Licensing; Eligibility and Application Requirements

- A. An applicant for a professional driver training school or traffic survival school license, issued by the Department or private entity under A.R.S. § 28-3411 or 32-2371 and this Section, shall ~~be at least 21 years of age and~~ meet all applicable licensing requirements under state law and this Article when applying for an original or renewal license.
- B. An applicant for a professional driver training school or traffic survival school license shall complete and submit to the Department or private entity an application packet that contains all of the following:
 - 1. An application, completed on a form approved by the Department;
 - 2. Certification that each classroom used for the instruction of students is maintained in compliance with all applicable fire codes and local zoning ordinances;
 - 3. Certification that each classroom used for the instruction of students meets the accessibility requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), as amended;
 - 4. A copy of the following documents relating to the applicant’s business if the applicant is a:
 - a. Corporation:
 - i. A copy of the articles of incorporation, including any amendments filed with the Arizona Corporation Commission; and
 - ii. Any other official documents, including copies of board meeting minutes and annual reports that reflect the most recent change to the corporate name, structure, or officers;
 - b. Limited liability company:
 - i. A copy of the articles of organization, including any amendments filed with the Arizona Corporation Commission; or
 - ii. A copy of the application for registration as a foreign limited liability company filed with the Arizona Corporation Commission and a copy of the certificate of registration issued by the Arizona Corporation Commission to a foreign limited liability company;
 - c. Limited partnership or a limited liability partnership:
 - i. A copy of a valid certificate of existence issued by the Arizona Office of the Secretary of State;
 - ii. A copy, stamped “filed” by the Arizona Office of the Secretary of State, of a certificate of limited partnership, certificate of foreign limited partnership, limited liability partnership form, foreign limited liability partnership form, or statement of qualification for conversion of limited partnership or limited liability partnership; or
 - iii. A copy of a valid trade name certificate issued by the Arizona Office of the Secretary of State; or
 - d. Sole proprietor:
 - i. A copy of a valid certificate of existence issued by the Arizona Office of the Secretary of State, or
 - ii. A copy of a valid trade name certificate issued by the Arizona Office of the Secretary of State;
 - 5. ~~A copy of a high school diploma or equivalent for each applicant~~ The name and Arizona address of the school’s statutory agent, as designated in the articles of incorporation, if the applicant is a corporation;
 - 6. Documentation prescribed under A.R.S. § 41-1080 indicating that each applicant’s presence in the United States is authorized under federal law if the applicant is an individual, a sole proprietor, or part of a general partnership;
 - 7. Payment of the license fees prescribed under A.R.S. § 28-3415 or 32-2374 for each activity requested; and
 - 8. A form, approved by the Department, completed for each branch license, if applicable, and accompanied by payment of any applicable branch license fees prescribed under A.R.S. § 28-3415 or 32-2374.
- C. An applicant shall not use the following in any part of its school name, which ~~are~~ is subject to approval by the Department or private entity:
 - 1. The terms “Arizona Department of Transportation,” “Department of Transportation,” “Motor Vehicle Division,” “Motor Vehicle Department,” “Division of Motor Vehicles,” or “Department of Motor Vehicles;” or
 - 2. The acronyms “ADOT,” “DOT,” “MVD,” or “DMV.”
- D. Professional driver training school applicants must provide the following additional documents with the school’s application packet:



1. A copy of the school's complete curriculum, including a sample of all written examinations and answer keys, unless the curriculum is provided by the Department or private entity;
2. Verification of liability insurance coverage reflecting at least the minimum amount prescribed under A.R.S. § 32-2393 for each motor vehicle used to provide instruction; and
3. Diagrams detailing a minimum of three separate ~~road skills test~~ behind-the-wheel final evaluation routes with a written narrative indicating all required maneuvers, if the applicant will be providing behind-the-wheel driver training.

R17-5-303. Professional Driver Training School Instructor ~~Licensing, Eligibility and Application Requirements; Temporary Professional Driver Training Instructor License Qualifications and Requirements~~

- A. ~~An applicant for a~~ Δ professional driver training school instructor ~~license~~ shall:
1. ~~Apply through~~ Work for a professional driver training school licensed by the Department or private entity under A.R.S. § 32-2371 and R17-5-302,
 2. ~~Be at least 21 years of age~~ Possess a valid Arizona commercial driver license with applicable endorsements representative of the vehicle to be used in training,
 3. ~~Be of good moral character~~ Meet the character and reputation requirements as defined in R17-5-301, and
 4. Meet all applicable ~~licensing~~ instructor requirements under state law and this Article.
- B. Each professional driver training school licensed under A.R.S. § 32-2371 and this Article shall maintain a file for each professional driver training school instructor applicant shall complete an application packet that contains the following:
1. ~~An application, completed on a form approved by the Department;~~
 2. ~~A copy of a high school diploma or equivalent;~~
 - 3-1. A copy of a valid Arizona commercial driver license with applicable endorsements representative of the vehicle to be used in training; and
 4. ~~Documentation prescribed under A.R.S. § 41-1080 indicating that the applicant's presence in the United States is authorized under federal law;~~
 - 5-2. A An annual commercial driver license motor vehicle record, dated within 30 days of the application date, which indicates that within the previous 39 months the applicant instructor has maintained a satisfactory driver record as defined in R17-5-301;
 6. ~~Payment of license fees prescribed under A.R.S. § 32-2374 for each activity requested;~~
 7. ~~Statements of positive endorsement or recommendation from at least three character references indicating each reference's:~~
 - a. ~~Name;~~
 - b. ~~Address;~~
 - c. ~~Contact phone number and email address;~~
 - d. ~~Relationship to the instructor applicant, and~~
 - e. ~~Number of years associated with the instructor applicant;~~
 8. ~~An affidavit, as provided under A.R.S. § 32-2372, from the business manager of the professional driver training school certifying that the instructor applicant:~~
 - a. ~~Has the necessary skills and abilities to give instruction on driver training at a professional level, and~~
 - b. ~~Has completed at least 100 hours of combined classroom and vehicle training representative of the class of vehicle appropriate to the activity; and~~
 9. ~~A copy of the fingerprint clearance card as required of the applicant under A.R.S. § 32-2372 and R17-5-304.~~
- C. A business manager of a professional driver training school licensed under A.R.S. § 32-2371 and this Article shall submit to the Department or private entity ~~the application packet for each instructor applicant~~ a list of all of its professional driver training school instructors, including full name and commercial driver license number, at the time of hiring the instructors, within 10 calendar days of making any changes to the instructors as required under R17-5-310, and when renewing the school license as required under R17-5-309.
- ~~D. Temporary Professional Driver Training Instructor License. The Department or private entity shall issue a temporary professional driver training instructor license to an instructor applicant after receiving a fully completed application packet with all of the required content and information, as provided under subsection (B).~~
- ~~E. The Department or private entity may issue an annual professional driver training school instructor license to an instructor applicant, if:~~
1. ~~The applicant successfully completes the training session and examination required under R17-5-306 prior to expiration of the temporary instructor license issued under subsection (D), and~~
 2. ~~The applicant is otherwise qualified under this Article and state law to receive an annual professional driver training school instructor license.~~
- ~~F. The professional driver training school shall withdraw an application for a professional driver training school instructor license or the Department or private entity shall deny issuance of a license for an instructor applicant who fails to successfully complete the requirements under subsection (E) prior to expiration of the temporary professional driver training instructor license.~~

R17-5-305. Traffic Survival School Qualified Instructor Status; Eligibility and Application Requirements

- A. An applicant for traffic survival school qualified instructor status shall:
1. Apply through a traffic survival school licensed by the Department or private entity under A.R.S. § 28-3413 and this Article,
 2. ~~Be at least 21 years of age~~ Possess a valid Arizona driver license,
 3. Meet all applicable requirements under this Article, and
 4. ~~Be of good moral character~~ Meet the good standing and character and reputation requirements as defined in R17-5-301.
- B. Each traffic survival school qualified instructor applicant shall complete an application packet that contains the following:
1. An application, completed on a form approved by the Department;
 2. ~~A copy of a high school diploma or equivalent;~~
 - 3-2. A copy of a valid Arizona driver license;



- 4-3. Documentation prescribed under A.R.S. § 41-1080 indicating that the applicant’s presence in the United States is authorized under federal law;
 - 5-4. A motor vehicle record, dated within 30 days of the application date, which indicates that ~~within the previous 39 months~~ the applicant maintained a satisfactory driver record as defined ~~under~~ in R17-5-301;
 - 6-5. An affidavit from the business manager of the traffic survival school certifying that the qualified instructor applicant has the necessary skills and abilities to give instruction at a professional level; and
 - 7-6. Payment of authorized fees as required by the private entity for application and administration of the instructor qualification process and for required instructor continuing education, which shall be negotiated by the Department and the private entity and shall be set forth in their contract.
- C. An applicant for instructor qualification shall have successfully completed a traffic survival school educational workshop or similar curriculum approved by the Department or private entity before being permitted to instruct any traffic survival school course.
 - D. An applicant for instructor qualification shall have successfully completed an examination given for qualification of instructors by the Department or private entity as required under R17-5-306 before being permitted to instruct any traffic survival school course.
 - E. A business manager of a traffic survival school licensed under A.R.S. § 28-3413 and this Article shall submit to the Department or private entity the complete application packet for each qualified instructor applicant.

R17-5-306. Required Training and Examination of School and Instructor Applicants

- A. An applicant for ~~a school or instructor license or for~~ traffic survival school instructor qualification under this Article shall attend Department-approved training and shall pass one or more required examinations administered by the Department or private entity, ~~before:~~
 - 1. ~~Issuance of an applicable school or instructor license, or~~
 - 2. ~~Approval approval of the an applicant’s status as a traffic survival school qualified instructor.~~
- B. The Department or private entity shall limit a ~~professional driver training~~ traffic survival school qualified instructor applicant to three opportunities within 90 days, based on scheduling, to successfully complete and achieve a passing score or grade on each examination required under this Section.

R17-5-307. Approval or Denial of Application; Hearing; Appeal

- A. An application will not be approved by the Department or private entity unless it is properly and fully completed with all required supporting documents and applicable fees as identified in this Article.
- B. The Department or private entity shall provide written notification to the professional driver training school or traffic survival school of the approval or denial of a license or traffic survival school instructor qualification. A notice denying the applicant a license or qualification under this Article shall specify the basis for denial and indicate that the applicant may request a hearing on the denial with the Department’s Executive Hearing Office within 30 calendar days of the date on the notice unless the application is withdrawn by the applicant.
- C. The Department or private entity may ~~issue a license to the school or professional driver training instructor applicant or~~ deem a traffic survival school instructor applicant qualified when a completed application is received and the applicant has successfully completed all required training and examinations.
- D. Unless the application is withdrawn by the applicant, the Department or private entity may deny an application in which the applicant has:
 - 1. Failed to have or to document a satisfactory driver record as ~~defined in R17-5-304~~ required under R17-5-305, as applicable;
 - 2. Failed to meet the good standing ~~requirement or character and reputation requirements~~ of the Department as defined in R17-5-301;
 - 3. Failed to meet the fingerprint clearance card requirement under R17-5-304, as applicable;
 - 4. Made a material misrepresentation or misstatement on the application;
 - 5. Violated a federal or state law or rule reasonably related in a business context to the authority applied for; or
 - 6. Failed to complete all applicable application requirements under this Article.
- E. If timely requested by an applicant under subsection (B), the Department shall schedule and conduct a hearing as prescribed under A.R.S. Title 41, Chapter 6, Article 6 and 17 A.A.C. 1, Article 5 for denial of a license.
- F. An applicant whose application was previously denied by the Department or private entity for making a material misrepresentation or misstatement on the application is not eligible to reapply for 12 months from the date of previous denial.

R17-5-308. License Issuance; Effective Date; Expiration; Display

- A. The Department or private entity may issue the following licenses upon determining an applicant meets all eligibility and application requirements provided under A.R.S. Title 28, Chapter 8, Article 7.1 or Title 32, Chapter 23 and this Article:
 - 1. Professional driver training school,
 - 2. ~~Professional driver training school instructor,~~
 - 3. ~~Professional driver training school temporary instructor,~~
 - 4-2. Traffic survival school, and
 - 5-3. Established place of business (branch).
- B. The Department or private entity shall license only a school that employs or contracts at least one professional driver training school instructor ~~currently licensed~~ who meets the qualifications under this Article or at least one currently qualified traffic survival school instructor, as applicable.
- C. A license issued under this Article is:
 - 1. Effective on the date of issuance;
 - 2. Effective until its expiration on the last day of each calendar year, except:
 - a. ~~A temporary instructor license issued under R17-5-303 shall expire 90 calendar days from the date of issuance or shall expire immediately if the applicant fails to meet a licensing requirement under this Article,~~



- ~~b.a.~~ A license subject to an active duty military extension shall expire as provided under A.R.S. § 32-4301, and
- ~~e.b.~~ A license subject to an individual's limited length of authorized stay shall expire immediately if the individual's presence in the United States is no longer authorized under federal law; and
- 3. Nontransferable under any circumstances.
- D. A licensed school shall prominently and publicly display all licenses currently in effect at the school's principal ~~places~~ place of business.
- ~~E.~~ A professional driver training school instructor shall prominently display copies of all appropriate licenses during instruction.
- ~~F.E.~~ A school shall surrender to the Department or private entity within three business days after the date of any license inactivation, as defined ~~under~~ in R17-5-301, all:
 1. Licenses;
 2. Records pertaining to the school's operations and the training of students; and
 3. Department-approved inventory, as applicable and as defined in this Article.

R17-5-309. Renewal of License

- A. A completed renewal ~~packet, consisting of the following,~~ shall be submitted to the Department or private entity a minimum of 30 calendar days prior to license expiration. ~~Notwithstanding, notwithstanding~~ A.A.C. R17-1-102, failure to submit a renewal ~~packet~~ prior to December 1st shall result in the applicant being subject to all original licensing requirements:
 1. A renewal application, completed on a form approved by the Department, including:
 - a. An updated list of all principals, instructors, contracted personnel, and employees of the school who are responsible for Arizona school operations, including full name and driver license number; and
 - b. The signature of all current principals on the completed application; and
 2. Payment of applicable license fees prescribed under A.R.S. § 28-3415 or 32-2374, for each activity and branch.
- ~~B.~~ A school license renewal application packet shall include:
 1. ~~A renewal application, completed on a form approved by the Department, including:~~
 - a. ~~A list of all principals, contracted personnel, and employees of the school who are responsible for Arizona school operations if there have been any changes since the last renewal or original application; and~~
 - b. ~~The signature of all principals on the completed application; and~~
 2. ~~Payment of applicable license fees prescribed under A.R.S. § 28-3415 or 32-2374, for each activity, branch, and professional driver training school instructor.~~
- ~~C.B.~~ Notwithstanding A.R.S. § 28-3415 or 32-2374, an annual license issued by the Department or private entity under this Article during the month of December shall not expire until the last day of the subsequent calendar year.

R17-5-311. Professional Conduct; Conflicts of Interest; Advertising

- A. A professional driver training school or traffic survival school representative or instructor shall not:
 1. Accompany a student into any Department office or office of an authorized third party driver license or driver license training provider; or
 2. Solicit an individual for any purpose on any premises rented, leased, operated, or owned by the Department or by an authorized third party driver license or driver license training provider.
- B. A licensee or traffic survival school qualified instructor shall maintain good standing with the Department at all times while licensed or qualified by the Department or private entity under this Article.
- C. A licensee shall not delegate or subcontract any licensed activity authorized by the Department or private entity under this Article.
- D. The Department may take corrective action as provided under R17-5-321 and R17-5-323 if the Department or private entity determines or has reason to believe that a licensee or ~~traffic survival school qualified~~ instructor has demonstrated unethical conduct in the performance of official duties, including:
 1. Verbally abusing, intimidating, or sexually harassing a student or potential student; or
 2. Making a false statement that is material to the activities regulated in this Article to any personnel of the Department or private entity.
- E. A school shall use for all licensed activities and related advertising purposes only its official business name or its doing-business-as name as indicated on the license issued under this Article.
- F. A licensee shall not represent or imply that it is the state of Arizona, the Department, the Motor Vehicle Division, or any government agency in any printed or electronic advertising or promotional material, except to the extent expressly authorized by the Department.
- G. Licensee advertising shall not in any way:
 1. Contain false, deceptive, or misleading information;
 2. Imply that the licensee can issue or guarantee issuance of a driver license or endorsement;
 3. Imply that the licensee can influence the Department or an authorized third party provider in the issuance of a driver license or endorsement;
 4. Imply that the licensee can provide any activity the licensee is not licensed by the Department or private entity to perform;
 5. Imply that preferential or advantageous treatment by the Department can be obtained; or
 6. Use or contain a term prohibited under R17-5-302(C).
- H. A school licensed by the Department or private entity under this Article may state in its advertising that it is "licensed" or "qualified" by the Department, but shall not indicate that the school is approved, sanctioned, or in any other way endorsed or recommended by the Department.
- I. All printed or electronic advertising or promotional material used, issued, or published by a licensee must be pre-approved by the Department or private entity.
- J. An instructor, in any official capacity as an instructor or for compensation, shall not provide any classroom instruction or skills training for an immediate family member or a principal or employee of any school that employs the instructor.



K. A full-time employee of the state of Arizona shall not receive any direct pecuniary payments from any fees paid by those who attend a licensed school.

R17-5-313. Method of Instruction; Curriculum

- A. ~~A licensed or qualified~~ An instructor shall teach only curriculum approved by the Department or private entity to a student attending a class.
- B. ~~A licensed or qualified~~ An instructor shall not conduct personal business during a time designated for instruction.
- C. An instructor shall not solicit students during training classes for businesses other than those licensed by the Department or private entity.
- D. A school or instructor shall ensure that a student has both fully attended and successfully completed a course before issuing a certificate of completion to the student.
- E. A licensed traffic survival school must use all equipment required by the Department or private entity to present the curriculum to the students, including at a minimum, a computer, a PowerPoint compatible projector, a DVD player, and a display monitor visible to all students.
- F. Professional driver training school approved curriculum. The Department shall approve, and may modify, in writing, a uniform curriculum that the professional driver training school shall teach as applicable for each activity the licensee is authorized to perform. The curriculum shall be a standard course of instruction used by a professional driver training school for the training and education of students.
- G. Traffic survival school approved curriculum. The Department shall approve, and may modify, in writing a uniform curriculum that the traffic survival school shall teach. The curriculum shall be selected and approved on the basis of effectiveness in improving the safety and habits of drivers.

R17-5-315. Record Retention

- A. A licensed traffic survival school shall electronically transmit proof of course completion ~~to the Department~~ immediately following each student’s satisfactory completion of a traffic survival school course in a manner and with the basic computer equipment prescribed by the Department or private entity. At a minimum, the computer equipment must be able to temporarily store, and electronically transmit over the internet, the certificates of completion required by the Department or private entity.
- B. All records pertaining to a licensed school’s operations and training of students shall be:
 - 1. Stored and securely maintained at the licensee’s principal place of business,
 - 2. Available for inspection by the Department or private entity during business hours, and
 - 3. Retained by the school for three years from the date of course completion.
- C. A licensed school shall establish and maintain separate records for each authorized activity.
- D. A licensed school shall maintain, for three years, attendance records for each class conducted.

R17-5-318. Instructor Responsibilities

~~While licensed or qualified by the Department or private entity under A.R.S. § 32-2372 and this Article to give instruction, an A professional driver training school instructor or traffic survival school qualified instructor shall:~~

- 1. Attend all ongoing training and continuing education as required by the Department or private entity;
- 2. Provide written notice to the licensed professional driver training school or traffic survival school within twenty-four hours if the instructor’s driver license is suspended, revoked, cancelled, or disqualified;
- 3. Conduct training and courses only at training sites ~~and on driver road training routes~~ approved by the Department or private entity;
- 4. ~~Conduct the final evaluation on behind-the-wheel~~ final evaluation routes approved by the Department or private entity;
- ~~4.5.~~ Follow and complete the curriculum approved by the Department or private entity for each course conducted; and
- ~~5.6.~~ Conduct at least two courses in a calendar year.

R17-5-323. Non-compliance; Notice of Corrective Action; Cancellation, Suspension, or Revocation of a Professional Driver Training School ~~or Instructor~~ License or Traffic Survival School License or Qualification of a Traffic Survival School Instructor; Hearing and Appeal

- A. The following definitions apply to this Section:
 - 1. “Cancellation” means a Department action that withdraws a license or qualification of a traffic survival school instructor issued under A.R.S. Title 28, Chapter 8, Article 7.1 or Title 32, Chapter 23 and this Article.
 - 2. “Revocation” means a Department action that terminates, for an indefinite period of time, a licensee’s or traffic survival school qualified instructor’s privilege to operate a school or conduct instruction under this Article.
 - 3. “Suspension” means a Department action that prohibits, for a stated period of time, a licensee or traffic survival school qualified instructor from operating as a school or instructor under this Article.
- B. The Department or private entity may initiate corrective action on a licensee or a traffic survival school qualified instructor as provided under A.R.S. Title 28, Chapter 8, Article 7.1, Title 32, Chapter 23, Article 3, or Title 41, Chapter 6, Article 6, and this Article, if satisfactory evidence shows that a licensee or ~~traffic survival school qualified~~ instructor, individually or collectively:
 - 1. Violated a federal or state law or rule reasonably relating in a business context to a duty prescribed under this Article;
 - 2. Failed to maintain a status of good standing or character and reputation as defined ~~under~~ in R17-5-301; or
 - 3. Provided false, deceptive, or misleading information to the Department or private entity in either an application or in response to an audit or inspection conducted pursuant to R17-5-321.
- C. ~~Corrective~~ A corrective action initiated under subsection ~~(A)(B)~~, depending on the severity or number of violations, may ~~result in an action by the Department to impose~~ include the Department imposing a term of probation; ~~issue~~ issuing a cease and desist order under A.R.S. § 28-3417 or 32-2394; or ~~request~~ requesting a hearing to cancel, suspend, or revoke an existing license under A.R.S. § 28-3416 or 32-2391.



- D. A notice of corrective action issued by the Department requesting a hearing to cancel, suspend, or revoke an existing school license shall include:
1. The grounds for the Department's action ~~and its request for a hearing before the Department's Executive Hearing Office~~; and
 2. A brief written statement ~~of the hearing and appeal rights for the~~ explaining that it will request that a hearing be held before the Department's Executive Hearing Office on the proposed cancellation, suspension, or revocation of a professional driver training school ~~or instructor~~ license or a traffic survival school license, as provided under A.R.S. § 28-3416 or 32-2391.
- E. A notice of corrective action issued by the Department to cancel, suspend, or revoke an existing qualification of a traffic survival school instructor shall include:
1. The grounds for the Department's action; and
 2. A brief written statement of the hearing and appeal rights, including that the instructor may request a hearing with the Department's Executive Hearing Office within 30 calendar days of the date on the notice for the cancellation, suspension, or revocation of the qualification of a traffic survival school instructor, as provided in A.R.S. §§ 41-1001(12) and 41-1064.
- F. The Department shall provide notice and conduct hearings as prescribed under A.R.S. Title 41, Chapter 6, Article 6, and 17 A.A.C. 1, Article 5, as applicable.



NOTICES OF FINAL EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of the final exempt rule should be addressed to the agency proposing them.

Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 16. ARIZONA MEDICAL BOARD

[R17-134]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):
3. The effective date for the rules and the reason the agency selected the effective date:
4. Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:
7. A reference to any study relevant to the rule that the agency reviewed and either relied on 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:
8. 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:
9. A summary of the economic, small business, and consumer impact, if applicable:



- 10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking (if applicable):**
The rulemaking was not published in proposed form.
- 11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments, if applicable:**
No comments were received.
- 12. Other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:**
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 rule addresses fees for permits but does not require a permit.
 - 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:**
None of the rules is more stringent than federal law. There are numerous federal laws relating to the provision of health care but none is directly applicable to this rulemaking.
 - c. Whether a person submitted an analysis to the agency that compares the rule's impact on the competitiveness of business in this state to the impact on business in other states:**
No analysis was submitted.
- 13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**
None
- 14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**
The rule was not previously made, amended, or repealed as an emergency rule.
- 15. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 16. ARIZONA MEDICAL BOARD**

ARTICLE 2. LICENSURE

Section
R4-16-205. Fees and Charges

ARTICLE 2. LICENSURE

R4-16-205. Fees and Charges

- A.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
 - 10. Annual renewal to dispense drugs and devices, \$150; ~~and~~
 - 11. Penalty fee for late renewal of an active license, \$350; ~~and~~
 - 12. Application for temporary license, \$250.
- B.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change



NOTICE OF FINAL EXEMPT RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 23. BOARD OF PHARMACY

[R17-135]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):
3. The effective date for the rules and the reason the agency selected the effective date:
4. Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:
7. A reference to any study relevant to the rule that the agency reviewed and either relied on 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:
8. 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:
9. A summary of the economic, small business, and consumer impact, if applicable:



10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking (if applicable):

The rule was not published in proposed form

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments, if applicable:

None

12. Other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

Under Laws 2017, Chapter 102, Section 5, the Board is exempt from the requirements of A.R.S. Title 41, Chapter 6 for this rulemaking. However, the Board is required to provide public notice and an opportunity for comment on the proposed rule for at least 30 days before the rule is made. The Board provided this notice and opportunity to comment on June 20, 2017. At the public hearing, the Board presented two options for handling the lack of pro-rating future initial license and permit fees. Three people commented and agreed on the language included in this rulemaking. The rule is also required to address renewal by pharmacy technician trainee who is issued an initial license before the effective day for the statutory change. This is done at R4-23-205(D)(1) and (2).

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, permits, and certificates for which the Board has established fees 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 this rulemaking.

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.

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

None

14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

None of the rules in this rulemaking was previously made, amended, or repealed as an emergency rule.

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 23. BOARD OF PHARMACY

ARTICLE 2. PHARMACIST LICENSURE

Section
R4-23-205. Fees

ARTICLE 2. PHARMACIST LICENSURE

R4-23-205. Fees

A. The Board shall collect the full biennial fee for all initial and renewal license and permit applications listed in subsections (B) and (C).

1. If a license or permit is issued from November of an odd-numbered year through October of an even-numbered year, the licensee or permittee shall renew on or before November 1 of the next odd-numbered year.
2. If a license or permit is issued from November of an even-numbered year through October of an odd-numbered year, the licensee or permittee shall renew on or before November 1 of the next even-numbered year.

A-B. Licensure fees:

1. Pharmacist:
 - a. Initial licensure [~~Prorated according to A.R.S. § 32-1925(B)~~]: \$180.
 - b. Licensure renewal: \$180.
2. Pharmacy or graduate intern. Initial licensure: \$50.
3. Pharmacy technician:
 - a. Initial licensure [~~Prorated according to A.R.S. § 32-1925(B)~~]: \$72.
 - b. Licensure renewal: \$72.

C. Vendor permit fees (Resident and nonresident):

1. Pharmacy: \$480 biennially (Including hospital, and limited service).
2. Drug wholesaler or manufacturer:
 - a. Manufacturer: \$1000 biennially.
 - b. Full-service drug wholesaler: \$1000 biennially.
 - c. Nonprescription drug wholesaler: \$500 biennially.



- 3. Drug packager or repackager: \$1000 biennially.
- 4. Nonprescription drug, retail:
 - a. Category I (30 or fewer items): \$120 biennially.
 - b. Category II (more than 30 items): \$200 biennially.
- 5. Compressed medical gas distributor: \$200 biennially.
- 6. Durable medical equipment and compressed medical gas supplier: \$100 biennially.
- 4-D. Pharmacy technician trainee 36-month, non-renewable, license: ~~\$36~~ \$50.
 - 1. If an individual obtains an initial pharmacy technician trainee license before August 9, 2018, the Board shall allow the individual to reapply once for a pharmacy technician trainee license if the individual reapplies before the initial license expires and pays a reapplication fee of \$36; and
 - 2. If a pharmacy technician trainee license expires before August 9, 2017, the Board shall not allow the former pharmacy technician trainee to reapply.
- ~~B-E.~~ Reciprocity fee: \$300.
- ~~C-F.~~ Application fee: \$50.
- ~~D.~~ Vendor permit fees (Resident and nonresident) [New permits prorated according to A.R.S. § 32-1931(B)]:
 - 1. ~~Pharmacy: \$480 biennially (Including hospital, and limited service).~~
 - 2. ~~Drug wholesaler or manufacturer:~~
 - a. ~~Manufacturer: \$1000 biennially.~~
 - b. ~~Full service drug wholesaler: \$1000 biennially.~~
 - e. ~~Nonprescription drug wholesaler: \$500 biennially.~~
 - 3. ~~Drug packager or repackager: \$1000 biennially.~~
 - 4. ~~Nonprescription drug, retail:~~
 - a. ~~Category I (30 or fewer items): \$120 biennially.~~
 - b. ~~Category II (more than 30 items): \$200 biennially.~~
 - 5. ~~Compressed medical gas distributor: \$200 biennially.~~
 - 6. ~~Durable medical equipment and compressed medical gas supplier: \$100 biennially.~~
- ~~E-G.~~ Certificate fees:
 - 1. Certificate of free sale: \$200 per certificate.
 - 2. Certificate of good manufacturing practice: \$200 per certificate.
 - 3. Annual inspection fee calculated at the average hourly rate of a pharmacy inspector multiplied by the duration of the inspection measured in 10-minute increments or portion of a 10-minute increment.
- ~~F-H.~~ Other fees:
 - 1. Wall license.
 - a. Pharmacist: \$20.
 - b. Pharmacy or graduate intern: \$10.
 - c. Pharmacy technician: \$10.
 - d. Pharmacy technician trainee: \$10.
 - 2. Duplicate of any Board-issued license, registration, certificate, or permit: \$10.
 - 3. Duplicate current renewal license: \$10.
 - 4. ~~Permit~~ License, permit, or certificate verification: \$15.
- ~~G-I.~~ Fees are not refunded under any circumstances except for the Board's failure to comply with its established licensure or permit time frames under R4-23-202 or R4-23-602.
- ~~H-J.~~ Penalty. Renewal applications submitted after the expiration date are subject to a penalty as provided in A.R.S. §§ 32-1925 and 32-1931.
 - 1. Licensees: A penalty equal to half the licensee's biennial licensure renewal fee under subsection ~~(A)~~ (B) and not to exceed \$350.
 - 2. Permittees: A penalty equal to half the permittee's biennial permit fee under subsection ~~(D)~~ (C) and not to exceed \$350.



GOVERNOR EXECUTIVE ORDERS

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.

EXECUTIVE ORDER 2017-02

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

[M17-23]

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2017, as a notice to the public regarding state agencies' rulemaking activities.

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, job creators and entrepreneurs are especially hurt by red tape and regulations;

WHEREAS, all government agencies 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 of 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 comply with a state statutory requirement.
 - g. 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.
 - h. 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.
 - i. 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.
 - j. To eliminate rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.
3. All directors of state agencies subject to this Order shall engage their respective regulated or stakeholder communities to solicit comment on which rules the regulated community believes to be overly burdensome and not necessary to protect consumers, public health, or public safety. Each agency shall submit a report regarding the aforementioned information to the Governor's Office no later than September 1, 2017.
4. For the purposes of this Order, the term "State agencies," includes without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those State agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
5. 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.



6. This Executive Order expires on December 31, 2017.

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
GOVERNOR

DONE at the Capitol in Phoenix on this Eleventh day of January in the Year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

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.

ARIZONA CRIME VICTIMS' RIGHTS WEEK

[M17-172]

WHEREAS, more than 20 million Americans are victims of crime each year and each crime affects many more, including families, friends, and communities; and

WHEREAS, crime exacts an emotional, physical, psychological, and financial toll on victims as they have lost loved ones, life savings, physical and mental health, and often their sense of security that has the potential to irrevocably change the course of their lives; and

WHEREAS, Arizona has been a national leader in establishing constitutional rights for crime victims, including the Arizona Crime Victims' Bill of Rights; and

WHEREAS, we applaud the progress that our Nation and Arizona have made in recognizing crime's impact on victims and we also recognize that involving survivors helps victims service providers and criminal justice professionals understand the culture, values, and expectations of all victims, but especially under- and unserved victims who seek assistance and justice; and

WHEREAS, many victims face challenges in finding appropriate services, and the entire community has a role to play in ensuring that all survivors feel empowered to face their grief, loss, fear, anger, and shame, without fear of judgment and will feel understood and worthy of support; and

WHEREAS, strengthening the multidisciplinary response – bringing diverse skills, perspectives, and understandings together in the service of victims – also serves to build the resilience of those responders, by strengthening the confidence in their roles, abilities, and sense of contribution; and

WHEREAS, we recognize that much work remains if we are to achieve the protections that the Arizona Constitution guarantees to crime victims; and

WHEREAS, the State of Arizona is hereby dedicated to building partnerships with trusted sources of support, including community leaders, religious groups, schools, and other agencies to better reach and serve all victims of crime, no matter their community; and

WHEREAS, the State of Arizona is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Arizona and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week, and National Crime Victims' Rights Week is an opportune time to commit to ensuring that all victims of crime – even those who are challenging to reach or serve – are offered accessible and appropriate services in the aftermath of crime.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 2 - 8, 2017 as

ARIZONA CRIME VICTIMS' RIGHTS WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

Douglas A. Ducey

GOVERNOR

DONE at the Capitol in Phoenix on this twenty-eighth day of February in the year Two Thousand

ATTEST:

Michele Reagan

SECRETARY OF STATE

ARIZONA SPEAK UP FOR KIDS DAY

[M17-173]

WHEREAS, the Arizona Chapter of the American Academy of Pediatrics is committed to advocating and speaking up for all 1.6 million kids in Arizona; and

WHEREAS, poverty and child health are critical issues in Arizona; and

WHEREAS, 90% of a child's brain is developed by age 5, childhood screenings can help detect developmental delays for early intervention, and parental involvement and early literacy are critically important to the overall health and well-being of a child, affecting early brain and child development and their future success; and



WHEREAS, quality of care and child safety laws and policies are developed to protect all children regardless of where they live, including newborn screening and pediatric disaster and emergency preparedness, we must work to decrease the 301 preventable child deaths reported in 2015 by the Arizona Child Fatality Review Program; and

WHEREAS, it is the responsibility of all Arizonans to protect the children in our state, the Arizona Chapter of the American Academy of Pediatrics is committed to improving the health and well-being of Arizona children and supporting the pediatric professionals who care for them, and for the reason all children deserve to be safe, healthy and protected, and the power of the pediatric professional’s voice will make the difference; together we need to Speak Up for Kids.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 1, 2017 as

ARIZONA SPEAK UP FOR KIDS DAY

and encourage all residents, communities, organizations, and institutions to participate in child advocacy efforts, be a voice for all Arizona children, and Speak Up for Kids.

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
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-ninth day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

ARIZONA STUDENT EMPLOYMENT APPRECIATION WEEK

[M17-174]

WHEREAS, Arizona universities and colleges employ thousands of students during the Fall 2016 semester through Federal Work Study, College Payroll and other employment resources; and

WHEREAS, Arizona universities and colleges promote student employment as an educational factor in the development of effective and productive citizens; and

WHEREAS, Arizona universities and colleges provide an economic factor in providing financial support for students in post-secondary education; and

WHEREAS, Arizona universities and colleges provide opportunities for many students through employment to help offset a portion of their college expenses through work opportunities, thus reducing the debt burden common among college graduates today.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 9 – 15, 2017 as

ARIZONA STUDENT EMPLOYMENT APPRECIATION WEEK

and this week coincides with the National Student Employment Association activities being celebrated through the United States on university and college campuses to honor the outstanding contributions and achievements of students who work while attending college to recognize the vital role they fill in our departments and offices.

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
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-fourth day of January in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

ARIZONA TARTAN DAY

[M17-175]

WHEREAS, Arizona is proud to celebrate its ethnic diversity, and the people of Arizona are fortunate to have organizations, families and individuals who are passionate about their ancestry; and



WHEREAS, the Scottish Declaration of Independence, signed April 6, 1320, and the Scottish National Covenant of 1638 strongly influenced the framing of America's Declaration of Independence and the United States Constitution over 400 and 100 years later, respectively; and

WHEREAS, National Tartan Day has been celebrated on April 6th across the United States since 1997 and recognizes that Scottish Americans have played an important role throughout American history. As some of the first immigrants to settle in America, Scottish Americans have made enduring contributions to our society in the arts and sciences, politics and government, technology and mathematics, military service and many other fields; and

WHEREAS, the people of Arizona recognize the heritage of Arizonans of Scottish descent and the symbolism and pride that comes from the wearing of the tartan and colors of their families, ancestral home and country of national origin.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 6, 2017 as

ARIZONA TARTAN DAY

and encourage all Arizonans to observe and celebrate with appropriate ceremonies and dress, including the tartans representing our state, the Arizona Flag tartan and the Arizona Scottish tartan, and to recognize the many contributions that Scottish Americans have made to our great State and Nation.

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

GOVERNOR

DONE at the Capitol in Phoenix on this thirteenth day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan

SECRETARY OF STATE

ARIZONA VOLUNTEER WEEK

[M17-176]

WHEREAS, volunteer service is the cornerstone of our democracy and is crucial in these challenging times; and

WHEREAS, volunteers strengthen communities, improve social challenges and enhance the overall quality of life for all Arizona citizens, including children, seniors, those who are disabled, impoverished, imprisoned, homeless, physically or mentally ill, or otherwise in need of assistance; and

WHEREAS, service of our volunteers has provided the foundation for a safe and united Arizona and helped to create a culture of responsibility; and

WHEREAS, volunteers build bonds of trust with others and help solve some of our most pressing issues by serving a broad range of organizations that reflect Arizona's diversity.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 23 - 29, 2017 as

ARIZONA VOLUNTEER 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

GOVERNOR

DONE at the Capitol in Phoenix on this third day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan

SECRETARY OF STATE

CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS MONTH

[M17-177]

WHEREAS, one in every 2,500 pregnancies are diagnosed with a congenital diaphragmatic hernia (CDH), where the baby's diaphragm fails to form or close completely; an opening allows abdominal organs into the chest cavity; and



WHEREAS, since 2000, it is estimated that more than 500,000 babies have been born with CDH and only 50 percent of those babies survived; and

WHEREAS, CDH is almost as common as spina bifida and cystic fibrosis, however, very few people know about it or are aware of it; and

WHEREAS, each year, 1,600 babies are born with CDH in the United States; and

WHEREAS, there are many people living in Arizona who have been diagnosed with and have survived their CDH, many Arizona families have endured the pain and grief associated with the loss of loved ones with CDH; and

WHEREAS, those with CDH often endure multiple surgeries and medical complications beyond their diagnosis that may include, heart defects, pulmonary complications, gastric and intestinal problems, developmental delays, and may require respiratory and medicinal support for years; and

WHEREAS, raising awareness of this congenital defect will help bring about acceptance and support for those affected by CDH and will help advocate for urgently needed medical research and advances.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 2017 as

CONGENITAL DIAPHRAGMATIC HERNIA 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

GOVERNOR

DONE at the Capitol in Phoenix on this third day of February in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan

SECRETARY OF STATE

4P-/WOLF-HIRSCHHORN SYNDROME AWARENESS DAY

[M17-178]

WHEREAS, the good health and general well-being of the people of Arizona is strengthened by our awareness and understanding of a genetic disorder known as 4p- syndrome, with Wolf-Hirschhorn as the main syndrome; and

WHEREAS, children with 4p- syndrome are usually born with low birth weight and develop slowly, both cognitively and physically, compared to their same-age peers, and experience medical complications while still maintaining pleasant and lovable personalities; and

WHEREAS, dedicated professionals are presently involved in valuable research to explore new therapies and diagnostic tools, and to offer hope to persons with 4p- syndrome; and

WHEREAS, the 4p- Support Group estimates that approximately 1,000 individuals in the United States have 4p- syndrome, though it is thought many remain undiagnosed; and

WHEREAS, it is important that we increase research into understanding the syndrome, advocate for effective diagnostic screenings, and support the development of improved therapies for early intervention and other necessary and critical treatments, as well as join in recognizing and applauding the valuable role which families and advocates of those who have 4p- syndrome play in helping our medical community to advance the knowledge and awareness of this syndrome; and

WHEREAS, the State of Arizona is pleased to join people throughout our nation in promoting a special celebration which seeks to raise awareness of 4p- syndrome, designed to have a positive and productive impact on the lives of all people with 4p- syndrome and their caregivers.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 16, 2017 as

4P-/WOLF-HIRSCHHORN SYNDROME AWARENESS DAY

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

GOVERNOR

DONE at the Capitol in Phoenix on this twelfth day of April in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan

SECRETARY OF STATE



INTERNATIONAL JAZZ DAY

[M17-179]

WHEREAS, in 2011, the United Nations Educational, Scientific and Cultural Organization (UNESCO), an arm of the United Nations, established that the genre of Jazz music should be celebrated around the world; and

WHEREAS, Jazz is imitable to the United States, as its original art form and its heritage to the world; and

WHEREAS, Jazz is an original American art form that affirms the noblest aspirations of our national character, individual discipline, perseverance, and innovation; and

WHEREAS, Jazz has and continues to produce many of America's leading creative artists and ranks as one of America's greatest exports to the world; and

WHEREAS, Jazz has influenced and inspired world renown artists in other areas of creativity, e.g., dancers, choreographers, painters, filmmakers, classical composers, and all other genres of music; and

WHEREAS, the art of Jazz Music in education and the appreciation of it by every age group has contributed to all art forms fundamental to our country and to the people of the State of Arizona; and

WHEREAS, the State of Arizona recognizes the decades of positive affects America's Jazz birthplace and originators, like the great founders, Lewis Armstrong, Buddy Bolden, James Booker, Allen Toussaint, Ellis Marsalis; and

WHEREAS, the State of Arizona is proud to once again acknowledge the much good work done by William Doc Jones and his team in putting on an outstanding Jazz Festival for the sixth year in Arizona in direct response to UNESCO's challenge to the world since its inception.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 30, 2017 as

INTERNATIONAL JAZZ DAY

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
GOVERNOR

DONE at the Capitol in Phoenix on this eighth day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE

PAY IT FORWARD DAY

[M17-180]

WHEREAS, the citizens of the State of Arizona pay tribute to each other, and the global Pay It Forward movement, by performing intended acts of kindness throughout our community and the world at large; and

WHEREAS, the citizens of the State of Arizona unite with the Pay It Forward initiative celebrated in more than 80 countries around the world, accelerated by Catherine Ryan Hyde's 1999 novel, and the Warner Bros. movie starring Kevin Spacey, Helen Hunt and Haley Joel Osment in the year 2000; and

WHEREAS, Pay It Forward Day "exists to make a difference by creating a huge ripple of kindness felt across the world," embracing heartfelt benevolence by asking humanity to do good deeds without repayment by recipient, but rather a Pay It Forward gesture for another in need; and

WHEREAS, together, we aim to be contributors to more than 10 million acts of kindness by becoming the change we want to see in the world and uniting to make a difference while sharing pure, positive energy and all possibility with our communities and the world at large – one act of kindness at a time.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 28, 2017 as

PAY IT FORWARD DAY

and urge all citizens to honor this day by purposefully creating acts of kindness, small and large, that showcase community spirit and celebrate the gift of selfless giving.

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
GOVERNOR



DONE at the Capitol in Phoenix on this twenty-first day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

PETRIFIED FOREST NATIONAL PARK DAY

[M17-181]

WHEREAS, the National Park Service turned 100 last year – with more than 330 million visits nationwide; and
WHEREAS, the National Park Service has declared the week of April 15 – 23, 2017 as National Park Week; and
WHEREAS, our National Parks have allowed generations to discover history, nature, and wildlife in irreplaceable ways; and
WHEREAS, throughout National Park Week, as we celebrate the ways in which our treasured outdoor spaces enrich our lives and uplift our spirits, the National Park Service will again offer free admission to America’s National Parks so more people can explore our country’s vast natural beauty; and
WHEREAS, there are 22 National Park sites in Arizona, bringing new people to our state and exposing them to the wonderful lifestyle we all enjoy; and
WHEREAS, many of Arizona’s national parks have experienced a 9 percent increase in visitation this year, an achievement that will help attract new companies, new investments, and new jobs for people across the state; and
WHEREAS, Modernist architect Richard Neutra was hired by the National Park Service as part of the agency-wide Mission 66 program, an initiative designed to enhance visitor services and infrastructure at park sites; and
WHEREAS, The Painted Desert Community Complex at Petrified Forest National Park was one of the agency’s most ambitious “high-designed” Mission 66 visitor centers; and
WHEREAS, the Petrified Forest National Park staff was successful in bringing together a public-private partnership to restore their historic visitor center; and
WHEREAS, the partnership has recently been recognized through the Desert Community Complex’s prestigious attainment of National Historic Landmark designation; and
WHEREAS, visitation of the 46 National Historic Landmarks in Arizona play a critical role in the promotion of heritage tourism and economic development in rural Arizona; and
WHEREAS, in celebration of National Park Week, and on this day April 19, 2017, Petrified Forest National Park will reopen the newly restored Desert Community Complex visitor center to the public.
NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 19, 2017 as

PETRIFIED FOREST NATIONAL PARK DAY

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
GOVERNOR

DONE at the Capitol in Phoenix on this twelfth day of April in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

POW REMEMBRANCE DAY

[M17-182]

WHEREAS, during the first year of World War II, Japanese forces invaded the Philippines and on April 9, 1942, tens of thousands of American and Filipino forces were forced to march from the southern end of the Bataan Peninsula. This resulted in the loss of an estimated 7,000 to 10,000 prisoners who suffered unspeakable atrocities endured along this journey that has become known as the Bataan Death March, and those who survived the March faced the hardships of a prisoner of war camp; and



WHEREAS, throughout American history, members of our country's armed forces have made uncommon sacrifices as Prisoners of War, serving their country under conditions of extreme hardship, while remaining steadfast even when their treatment violated fundamental standards of morality and international codes of conduct; and

WHEREAS, Americans held as POWs have earned our respect for their courage and devotion to duty and therefore it is appropriate that we salute our POWs who, in the act of serving our Nation, relinquished their freedom to protect the liberty we enjoy; and

WHEREAS, each year, the State of Arizona observes April 9th as POW Remembrance Day to honor the men and women who have served their country so faithfully.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 9, 2017 as

POW REMEMBRANCE DAY

in honor of the American heroes who have been taken as POWs and to remember their legacy of bravery and selflessness as Prisoners of War. Further, I call upon teachers and students to observe this day with appropriate ceremonies and activities and urge all Arizonans to contemplate the plight of Americans who have been held captive of an enemy nation.

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

GOVERNOR

DONE at the Capitol in Phoenix on this thirteenth day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan

SECRETARY OF STATE

PUBLIC SAFETY APPRECIATION DAY

[M17-183]

WHEREAS, our law enforcement officers are the guardians of life and property, defenders of the individual right to be free, warriors in the battle against crime and are dedicated to the preservation of life and property; and

WHEREAS, our firefighters respond to fire alarms, disasters and emergency medical calls to protect life and property; and conduct necessary inspections of residential and commercial structures for fire prevention and pre-fire planning purposes; and

WHEREAS, on April 22, 2017, the Saint Joseph Assembly, Fourth Degree Knights of Columbus will conduct its Annual Awards Dinner honoring the Fire and Police Departments for the Cities of Glendale and Peoria, and Security Forces and Fire Department of Luke Air Force Base in recognition of its dedicated service to our communities.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 22, 2017 as

PUBLIC SAFETY APPRECIATION DAY

and urge all citizens to join in giving proper recognition to our public safety men and women for their dedicated service to our community.

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

GOVERNOR

DONE at the Capitol in Phoenix on this thirteenth day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan

SECRETARY OF STATE

SARCOIDOSIS AWARENESS MONTH

[M17-184]

WHEREAS, sarcoidosis is a potentially debilitating and deadly multi-organ, inflammatory disease, estimated to affecting 200,000 people in the United States; and

WHEREAS, the signs and symptoms of sarcoidosis vary widely depending on the person and organs affected and can include debilitating fatigue; shortness of breath; difficulties with balance and coordination; irregular heartbeat; visual problems, including blindness; pain



affecting joints and muscles; weakness or numbness of limbs; skin rash and discoloration; mood disorders such as depression and anxiety; organ failure; and sleep difficulties; and

WHEREAS, sarcoidosis can affect people of any age, race, or gender, but is most common among adults between the ages of 20 and 40 and 3.8-fold higher in African-Americans than in Caucasians; and

WHEREAS, research suggests the cause of sarcoidosis is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown; and

WHEREAS, sarcoidosis is a diagnosis of exclusion as there is no objective test or biomarker; numerous diagnostic tests and ongoing clinical observation and/or management leads to high economic burden of this disease, including great costs to patients and family members; and

WHEREAS, there is no cure or few reliable therapies to slow or halt the progression of chronic cases.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 2017 as

SARCOIDOSIS 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

GOVERNOR

DONE at the Capitol in Phoenix on this twenty-ninth day of March in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan

SECRETARY OF STATE

WEEK OF THE YOUNG CHILD

[M17-185]

WHEREAS, the Arizona Association for the Education of Young Children and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 24 – 28, 2017; and

WHEREAS, these organizations are working to improve early learning opportunities, including early literacy programs that can provide a foundation of learning for all children in Arizona; and

WHEREAS, teachers and others who make a difference in the lives of young children in Arizona deserve thanks and recognition; and

WHEREAS, public policies that support early learning for all young children are crucial to young children’s futures.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim April 24 – 28, 2017 as the

WEEK OF THE YOUNG CHILD

in Arizona and encourage all citizens to work together to make good investments in early childhood in Arizona.

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

GOVERNOR

DONE at the Capitol in Phoenix on this seventh day of April in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

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.

**NOTICE OF EXPEDITED RULEMAKING
MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS**

[M17-171]

PREAMBLE

AQ-2017-001-INCORPORATION BY REFERENCE JULY 2016-JUNE 2017

1. Rules affected:

- Rule 360: New Source Performance Standards
- Rule 370: Federal Hazardous Air Pollutant Program
- Rule 371: Acid Rain
- Appendix G: Incorporated Materials

Rulemaking action

- Amend
- Amend
- Amend
- Amend

2. Statutory authority for the rulemaking:

Authorizing Statutes: A.R.S. §§ 49-474, 49-479 and 49-480
Implementing Statutes: A.R.S. §§ 41-1055, 49-112 and 49-471.08

3. Name and address of department personnel with whom persons may communicate regarding the rulemaking:

Name: Cheri Dale or Hether Krause, Planning and Analysis Division
Address: Maricopa County Air Quality Department
1001 N. Central Ave., Suite 125
Phoenix, AZ 85004
Telephone: (602) 506-6010
Fax: (602) 506-6179
Submit Comments: <http://www.maricopa.gov/FormCenter/Regulatory-Outreach-17/Citizen-Comments-94>

4. Demonstration of compliance with A.R.S. § 49-471.08 expedited rulemaking:

The Maricopa County Air Quality Department (“MCAQD”) is proposing to declare this as an expedited rule making action as described in A.R.S. § 49-471.08(A).

A.R.S. § 49-471.08(A)(1):

Demonstration that the rule or ordinance making is substantially identical to the sense, meaning and effect of the federal or state rule or law from which it is derived.

Rule 360 is substantially identical to 40 CFR Part 60 revisions:

- 40 CFR Part 60, Subpart A—General Provisions. [81 FR 59800, August 30, 2016; 81 FR 93682, December 21, 2016; 82 FR 21927, May 11, 2017; and 82 FR 28561, June 23, 2017].
- 40 CFR Part 60, Subpart Da—Standards of Performance for Electric Utility Steam Generating Units. [81 FR 52346, August 8, 2016]
- 40 CFR Part 60, Subpart AAA—Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces. [81 FR 72729, October 21, 2016]
- 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [81 FR 44212, July 7, 2016]
- 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. [81 FR 59800, August 30, 2016]
- 40 CFR Part 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines. [81 FR 42542, June 30, 2016 and 81 FR 43950, July 6, 2016]
- 40 CFR Part 60, Subpart OOOO—Oil and Natural Gas Sector: New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants Reviews. [81 FR 52778, August 10, 2016]

Rule 370 is substantially identical to 40 CFR Part 61 revisions:

- 40 CFR Part 61, Subpart A—General Provisions. [81 FR 59800, August 30, 2016; 81 FR 93682, December 21, 2016; and 82 FR 21927, May 11, 2017]

Rule 370 is substantially identical to 40 CFR Part 63 revisions:

- 40 CFR Part 63, Subpart A. [81 FR 59800, August 30, 2016; 81 FR 83701, November 22, 2016; 81 FR 93682, December 21, 2016; 82 FR 5401, January 18, 2017; and 82 FR 21927, May 11, 2017]
- 40 CFR 63, Subpart GG—National Emission Standards for Aerospace Manufacturing and Rework Facilities. [81 FR 51114, August 3, 2016]
- 40 CFR Part 63, Subpart XXX—National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese. [82 FR 5401, January 18, 2017]
- 40 CFR 63, Subpart UUUUU—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units. [81 FR 52346, August 8, 2016 and 82 FR 16736, April 6, 2017]
- 40 CFR 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers. [81 FR 63112, September 14, 2016]

Rule 371 is substantially identical to 40 CFR Part 72, Part 74, Part 75 and Part 76 and all accompanying appendices revisions:

- There were no revisions to 40 CFR Part 72, Part 74, Part 75 and Part 76 for this rulemaking.

Appendix G is substantially identical to the following revisions:

- 40 CFR Part 50. [81 FR 53006, August 11, 2016; 81 FR 58010, August 24, 2016; 81 FR 66823, September 29, 2016; 81 FR 68216, October 3, 2016; 81 FR 71906, October 18, 2016; and 82 FR 14325, March 20, 2017]
- 40 CFR Part 51. [81 FR 58010, August 24, 2016; 81 FR 68216, October 3, 2016; and 81 FR 71613, October 18, 2016; 82 FR 5182, January 17, 2017; and 82 FR 8499, January 26, 2017]
- 40 CFR Part 51, Appendix S. [81 FR 58010, August 24, 2016]
- -40 CFR Part 51, Appendix M. [81 FR 59800, August 30, 2016]
- 40 CFR Part 51, Appendix P. [81 FR 59800, August 30, 2016]
- 40 CFR Part 51, Appendix W. [82 FR 5182, January 17, 2017; 82 FR 8499, January 26, 2017; and 82 FR 14324, March 20, 2017]
- 40 CFR Part 52. [81 FR 71613, October 18, 2016; 81 FR 71613, October 28, 2016; 81 FR 78043, November 7, 2016; 82 FR 3078, January 10, 2017; and 82 FR 8499, January 26, 2017]
- 40 CFR Part 53. [81 FR 85561, November 28, 2016 and 82 FR 27816, June 19, 2017]
- 40 CFR Part 58. [81 FR 96381, December 30, 2016 and 82 FR 21995, May 11, 2017; 82 FR 27816, June 19, 2017]
- Appendix A-1 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix A-2 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix A-3 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix A-4 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix A-5 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix A-6 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix A-7 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix A-8 to Part 60. [81 FR 59800, August 30, 2016]
- Appendix B to Part 60. [81 FR 52348, August 8, 2016; 81 FR 59800, August 30, 2016]
- Appendix F to Part 60. [81 FR 59800, August 30, 2016; 81 FR 83160, November 21, 2016; and 82 FR 10711, February 15, 2017]
- Appendix B to Part 61. [81 FR 59800, August 30, 2016]
- Appendix A to Part 63. [81 FR 52348, August 8, 2016; 81 FR 59800, August 30, 2016 and 81 FR 83701, November 22, 2016]

In addition, the MCAQD is proposing the following revisions:

Rules 360, 370, 371, and Appendix G:

- To update the incorporation by reference date from July 1, 2016, to July 1, 2017.

Rule 360: The MCAQD is proposing to delete specific subparts from Rule 360 and to request the EPA to rescind (remove) delegated authority for these subparts, because the MCAQD does not have authority from the State of Arizona to regulate these sources. Per the Arizona Revised Statutes (“A.R.S.”) § 49-402, the State of Arizona “shall have original jurisdiction over such sources, permits and violations that pertain to...” metal ore smelting, petroleum refineries, coal fired electrical generating stations and Portland Cement plants. Previous MCAQD rulemakings included the incorporation of federal standards of performance into Rule 360 for the listed sources; however, the MCAQD has no jurisdiction per A.R.S. § 49-402. With this rulemaking, the MCAQD is proposing to delete the following federal standards from Rule 360 to come into compliance with the A.R.S. § 49-402 and to request the EPA rescind (remove) delegated authority to the MCAQD for the following:

- To amend Section **301.10 Subpart F**—Standards of Performance for Portland Cement Plans to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.15 Subpart J**—Standards of Performance for Petroleum Refineries to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.16 Subpart Ja**—Standards of Performance for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.20 Subpart L**—Standards of Performance for Secondary Lead Smelters to read “Reserved per A.R.S. §



- 49-402”
- To amend Section **301.25 Subpart P**—Standards of Performance for Primary Copper Smelters to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.26 Subpart Q**—Standards of Performance for Primary Zinc Smelters to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.27 Subpart R**—Standards of Performance for Primary Lead Smelters to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.71 Subpart GGG**—Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after January 4, 1983, and on or before November 7, 2006 to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.72 Subpart GGGa**—Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after November 7, 2006 to read “Reserved per A.R.S. § 49-402”
- To amend Section **301.82 Subpart QQQ**—Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems to read “Reserved per A.R.S. § 49-402”

Rule 370: The MCAQD is proposing to delete specific subparts from Rule 370 and to request the EPA to rescind (remove) delegated authority for these subparts, because the MCAQD does not have authority from the State of Arizona to regulate these sources. Per the Arizona Revised Statutes (“A.R.S.”) § 49-402, the State of Arizona “shall have original jurisdiction over such sources, permits and violations that pertain to...” metal ore smelting, petroleum refineries, coal fired electrical generating stations and Portland Cement plants. Previous MCAQD rulemakings included the incorporation of federal standards of performance into Rule 370 for the listed sources; however, the MCAQD has no jurisdiction per A.R.S. § 49-402. With this rulemaking, the MCAQD is proposing to delete the following federal standards from Rule 370 to come into compliance with the A.R.S. § 49-402 and to request the EPA rescind (remove) delegated authority to the MCAQD for the following:

- To amend Section **301.11 Subpart O**—National Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.20 Subpart X**—National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.24 Subpart CC**—National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.58 Subpart LLL**—National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.63 Subpart QQQ**—National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.66 Subpart TTT**—National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.67 Subpart UUU**—National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.119 Subpart UUUUU**—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.129 Subpart EEEEE**—National Emission Standards for Hazardous Air Pollutants: Primary Copper Smelting Area Sources to read “Reserved per A.R.S. § 49-402”
- To amend Section **302.130 Subpart FFFFF**—National Emission Standards for Hazardous Air Pollutants: Secondary Copper Smelting Area Sources to read “Reserved per A.R.S. § 49-402”

Appendix G: The proposed revisions to Appendix G are substantially identical to the applicable code of federal regulations to which they apply.

- To add 1,1,2,2-Tetrafluoro-1-(2,2,2-trifluoroethoxy) ethane (also known as HFE-347pcf2; CAS number 406–78–0) in the table of federally listed non-precursor organic compounds, which have been determined to have negligible photochemical reactivity as listed in 40 CFR 51.100(s)

To correct typographical or other clerical errors; make minor grammatical changes to improve readability or clarity; modify the format, numbering, order, capitalization, punctuation, or syntax of certain text to increase standardization within and among rules; and make various other minor changes of a purely editorial nature. As these proposed changes do not alter the sense, meaning, or effect of the rule, they are not described in detail here, but can be readily discerned in the “strikeout and underline” version of the rule contained in Item #6 of this notice.

A.R.S. § 49-471.08(A)(2):

Written finding by the Control Officer setting forth the reasons why the rule or ordinance making is necessary and does not alter the sense, meaning or effect of the federal or state rule or law from which it is derived.

This rulemaking is required to update the applicability dates in these rules. It incorporates subparts that have been passed by the federal government which are required to be implemented by the MCAQD. Rules 360, 370, 371, and Appendix G do not alter the sense, meaning or effect of the state rules and federal regulations from which they are derived, as they incorporate language that is essentially the same as the state’s applicable rules and the federal code of regulations.

A.R.S. § 49-471.08(A)(3):

Demonstration that fees established in the rule or ordinance do not exceed limits specified in A.R.S. § 49-112.

Rules 360, 370, 371, and Appendix G do not establish fees. Any costs associated with these rules will come from permit application fees for sources obtaining a permit revision to reflect new emission limits, due to applicability of a new standard. Therefore, fees associated with these rules will be exactly the same as fees associated with similar permits and would not exceed any limits specified in § 49-112.

5. Public comments regarding the proposed rulemaking:

Written oral proceeding requests or written comments or both will be accepted until the record, August 28, 2017, 5:00 p.m. Written oral proceeding requests or written comments or both may be submitted to the MCAQD (see Item #3 of this notice). An oral proceeding will be scheduled only upon receipt of a written request before the record is closed on August 28, 2017, 5:00 p.m. Written comments received during the comment period and before the record is closed on August 28, 2017, 5:00 p.m., will be considered formal comments to the Notice of Expedited Rulemaking and will be responded to in the Notice of Final Rulemaking.

6. The full text of the rules follows:

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 360
NEW SOURCE PERFORMANCE STANDARDS
INDEX**

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Revised 07/13/1988; Revised 04/06/1992; Revised 11/20/1996; Revised 05/14/1997; Revised 08/19/1998; Revised 04/07/1999; Revised 03/01/2000; Revised 03/07/2001; Revised 11/19/2003; Revised 03/15/2006; Revised 12/17/2008; Revised 09/16/2009; Revised 07/07/2010; Revised 08/17/2011; Revised 07/25/2012; Revised 03/26/2014; Revised 11/05/2014; Revised 11/18/2015; ~~and~~ Revised 11/02/2016; and Revised MM/DD/YYYY.

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 360
NEW SOURCE PERFORMANCE STANDARDS**

SECTION 100 – GENERAL

- 101 PURPOSE:** To establish acceptable design and performance criteria for specified new or modified emission sources.
- 102 APPLICABILITY:** The provisions of this rule apply to the owner or operator of any stationary source which contains an affected facility on which the construction, reconstruction, or a modification is commenced after the date of publication of any standard applicable to such facility in 40 CFR Part 60 and for which federal delegation of the implementation and enforcement of the standards to the Maricopa County Air Quality Department (department) has been accomplished. Any such stationary source must also comply with other Maricopa County Air Pollution Control Regulations.
- 103 AVAILABILITY OF INFORMATION:** Copies of all 40 CFR, Part 60 revisions currently enforced by the department are available as listed:
 - a. Maricopa County Air Quality Department, 1001 N. Central Ave, Suite 125, Phoenix, AZ, 85004.
 - b. Maricopa County Rules are available electronically at <http://www.maricopa.gov/daq> <http://www.maricopa.gov/1951/Adopted-Rules>.
 - c. EPA documents are available electronically at <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collection->



Code=CFR.

- d. ASTM standards are available from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.

104 FEDERAL DELEGATION AUTHORITY: The department shall enforce the federal new source performance standards (NSPS) (40 CFR Part 60) listed in Section 300 of this rule which have been delegated to the County by the United States Environmental Protection Agency (EPA) for such enforcement. The department may, in addition, enforce such other NSPS as delegated for such enforcement by the EPA to the County.

SECTION 200 – DEFINITIONS: For the purpose of this rule, the following definitions shall apply, in addition to those definitions found in Rule 100 (General Provisions and Definitions) of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

201 ADMINISTRATOR: As used in Part 60, Title 40, Code of Federal Regulations, shall mean the Control Officer, except that the Control Officer shall not be empowered to approve alternate or equivalent test methods or alternative standards/work practices, or other nondelegable authorities such as those listed in 40 CFR 60.4(d), except as specifically provided in each subpart.

202 AFFECTED FACILITY – With reference to a stationary source, any apparatus to which a standard is applicable.

203 COMMENCED: With respect to the definition of “new source” in Section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction, reconstruction, or modification or that an owner or operator has entered into a contracted obligation to undertake and complete, within a reasonable time, a continuous program of construction, reconstruction or modification.

204 CONSTRUCTION: The fabrication, erection, or installation of an affected facility.

205 MODIFICATION: Any physical change in, or change in the method of operation of, an existing facility which increases the amount of any contaminant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air contaminant (to which a standard applies) into the atmosphere not previously emitted.

206 OWNER OR OPERATOR: Any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.

207 STANDARD: A standard of performance promulgated under this rule.

208 STATIONARY SOURCE: Any building, structure, facility, or installation which emits or may emit any air pollutant.

SECTION 300 – STANDARDS

301 ADOPTED FEDERAL STANDARDS: The following federal regulations located in the U.S. Code of Federal Regulations, Part 60 of Title 40, Subchapter C (CFR) as codified on ~~July 1, 2016~~ July 1, 2017, are herein incorporated by reference in Maricopa County’s Air Pollution Control Regulations. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth herein. Incorporation by reference does not include nondelegable functions of the EPA Administrator.

301.1 Subpart A—General Provisions; exclude any sections dealing with equivalency determinations or innovative technology waivers, as covered in Sections 111(h)(3) and 111(j) respectively of the Clean Air Act.

301.2 Subpart D—Standards of Performance for Fossil-Fuel-Fired Steam Generators for which Construction is Commenced after August 17, 1971.

301.3 Subpart Da—Standards of Performance for Electric Utility Steam Generating Units for which Construction is Commenced after September 18, 1978.

301.4 Subpart Db—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units.

301.5 Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

301.6 Subpart E—Standards of Performance for Incinerators.

301.7 Subpart Ea—Standards of Performance for Municipal Waste Combustors for which Construction is Commenced after December 20, 1989 and on or before September 20, 1994.

301.8 Subpart Eb—Standards of Performance for Large Municipal Waste Combustors for which Construction is Commenced after September 20, 1994 or for which Modification or Reconstruction is Commenced after June 19, 1996.

301.9 Subpart Ec—Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for which Construction is Commenced after June 20, 1996.

301.10 Subpart F—Standards of Performance for Portland Cement Plants. (Reserved per A.R.S. § 49-402)

301.11 Subpart G—Standards of Performance for Nitric Acid Plants.

301.12 Subpart Ga—Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011.

301.13 Subpart H—Standards of Performance for Sulfuric Acid Plants.

301.14 Subpart I—Standards of Performance for Hot Mix Asphalt Facilities.

301.15 Subpart J—Standards of Performance for Petroleum Refineries. (Reserved per A.R.S. § 49-402)

301.16 Subpart Ja—Standards of Performance for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007. (Reserved per A.R.S. § 49-402)

301.17 Subpart K—Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and prior to May 19, 1978.

- 301.18 Subpart Ka**—Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and prior to July 23, 1984.
- 301.19 Subpart Kb**—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
- 301.20 Subpart L**—Standards of Performance for Secondary Lead Smelters. (Reserved per A.R.S. § 49-402)
- 301.21 Subpart M**—Standards of Performance for Secondary Brass and Bronze Production Plants.
- 301.22 Subpart N**—Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for which Construction Commenced after June 11, 1973.
- 301.23 Subpart Na**—Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for which Construction Commenced after January 20, 1983.
- 301.24 Subpart O**—Standards of Performance for Sewage Treatment Plants.
- 301.25 Subpart P**—Standards of Performance for Primary Copper Smelters. (Reserved per A.R.S. § 49-402)
- 301.26 Subpart Q**—Standards of Performance for Primary Zinc Smelters. (Reserved per A.R.S. § 49-402)
- 301.27 Subpart R**—Standards of Performance for Primary Lead Smelters. (Reserved per A.R.S. § 49-402)
- 301.28 Subpart S**—Standards of Performance for Primary Aluminum Reduction Plants.
- 301.29 Subpart T**—Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
- 301.30 Subpart U**—Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
- 301.31 Subpart V**—Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
- 301.32 Subpart W**—Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants.
- 301.33 Subpart X**—Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
- 301.34 Subpart Y**—Standards of Performance for Coal Preparation and Processing Plants.
- 301.35 Subpart Z**—Standards of Performance for Ferroalloy Production Facilities.
- 301.36 Subpart AA**—Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed after October 21, 1974, and on or before August 17, 1983.
- ~~301.37~~ Subpart AAa**—Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed after August 17, 1983.
- 301.38 Subpart BB**—Standards of Performance for Kraft Pulp Mills.
- 301.39 Subpart BBa**—Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013.
- 301.40 Subpart CC**—Standards of Performance for Glass Manufacturing Plants.
- 301.41 Subpart DD**—Standards of Performance for Grain Elevators.
- 301.42 Subpart EE**—Standards of Performance for Surface Coating of Metal Furniture.
- 301.43 Subpart FF**—(Reserved)
- 301.44 Subpart GG**—Standards of Performance for Stationary Gas Turbines.
- 301.45 Subpart HH**—Standards of Performance for Lime Manufacturing Plants.
- 301.46 Subpart II**—(Reserved)
- 301.47 Subpart JJ**—(Reserved)
- 301.48 Subpart KK**—Standards of Performance for Lead-Acid Battery Manufacturing Plants.
- 301.49 Subpart LL**—Standards of Performance for Metallic Mineral Processing Plants.
- 301.50 Subpart MM**—Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations.
- 301.51 Subpart NN**—Standards of Performance for Phosphate Rock Plants.
- 301.52 Subpart OO**—(Reserved)
- 301.53 Subpart PP**—Standards of Performance for Ammonium Sulfate Manufacture.
- 301.54 Subpart QQ**—Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing.
- 301.55 Subpart RR**—Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations.
- 301.56 Subpart SS**—Standards of Performance for Industrial Surface Coating: Large Appliances.
- 301.57 Subpart TT**—Standards of Performance for Metal Coil Surface Coating.
- 301.58 Subpart UU**—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture.
- 301.59 Subpart VV**—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced after January 5, 1981, and on or before November 7, 2006.
- 301.60 Subpart VVa**—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced after November 7, 2006.
- 301.61 Subpart WW**—Standards of Performance for the Beverage Can Surface Coating Industry.
- 301.62 Subpart XX**—Standards of Performance for Bulk Gasoline Terminals.
- 301.63 Subpart YY**—(Reserved)
- 301.64 Subpart ZZ**—(Reserved)
- 301.65 Subpart AAA**—Standards of Performance for New Residential Wood Heaters.



- 301.66 **Subpart BBB**—Standards of Performance for the Rubber Tire Manufacturing Industry.
- 301.67 **Subpart CCC**—(Reserved)
- 301.68 **Subpart DDD**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
- 301.69 **Subpart EEE**—(Reserved)
- 301.70 **Subpart FFF**—Standards of Performance for Flexible Vinyl and Urethane Coating and Printing.
- 301.71 **Subpart GGG**—Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after January 4, 1983, and on or before November 7, 2006. (Reserved per A.R.S. § 49-402)
- 301.72 **Subpart GGGA**—Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after November 7, 2006. (Reserved per A.R.S. § 49-402)
- 301.73 **Subpart HHH**—Standards of Performance for Synthetic Fiber Production Facilities.
- 301.74 **Subpart III**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
- 301.75 **Subpart JJJ**—Standards of Performance for Petroleum Dry Cleaners.
- 301.76 **Subpart KKK**—Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
- 301.77 **Subpart LLL**—Standards of Performance for Onshore Natural Gas Processing: SO₂ Emissions.
- 301.78 **Subpart MMM**—(Reserved)
- 301.79 **Subpart NNN**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
- 301.80 **Subpart OOO**—Standards of Performance for Nonmetallic Mineral Processing Plants.
- 301.81 **Subpart PPP**—Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants.
- 301.82 **Subpart QQQ**—Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems. (Reserved per A.R.S. § 49-402)
- 301.83 **Subpart RRR**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.
- 301.84 **Subpart SSS**—Standards of Performance for Magnetic Tape Coating Facilities.
- 301.85 **Subpart TTT**—Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
- 301.86 **Subpart UUU**—Standards of Performance for Calciners and Dryers in Mineral Industries.
- 301.87 **Subpart VVV**—Standards of Performance for Polymeric Coating of Supporting Substrates Facilities.
- 301.88 **Subpart WWW**—Standards of Performance for Municipal Solid Waste Landfills.
- 301.89 **Subpart XXX**—(Reserved)
- 301.90 **Subpart YYY**—(Reserved)
- 301.91 **Subpart ZZZ**—(Reserved)
- 301.92 **Subpart AAAA**—Standards of Performance for Small Municipal Waste Combustion Units for which Construction is Commenced after August 30, 1999 or for which Modification or Reconstruction is Commenced after June 6, 2001.
- 301.93 **Subpart CCCC**—Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for which Construction is Commenced after November 30, 1999 or for which Modification or Reconstruction is Commenced on or after June 1, 2001.
- 301.94 **Subpart EEEE**—Standards of Performance for Other Solid Waste Incineration Units for which Construction is Commenced after December 9, 2004, or for which Modification or Reconstruction is Commenced on or after June 16, 2006.
- 301.95 **Subpart GGGG**—(Reserved)
- 301.96 **Subpart HHHH**—(Reserved)
- 301.97 **Subpart IIII**—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
- 301.98 **Subpart JJJJ**—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
- 301.99 **Subpart KKKK**—Standards of Performance for Stationary Combustion Turbines.
- 301.100 **Subpart LLLL**—Standards of Performance for New Sewage Sludge Incineration Units.
- 301.101 **Subpart NNNN**—(Reserved)
- 301.102 **Subpart OOOO**—Standards for Crude Oil and Natural Gas Production, Transmission and Distribution.
- 301.103 **Subpart PPPP**—(Reserved)
- 301.104 **Subpart QQQQ**—Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces.
- 301.105 **Subpart RRRR**—(Reserved)
- 301.106 **Subpart SSSS**—(Reserved)
- 301.107 **Subpart TTTT**—Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units

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ADDITIONAL REQUIREMENTS: From the general standards identified in Section 301 of this rule, delete 40 CFR 60.4, §60.5, and §60.6. All requests, reports, applications, submittals, and other communications to the Control Officer pursuant to this rule shall be submitted to the Maricopa County Air Quality Department, 1001 N. Central Ave., Suite 125, Phoenix, AZ,

85004.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)
SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
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Revised 07/13/1988; Revised 04/06/1992; Repealed and Adopted 11/15/1993; Revised 11/20/1996; Revised 05/14/1997; Revised 05/20/1998; Revised 08/19/1998; Revised 03/01/2000; Revised 03/07/2001; Revised 11/19/2003; Revised 03/15/2006; Revised 12/17/2008; Revised 09/16/2009; Revised 07/07/2010; Revised 08/17/2011; Revised 07/25/2012; Revised 03/26/2014; Revised 11/05/2014; Revised 11/18/2015; and Revised 11/02/2016; and **Revised MM/DD/YYYY**.

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 370
FEDERAL HAZARDOUS AIR POLLUTANT PROGRAM**

SECTION 100 – GENERAL

- 101 PURPOSE:** To establish emission standards for federally listed hazardous air pollutants.
- 102 APPLICABILITY:** The provisions of this rule apply to the owner or operator of any stationary source for which a standard is prescribed under this rule, and for which federal delegation of the implementation and enforcement of the standards to the Maricopa County Air Quality Department (department) has been accomplished. Any such stationary source must also comply with other Maricopa County Air Pollution Control Regulations.
- 103 AVAILABILITY OF INFORMATION:** Copies of all 40 CFR, Part 61 and Part 63 revisions currently enforced by the department are available as listed:
 - a. Maricopa County Air Quality Department, 1001 N. Central Ave, Suite 125, Phoenix, AZ, 85004.
 - b. Maricopa County Rules are available electronically at <http://www.maricopa.gov/aaq> <http://www.maricopa.gov/1951/Adopted-Rules>.



- c. EPA documents are available electronically at <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collection-Code=CFR>.
- d. ASTM standards are available from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.

104 FEDERAL DELEGATION AUTHORITY: The department shall enforce the national emission standards for hazardous air pollutants (NESHAPs) (40 CFR 61 and 40 CFR 63) listed in Section 300 of this rule which have been delegated to the County by the United States Environmental Protection Agency (EPA) for such enforcement. The department in addition, may enforce such other NESHAPs as delegated for such enforcement by the EPA to the County.

SECTION 200 – DEFINITIONS: For the purpose of this rule, the following definitions shall apply, in addition to those definitions found in Rule 100 (General Provisions and Definitions) of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

- 201 ADMINISTRATOR:** As used in Parts 61 and 63, Title 40, Code of Federal Regulations, shall mean the Control Officer, except that the Control Officer shall not be empowered to approve alternate or equivalent test methods, alternative standards/work practices, or other nondelegable authorities, except as specifically provided in each subpart.
- 202 AMENDED WATER:** Water to which surfactant (wetting agent) has been added to increase the ability of the liquid to penetrate asbestos-containing material (ACM).
- 203 EXISTING SOURCE:** Any stationary source other than a new source.
- 204 FEDERALLY LISTED HAZARDOUS AIR POLLUTANT:** Any air pollutant listed pursuant to Section 112(b) of the Act.
- 205 GOVERNMENT-ISSUED PHOTO IDENTIFICATION CARD:** Includes, but is not limited to, a valid driver's license, a valid non-operating identification license, a valid tribal enrollment card or tribal identification card, or other valid government issued photo identification that includes the name, address, and photograph of the card holder.
- 206 HAZARDOUS AIR POLLUTANT:** Any air pollutant regulated under Section 112 of the Act, any air pollutant subject to NESHAP, or any air pollutant designated by the Director as a hazardous air pollutant pursuant to A.R.S. § 49-426.04.
- 207 MAJOR SOURCE:** A stationary source or group of stationary sources located within a contiguous area, and under common control, and that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any federally listed hazardous air pollutant or 25 tons per year or more of any combination of federally listed hazardous air pollutants. A lesser quantity or, in the case of radionuclides, a different criteria may be established by the Administrator pursuant to Section 112 of the Act and may be adopted by the Board of Supervisors by rule.
- 208 MODIFICATION:** Any physical change in, or change in the method of operation of a major source which increases the actual emissions of any federally listed hazardous air pollutant emitted by such source by more than a de minimis amount, or which results in the emission of any federally listed hazardous air pollutant, not previously emitted by more than a de minimis amount.
- 209 NESHAP:** National emission standards for hazardous air pollutants pursuant to 40 CFR Part 61 and Part 63.
- 210 NEW SOURCE:** A stationary source, the construction or reconstruction of which commences after the Administrator first proposes regulations under Section 112 of the Act establishing an emission standard applicable to such source.
- 211 STATIONARY SOURCE:** Any building, structure, facility, or installation which emits or may emit any air pollutant.

SECTION 300 – STANDARDS

- 301 STANDARDS OF PERFORMANCE FOR FEDERALLY LISTED HAZARDOUS AIR POLLUTANTS:** The federally listed hazardous air pollutants as listed in TABLE 370-1. FEDERAL LIST OF HAZARDOUS AIR POLLUTANTS of this rule and the following federal regulations located in the U.S. Code of Federal Regulations, Part 61 of Title 40, Subchapter C (CFR) as codified on ~~July 1, 2016~~ July 1, 2017, are herein incorporated by reference with the listed exclusions, in Maricopa County's Air Pollution Control Regulations. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth herein. Incorporation by reference does not include nondelegable functions of the EPA Administrator.
- 301.1 Subpart A—**General Provisions; exclude any sections dealing with equivalency determinations that are nontransferable through Section 112(e)(3) of the Act.
- 301.2 Subpart C—**National Emission Standard for Beryllium.
- 301.3 Subpart D—**National Emission Standard for Beryllium Rocket Motor Firing.
- 301.4 Subpart E—**National Emission Standard for Mercury.
- 301.5 Subpart F—**National Emission Standard for Vinyl Chloride.
- 301.6 Subpart G—**(Reserved).
- 301.7 Subpart J—**National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.
- 301.8 Subpart L—**National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants.
- 301.9 Subpart M—**National Emission Standard for Asbestos.
- a. Each owner or operator of a demolition activity or renovation activity involving a facility as defined in 40 CFR 61, Subpart M shall:
 - (1) Fully comply with all requirements of 40 CFR 61, Subpart M.
 - (2) Thoroughly inspect the facility within 12 months of commencement of demolition or renovation activity for the presence of asbestos, including Category I and Category II nonfriable ACM. Include the date of this inspection on the written notification.

- (3) Provide the Control Officer with written notification of intention to demolish or to renovate in the manner described in 40 CFR 61.145.
 - (4) Update all notifications in accordance with 40 CFR 61.145(b). For renovations described in 40 CFR 61.145(a)(4)(iii), notifications shall expire every December 31, with new notices required at least 10 working days before the end of the calendar year preceding the year for which notice is being given. All other notifications shall expire one year from either the original postmark date or commercial delivery date or date of hand delivery to the Control Officer. For a demolition activity or renovation activity that continues beyond the expiration date, the owner or operator of the demolition or renovation activity shall notify the Control Officer in accordance with 40 CFR 61.145(b) at least 10 working days prior to the expiration of the original notice and pay all applicable fees prescribed by Rule 280 of these rules.
 - (5) Pay all applicable fees prescribed by Rule 280 of these rules.
- b. In addition, each owner or operator of a demolition activity or renovation activity shall comply with the following requirements:
- (1) Certification, training, and record keeping requirements:
 - (a) All facilities scheduled for demolition or renovation shall be inspected by a currently certified Asbestos Hazard Emergency Response Act (AHERA) accredited asbestos building inspector (herein referenced as inspector), as required by either AHERA or the Asbestos School Hazard Abatement Reauthorization Act (ASHARA).
 - (b) Each owner and operator of a facility shall maintain a copy of any reports of inspections made for a facility for two years from completion of project, including laboratory test results of samples collected. A copy of the inspection reports and laboratory test results shall be on-site and available for inspection at the facility, upon request of the department, during all demolition and renovation (asbestos setup, removal, handling, collecting, containerizing, cleanup and dismantling) activities.
 - (c) All asbestos workers shall maintain current AHERA worker certification. All asbestos contractor/supervisors shall maintain current AHERA/ASHARA contractor/supervisor certification and shall be on-site at all times during any active asbestos abatement work at or above NESHAP threshold amounts. A legible copy of all asbestos workers and contractor/supervisor's current training certificates from an EPA accredited training provider shall be available for inspection at all times at the demolition or renovation site.
 - (d) All asbestos workers and contractor/supervisors shall have color photo identification on-site and available for inspection, upon request of the department, at all times during asbestos setup, removal, handling, collecting, containerizing, cleanup and dismantling. The color photo identification shall be from an EPA accredited training provider verifying the certification requirements in section (b)(1)(c), or a current government-issued photo identification card.
 - (2) Asbestos renovation and demolition standards:
 - (a) A facility owner or operator shall not create visible dust emissions when removing or transporting to the disposal site Category I nonfriable asbestos-containing material (ACM) and Category II nonfriable ACM that remain nonfriable Category I ACM and nonfriable Category II ACM.
 - (b) Inspection viewing devices at facilities are required at all asbestos renovation projects where regulated asbestos-containing material (RACM) is being abated, except for roofing projects involving Category I nonfriable ACM and Category II nonfriable ACM exclusively. Viewing devices shall be so designed as to allow an inspector to view the facility from the outside, either through ports or by video monitoring.
 - (c) All exposed RACM subject to cutting or dismantling operations and all RACM being removed from a facility or a facility component shall be kept adequately wet by using amended water to control the release of asbestos fibers. The use of amended water will not be required in the case of an ordered demolition, as defined in 40 CFR 61.145(a)(3), where the debris is suspected to contain or is known to contain ACM, however ordered demolitions are subject to 40 CFR 61.145(c)(9). Specific exemptions are listed under 40 CFR 61.145(c)(3)(i)(A), 40 CFR 61.145(c)(3)(ii) and/or 40 CFR 61.145(c)(7)(i). To claim these exemptions, the owner or operator shall follow the requirements of 40 CFR 61.145(c)(3)(i)(B), 40 CFR 61.145(c)(3)(iii) and/or 61.145(c)(7)(ii) and (iii).
 - (d) All RACM shall be contained in transparent, leak-tight wrapping and shall remain adequately wet to prevent dust emissions during removal, transport, storage, and proper landfill disposal following local, county, state, and federal regulations. Affix a visible and legible label to each individual wrapping with the name of the site owner or operator and the name and address of the location that generated the RACM.

301.10 Subpart N—National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants.

301.11 Subpart O—National Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters. (Reserved per A.R.S. § 49-402)

301.12 Subpart P—National Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arse-



nic Production Facilities.

- 301.13 **Subpart S**—(Reserved)
- 301.14 **Subpart U**—(Reserved)
- 301.15 **Subpart V**—National Emission Standard for Equipment Leaks (Fugitive Emission Sources).
- 301.16 **Subpart X**—(Reserved)
- 301.17 **Subpart Y**—National Emission Standard for Benzene Emissions from Benzene Storage Vessels.
- 301.18 **Subpart Z**—(Reserved)
- 301.19 **Subpart AA**—(Reserved)
- 301.20 **Subpart BB**—National Emission Standard for Benzene Emissions from Benzene Transfer Operations.
- 301.21 **Subpart CC**—(Reserved)
- 301.22 **Subpart DD**—(Reserved)
- 301.23 **Subpart EE**—(Reserved)
- 301.24 **Subpart FF**—National Emission Standard for Benzene Waste Operations.

302 STANDARDS OF PERFORMANCE FOR FEDERALLY LISTED HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES: The federally listed hazardous air pollutants as listed in TABLE 370-1. FEDERAL LIST OF HAZARDOUS AIR POLLUTANTS of this rule and the following federal regulations located in the U.S. Code of Federal Regulations, Part 63 of Title 40, Subchapter C (CFR), as codified on ~~July 1, 2016~~ July 1, 2017, are herein incorporated by reference with the listed exclusions, in Maricopa County's Air Pollution Control Regulations. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth herein. Incorporation by reference does not include nondelegable functions of the EPA Administrator.

- 302.1 **Subpart A**—General Provisions.
- 302.2 **Subpart F**—National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.
- 302.3 **Subpart G**—National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.
- 302.4 **Subpart H**—National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.
- 302.5 **Subpart I**—National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.
- 302.6 **Subpart J**—National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production.
- 302.7 **Subpart K**—(Reserved)
- 302.8 **Subpart L**—National Emission Standards for Coke Oven Batteries.
- 302.9 **Subpart M**—National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.
- 302.10 **Subpart N**—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.
- 302.11 **Subpart O**—Ethylene Oxide Emissions Standards for Sterilization Facilities.
- 302.12 **Subpart P**—(Reserved)
- 302.13 **Subpart Q**—National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.
- 302.14 **Subpart R**—National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).
- 302.15 **Subpart S**—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.
- 302.16 **Subpart T**—National Emission Standards for Halogenated Solvent Cleaning.
- 302.17 **Subpart U**—National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.
- 302.18 **Subpart V**—(Reserved)
- 302.19 **Subpart W**—National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production.
- 302.20 **Subpart X**—~~National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting. (Reserved per A.R.S. § 49-402)~~
- 302.21 **Subpart Z**—(Reserved)
- 302.22 **Subpart AA**—National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants.
- 302.23 **Subpart BB**—National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants.
- 302.24 **Subpart CC**—~~National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries. (Reserved per A.R.S. § 49-402)~~
- 302.25 **Subpart DD**—National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.
- 302.26 **Subpart EE**—National Emission Standards for Magnetic Tape Manufacturing Operations.
- 302.27 **Subpart FF**—(Reserved).



- 302.28 Subpart GG**—National Emission Standards for Aerospace Manufacturing and Rework Facilities.
- 302.29 Subpart HH**—National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities.
- 302.30 Subpart JJ**—National Emission Standards for Wood Furniture Manufacturing Operations.
- 302.31 Subpart KK**—National Emission Standards for the Printing and Publishing Industry.
- 302.32 Subpart LL**—National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants.
- 302.33 Subpart MM**—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfité, and Stand-Alone Semichemical Pulp Mills.
- 302.34 Subpart NN**—National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources.
- 302.35 Subpart OO**—National Emission Standards for Tanks – Level 1.
- 302.36 Subpart PP**—National Emission Standards for Containers.
- 302.37 Subpart QQ**—National Emission Standards for Surface Impoundments.
- 302.38 Subpart RR**—National Emission Standards for Individual Drain Systems.
- 302.39 Subpart SS**—National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.
- 302.40 Subpart TT**—National Emission Standards for Equipment Leaks – Control Level 1.
- 302.41 Subpart UU**—National Emission Standards for Equipment Leaks – Control Level 2 Standards.
- 302.42 Subpart VV**—National Emission Standards for Oil-Water Separators and Organic-Water Separators.
- 302.43 Subpart WW**—National Emission Standards for Storage Vessels (Tanks) – Control Level 2.
- 302.44 Subpart XX**—National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.
- 302.45 Subpart YY**—National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards.
- 302.46 Subpart ZZ**—(Reserved)
- 302.47 Subpart AAA**—(Reserved)
- 302.48 Subpart BBB**—(Reserved)
- 302.49 Subpart CCC**—National Emission Standards for Hazardous Air Pollutants for Steel Pickling – HCl Process Facilities and Hydrochloric Acid Regeneration Plants.
- 302.50 Subpart DDD**—National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.
- 302.51 Subpart EEE**—National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors.
- 302.52 Subpart FFF**—(Reserved)
- 302.53 Subpart GGG**—National Emission Standards for Pharmaceuticals Production.
- 302.54 Subpart HHH**—National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities.
- 302.55 Subpart III**—National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.
- 302.56 Subpart JJJ**—National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.
- 302.57 Subpart KKK**—(Reserved)
- 302.58 Subpart LLL**—~~National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry. (Reserved per A.R.S. § 49-402)~~
- 302.59 Subpart MMM**—National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.
- 302.60 Subpart NNN**—National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.
- 302.61 Subpart OOO**—National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins.
- 302.62 Subpart PPP**—National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production.
- 302.63 Subpart QQQ**—~~National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting. (Reserved per A.R.S. § 49-402)~~
- 302.64 Subpart RRR**—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.
- 302.65 Subpart SSS**—(Reserved)
- 302.66 Subpart TTT**—~~National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting. (Reserved per A.R.S. § 49-402)~~
- 302.67 Subpart UUU**—~~National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units. (Reserved per A.R.S. § 49-402)~~
- 302.68 Subpart VVV**—National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.
- 302.69 Subpart WWW**—(Reserved)
- 302.70 Subpart XXX**—National Emission Standards for Hazardous Air Pollutants for Ferrous Alloys Production: Ferromanganese and Silicomanganese.
- 302.71 Subpart YYY**—(Reserved)



- 302.72 Subpart ZZZ**—(Reserved)
- 302.73 Subpart AAAA**—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.
- 302.74 Subpart BBBB**—(Reserved)
- 302.75 Subpart CCCC**—National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast.
- 302.76 Subpart DDDD**—National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products.
- 302.77 Subpart EEEE**—National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline).
- 302.78 Subpart FFFF**—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.
- 302.79 Subpart GGGG**—National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production.
- 302.80 Subpart HHHH**—National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production.
- 302.81 Subpart IIII**—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks.
- 302.82 Subpart JJJJ**—National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating.
- 302.83 Subpart KKKK**—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans.
- 302.84 Subpart LLLL**—(Reserved)
- 302.85 Subpart MMMM**—National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products.
- 302.86 Subpart NNNN**—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances.
- 302.87 Subpart OOOO**—National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles.
- 302.88 Subpart PPPP**—National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products.
- 302.89 Subpart QQQQ**—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products.
- 302.90 Subpart RRRR**—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture.
- 302.91 Subpart SSSS**—National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil.
- 302.92 Subpart TTTT**—National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations.
- 302.93 Subpart UUUU**—National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing.
- 302.94 Subpart VVVV**—National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing.
- 302.95 Subpart WWWW**—National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.
- 302.96 Subpart XXXX**—National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing.
- 302.97 Subpart YYYY**—National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.
- 302.98 Subpart ZZZZ**—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.
- 302.99 Subpart AAAAA**—National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.
- 302.100 Subpart BBBBB**—National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing.
- 302.101 Subpart CCCCC**—National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks.
- 302.102 Subpart DDDDD**—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.
- 302.103 Subpart EEEEE**—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries.
- 302.104 Subpart FFFFF**—National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities.
- 302.105 Subpart GGGGG**—National Emission Standards for Hazardous Air Pollutants: Site Remediation.
- 302.106 Subpart HHHHH**—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing.
- 302.107 Subpart IIIII**—National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants.
- 302.108 Subpart JJJJJ**—National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing.
- 302.109 Subpart KKKKK**—National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing.
- 302.110 Subpart LLLLL**—National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing.
- 302.111 Subpart MMMMM**—National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations.

- 302.112 **Subpart NNNNN**—National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production.
- 302.113 **Subpart OOOOO**—(Reserved)
- 302.114 **Subpart PPPPP**—National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands.
- 302.115 **Subpart QQQQQ**—National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities.
- 302.116 **Subpart RRRRR**—National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing.
- 302.117 **Subpart SSSSS**—National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing.
- 302.118 **Subpart TTTTT**—National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining.
- 302.119 **Subpart UUUUU**—~~National Emission Standards for Hazardous Air Pollutants: Coal and Oil Fired Electric Utility Steam Generating Units. (Reserved per A.R.S. § 49-402)~~
- 302.120 **Subpart VVVVV**—(Reserved)
- 302.121 **Subpart WWWW**—National Emission Standards for Hospital Ethylene Oxide Sterilizers.
- 302.122 **Subpart XXXXX**—(Reserved)
- 302.123 **Subpart YYYYY**—National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities.
- 302.124 **Subpart ZZZZ**—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.
- 302.125 **Subpart AAAAA**—(Reserved)
- 302.126 **Subpart BBBB**—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.
- 302.127 **Subpart CCCCC**—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.
- 302.128 **Subpart DDDDD**—National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources.
- 302.129 **Subpart EEEEE**—~~National Emission Standards for Hazardous Air Pollutants: Primary Copper Smelting Area Sources. (Reserved per A.R.S. § 49-402)~~
- 302.130 **Subpart FFFFF**—~~National Emission Standards for Hazardous Air Pollutants: Secondary Copper Smelting Area Sources. (Reserved per A.R.S. § 49-402)~~
- 302.131 **Subpart GGGGG**—National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources--Zinc, Cadmium, and Beryllium.
- 302.132 **Subpart HHHHH**—National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.
- 302.133 **Subpart IIIII**—(Reserved)
- 302.134 **Subpart JJJJJ**—National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers.
- 302.135 **Subpart KKKKK**—(Reserved)
- 302.136 **Subpart LLLLL**—National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources.
- 302.137 **Subpart MMMMM**—National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources.
- 302.138 **Subpart NNNNN**—National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds.
- 302.139 **Subpart OOOOO**—National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources.
- 302.140 **Subpart PPPPP**—National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area.
- 302.141 **Subpart QQQQQ**—National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources.
- 302.142 **Subpart RRRRR**—National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources.
- 302.143 **Subpart SSSSS**—National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources.
- 302.144 **Subpart TTTTT**—National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources.
- 302.145 **Subpart UUUUU**—(Reserved)
- 302.146 **Subpart VVVVV**—National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources
- 302.147 **Subpart WWWW**—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations.
- 302.148 **Subpart XXXXX**—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.
- 302.149 **Subpart YYYYY**—National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Pro-



duction Facilities.

- 302.150 **Subpart ZZZZZZ**—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries.
- 302.151 **Subpart AAAAAAA**—National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing.
- 302.152 **Subpart BBBBBBB**—National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry.
- 302.153 **Subpart CCCCCC**—National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing.
- 302.154 **Subpart DDDDDDD**—National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.
- 302.155 **Subpart EEEEEEE**—National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category.
- 302.156 **Subpart FFFFFFF**—(Reserved)
- 302.157 **Subpart GGGGGGG**—(Reserved)
- 302.158 **Subpart HHHHHHH**—National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production.

303 ADDITIONAL REQUIREMENTS:

- 303.1 From the general standards identified in Section 301 of this rule, delete 40 CFR 61.04. All requests, reports, applications, submittals, and other communications to the Control Officer pursuant to this rule shall be submitted to the Maricopa County Air Quality Department, 1001 N. Central Ave., Suite 125, Phoenix, AZ, 85004.
- 303.2 Where the Act has established provisions, including specific schedules, for the regulation of source categories pursuant to Sections 112(e)(5) and 112(n) of the Act, the Control Officer may enforce those provisions.
- 303.3 For any category or subcategory of sources licensed by the U.S. Nuclear Regulatory Commission, the Board of Supervisors shall not adopt and the Control Officer shall not enforce any standard or limitation respecting emissions of radionuclides which is more stringent than the standard or limitation adopted by the Administrator pursuant to Section 112 of the Act.
- 303.4 If the Administrator finds by rule that regulation is not appropriate or necessary or that alternative control strategies should be applied, the Control Officer shall administer and enforce this rule based on the Administrator's findings.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS

401 CONTROL TECHNOLOGY DETERMINATIONS FOR MAJOR SOURCES IN ACCORDANCE WITH CLEAN AIR ACT SECTIONS, SECTIONS 112(g) AND 112(j): 40 CFR 63.40 through 40 CFR 63.44 and 40 CFR 63.50 through 40 CFR 63.56 are adopted by reference as of ~~July 1, 2016~~ July 1, 2017.

402 COMPLIANCE EXTENSIONS FOR EARLY REDUCTION OF FEDERALLY LISTED HAZARDOUS AIR POLLUTANTS: 40 CFR 63.70 through 40 CFR 63.81 and Table 370.1 are adopted by reference as of ~~July 1, 2016~~ July 1, 2017.

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

TABLE 370-1. FEDERAL LIST OF HAZARDOUS AIR POLLUTANTS

A. All of the following are federally listed hazardous air pollutants:

CAS No.	Chemical Name
75-07-0	Acetaldehyde
60-35-5	Acetamide
75-05-8	Acetonitrile
98-86-2	Acetophenone
53-96-3	2-Acetylaminofluorene
107-02-8	Acrolein
79-06-1	Acrylamide
79-10-7	Acrylic acid
107-13-1	Acrylonitrile
107-05-1	Allyl chloride
92-67-1	4-Aminobiphenyl
62-53-3	Aniline
90-04-0	o-Anisidine
1332-21-4	Asbestos
71-43-2	Benzene (including benzene from gasoline)
92-87-5	Benzidine
98-07-7	Benzotrichloride
100-44-7	Benzyl chloride
92-52-4	Biphenyl
117-81-7	Bis(2-ethylhexyl)phthalate (DEHP)
542-88-1	Bis(chloromethyl)ether
75-25-2	Bromoform

106-99-0	1,3-Butadiene
156-62-7	Calcium cyanamide
133-06-2	Captan
63-25-2	Carbaryl
75-15-0	Carbon disulfide
56-23-5	Carbon tetrachloride
463-58-1	Carbonyl sulfide
120-80-9	Catechol
133-90-4	Chloramben
57-74-9	Chlordane
7782-50-5	Chlorine
79-11-8	Chloroacetic acid
532-27-4	2-Chloroacetophenone
108-90-7	Chlorobenzene
510-15-6	Chlorobenzilate
67-66-3	Chloroform
107-30-2	Chloromethyl methyl ether
126-99-8	Chloroprene
1319-77-3	Cresols/Cresylic acid (isomers and mixture)
95-48-7	o-Cresol
108-39-4	m-Cresol
106-44-5	p-Cresol
98-82-8	Cumene
94-75-7	2,4-D, salts and esters
3547-04-4	DDE
334-88-3	Diazomethane
132-64-9	Dibenzofurans
96-12-8	1,2-Dibromo-3-chloropropane
84-74-2	Dibutylphthalate
106-46-7	1,4-Dichlorobenzene(p)
91-94-1	3,3-Dichlorobenzidine
111-44-4	Dichloroethyl ether (Bis(2-chloroethyl)ether)
542-75-6	1,3-Dichloropropene
62-73-7	Dichlorvos
111-42-2	Diethanolamine
121-69-7	N,N-Diethyl aniline (N,N-Dimethylaniline)
64-67-5	Diethyl sulfate
119-90-4	3,3-Dimethoxybenzidine
60-11-7	Dimethyl aminoazobenzene
119-93-7	3,3'-Dimethyl benzidine
79-44-7	Dimethyl carbamoyl chloride
68-12-2	Dimethyl formamide
57-14-7	1,1-Dimethyl hydrazine
131-11-3	Dimethyl phthalate
77-78-1	Dimethyl sulfate
534-52-1	4,6-Dinitroocresol, and salts
51-28-5	2,4-Dinitrophenol
121-14-2	2,4-Dinitrotoluene
123-91-1	1,4-Dioxane (1,4Diethyleneoxide)
122-66-7	1,2-Diphenylhydrazine
106-89-8	Epichlorohydrin (1-Chloro-2,3-epoxypropane)
106-88-7	1,2-Epoxybutane
140-88-5	Ethyl acrylate
100-41-4	Ethyl benzene
51-79-6	Ethyl carbamate (Urethane)
75-00-3	Ethyl chloride (Chloroethane)
106-93-4	Ethylene dibromide (Dibromoethane)
107-06-2	Ethylene dichloride (1,2-Dichloroethane)
107-21-1	Ethylene glycol
151-56-4	Ethylene imine (Aziridine)
75-21-8	Ethylene oxide
96-45-7	Ethylene thiourea
75-34-3	Ethylidene dichloride (1,1-Dichloroethane)
50-00-0	Formaldehyde
76-44-8	Heptachlor
118-74-1	Hexachlorobenzene



CAS No.	Chemical Name
87-68-3	Hexachlorobutadiene
77-47-4	Hexachlorocyclopentadiene
67-72-1	Hexachloroethane
822-06-0	Hexamethylene- 1,6-diisocyanate
680-31-9	Hexamethylphosphoramide
110-54-3	Hexane
302-01-2	Hydrazine
7647-01-0	Hydrochloric acid
7664-39-3	Hydrogen fluoride (Hydrofluoric acid)
123-31-9	Hydroquinone
78-59-1	Isophorone
58-89-9	Lindane (all isomers)
108-31-6	Maleic anhydride
67-56-1	Methanol
72-43-5	Methoxychlor
74-83-9	Methyl bromide (Bromomethane)
74-87-3	Methyl chloride (Chloromethane)
71-55-6	Methyl chloroform (1,1,1-Trichloroethane)
60-34-4	Methyl hydrazine
74-88-4	Methyl iodide (Iodomethane)
108-10-1	Methyl isobutyl ketone (Hexone)
624-83-9	Methyl isocyanate
80-62-6	Methyl methacrylate
1634-04-4	Methyl tert butyl ether
101-14-4	4,4-Methylene bis (2-chloroaniline)
75-09-2	Methylene chloride (Dichloromethane)
101-68-8	Methylene diphenyl diisocyanate (MDI)
101-77-9	4,4'-Methylenedianiline
91-20-3	Naphthalene
98-95-3	Nitrobenzene
92-93-3	4-Nitrobiphenyl
100-02-7	4-Nitrophenol
79-46-9	2-Nitropropane
684-93-5	N-NitrosoNmethyllurea
62-75-9	N-Nitrosodimethylamine
59-89-2	N-Nitrosomorpholine
56-38-2	Parathion
82-68-8	Pentachloronitrobenzene (Quintobenzene)
87-86-5	Pentachlorophenol
108-95-2	Phenol
106-50-3	p-Phenylenediamine
75-44-5	Phosgene
7803-51-2	Phosphine
7723-14-0	Phosphorus
85-44-9	Phthalic anhydride
1336-36-3	Polychlorinated biphenyls (Aroclors)
1120-71-4	1,3-Propane sultone
57-57-8	beta-Propiolactone
123-38-6	Propionaldehyde
114-26-1	Propoxur (Baygon)
78-87-5	Propylene dichloride (1,2-Dichloropropane)
75-56-9	Propylene oxide
75-55-8	1,2-Propylenimine (2-Methylaziridine)
91-22-5	Quinoline
106-51-4	Quinone
100-42-5	Styrene
96-09-3	Styrene oxide
1746-01-6	2,3,7,8-Tetrachlorodibenzo-p-dioxin
79-34-5	1,1,2,2-Tetrachloroethane
127-18-4	Tetrachloroethylene (Perchloroethylene)
7550-45-0	Titanium tetrachloride
108-88-3	Toluene
95-80-7	2,4-Toluene diamine
584-84-9	2,4-Toluene diisocyanate
95-53-4	o-Toluidine

CAS No.	Chemical Name
8001-35-2	Toxaphene (chlorinated camphene)
120-82-1	1,2,4-Trichlorobenzene
79-00-5	1,1,2-Trichloroethane
79-01-6	Trichloroethylene
95-95-4	2,4,5-Trichlorophenol
88-06-2	2,4,6-Trichlorophenol
121-44-8	Triethylamine
1582-09-8	Trifluralin
540-84-1	2,2,4-Trimethylpentane
108-05-4	Vinyl acetate
593-60-2	Vinyl bromide
75-01-4	Vinyl chloride
75-35-4	Vinylidene chloride (1,1-Dichloroethylene)
1330-20-7	Xylenes (isomers and mixture)
95-47-6	o-Xylenes
108-38-3	m-Xylenes
106-42-3	p-Xylenes
0	Antimony Compounds
0	Arsenic Compounds inorganic including arsine)
0	Beryllium Compounds
0	Cadmium Compounds
0	Chromium Compounds
0	Cobalt Compounds
0	Coke Oven Emissions
0	Cyanide Compounds ^[1]
0	Glycol ethers ^[2]
0	Lead Compounds
0	Manganese Compounds
0	Mercury Compounds
0	Fine mineral fibers ^[3]
0	Nickel Compounds
0	Polycyclic Organic Matter ^[4]
0	Radionuclides (including radon) ^[5]
0	Selenium Compounds

B. The following applies for all listings above which contain the word “compounds” or are glycol ethers: unless otherwise specified, these listings are defined as including any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical's infrastructure.

[1] X'CN where X = H' or any other group where a formal dissociation may occur (e.g. KCN or Ca(CN)₂).

[2] a. Includes mono and di ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH₂CH₂)_nOR' where:

n = 1, 2, or 3;

R = alkyl C7 or less; or

R = phenyl or alkyl substituted phenyl;

R' = H or alkyl C7 or less; or

OR' consisting of carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate.

b. Glycol ethers do not include ethylene glycol monobutyl ether (EGBE, 2-Butoxyethanol) (CAS No. 111-76-2).

[3] Includes mineral fiber emissions from facilities manufacturing or processing glass, rock, or slag fibers (or other mineral derived fibers) of average diameter one micrometer or less.

[4] Includes organic compounds which have more than one benzene ring and which have a boiling point greater than or equal to 212 °F (100 °C).

[5] A type of atom which spontaneously undergoes radioactive decay.



**MARICOPA COUNTY
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Adopted 02/15/1995; Revised 04/03/1996; Revised 03/01/2000; Revised 03/07/2001; Revised 11/19/2003; Revised 03/15/2006; Revised 12/17/2008; Revised 09/16/2009; Revised 07/07/2010; Revised 08/17/2011; Revised 07/25/2012; Revised 03/26/2014; Revised 11/05/2014; Revised 11/18/2015; ~~and Revised 11/02/2016; and Revised MM/DD/YYYY.~~

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 371
ACID RAIN**

SECTION 100 – GENERAL

- 101 PURPOSE:** To incorporate by reference the Acid Rain federal regulations in order to obtain delegated authority to enforce portions of the Clean Air Act Amendments of 1990 (CAAA).
- 102 APPLICABILITY:** This rule applies to those affected units as described in 40 CFR 72.6 which has been adopted by reference and no future additions or amendments. Any such stationary source must also comply with other Maricopa County Air Pollution Control Regulations.
- 103 SEVERABILITY:** If the provisions or requirements of the regulations incorporated pursuant to this rule conflict with any of the remaining portions of these rules, the regulations incorporated pursuant to this rule shall apply and shall take precedence.
- 104 AVAILABILITY OF INFORMATION:** Copies of 40 CFR Part 72 (Permits Regulation), 40 CFR Part 74 (Sulfur Dioxide Opt-Ins), 40 CFR Part 75 (Continuous Emission Monitoring), and 40 CFR 76 (Acid Rain Nitrogen Oxides Emission Reduction Program) and all accompanying appendices currently enforced by the Maricopa County Air Quality Department (department) are available as listed:
 - a. Maricopa County Air Quality Department, 1001 N. Central Ave, Suite 125, Phoenix, AZ, 85004.
 - b. Maricopa County Rules are available electronically at ~~http://www.maricopa.gov/air~~ <http://www.maricopa.gov/1951/Adopted-Rules>.
 - c. EPA documents are available electronically at <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>.
 - d. ASTM standards are available from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.
- 105 FEDERAL DELEGATION AUTHORITY:** The department shall enforce the Federal Acid Rain Regulations which have been delegated to the County by the United States Environmental Protection Agency (EPA) for such enforcement. The department may, in addition, enforce such other Acid Rain Rules as delegated for such enforcement by the EPA to the County.

SECTION 200 – DEFINITIONS: See Rule 100 (General Provisions and Definitions) of these rules for definitions of terms that are used but not specifically defined in this rule.

SECTION 300 – STANDARDS

- 301 INCORPORATED SUBPARTS OF THE FEDERAL ACID RAIN REGULATIONS:** The following federal regulations located in the U.S. Code of Federal Regulations, Title 40, Subchapter C (CFR) as codified on ~~July 1, 2016~~ July 1, 2017, are herein incorporated by reference in Maricopa County's Air Pollution Control Regulations. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth herein. Incorporation by reference does not include nondelegable functions of the EPA Administrator.
 - a. 40 CFR Part 72 – Permits Regulation
 - b. 40 CFR Part 74 – Sulfur Dioxide Opt-Ins

- c. 40 CFR Part 75 – Continuous Emission Monitoring
- d. 40 CFR Part 76 – Acid Rain Nitrogen Oxides Emission Reduction Program

302 FEDERAL REGULATORY REVISIONS: The Maricopa County Board of Supervisors shall take action following promulgation by the Environmental Protection Agency (EPA) of regulations implementing Section 407 and Section 410 of the Clean Air Act (CAA), or revising either Part 72, 74, 75, and/or 76 of the regulations implementing Section 407 or Section 410 of the CAA, to either incorporate such new or revised provisions by reference or to submit, for the EPA approval, the Maricopa County Air Pollution Control Regulations implementing these provisions.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

Adopted 03/15/2006; Revised 12/17/2008; Revised 09/16/2009; Revised 07/07/2010; Revised 08/17/2011; Revised 07/25/2012; Revised 09/25/2013; Revised 03/26/2014; Revised 11/05/2014; Revised 11/18/2015; ~~and~~ Revised 11/02/2016; and Revised MM/DD/YYYY.

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS**

**APPENDIX G
Incorporated Materials**

1. The following federal regulations located in the U.S. Code of Federal Regulations, Title 40, Subchapter C (CFR) as codified on ~~July 1, 2016~~ July 1, 2017, are herein incorporated by reference in Maricopa County's Air Pollution Control Regulations. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth herein. Incorporation by reference does not include nondelegable functions of the EPA Administrator.
 - a. 40 CFR Part 50 – National Primary and Secondary Ambient Air Quality Standards
 - b. The following appendices to 40 CFR Part 51:
 1. Appendix A to Subpart A of Part 51 – Table 2A: Facility Inventory Data Elements for Reporting Emissions From Point Sources, Where Required by 40 CFR 51.30
 2. Appendix M to Part 51 – Recommended Test Methods for State Implementation Plans
 3. Appendix S to Part 51, Section IV – Sources That Would Locate in a Designated Nonattainment Area
 4. Appendix W to Part 51 – Guideline on Air Quality Models
 - c. The following appendices to 40 CFR Part 52:
 1. Appendix D to Part 52 – Determination of Sulfur Dioxide Emissions From Stationary Sources by Continuous Monitors
 2. Appendix E to Part 52 – Performance Specifications and Specification Test Procedures for Monitoring Systems for Effluent Stream Gas Volumetric Flow Rate
 - d. 40 CFR Part 53 – Ambient Air Monitoring Reference and Equivalent Methods
 - e. 40 CFR Part 58 – Ambient Air Quality Surveillance
 - f. The following appendices to 40 CFR Part 60 – Standards of Performance for New Stationary Sources:
 1. Appendix A-1 to Part 60 – Test Methods 1 through 2F
 2. Appendix A-2 to Part 60 – Test Methods 2G through 3C
 3. Appendix A-3 to Part 60 – Test Methods 4 through 5I
 4. Appendix A-4 to Part 60 – Test Methods 6 through 10B
 5. Appendix A-5 to Part 60 – Test Methods 11 through 15A
 6. Appendix A-6 to Part 60 – Test Methods 16 through 18
 7. Appendix A-7 to Part 60 – Test Methods 19 through 25E
 8. Appendix A-8 to Part 60 – Test Methods 26 through 30B
 9. Appendix B to Part 60 – Performance Specifications
 10. Appendix C to Part 60 – Determination of Emission Rate Change
 11. Appendix D to Part 60 – Required Emission Inventory Information
 12. Appendix F to Part 60 – Quality Assurance Procedures
 - g. The following appendices to 40 CFR Part 61 – National Emission Standards for Hazardous Air Pollutants:
 1. Appendix A to Part 61 – National Emission Standards for Hazardous Air Pollutants Compliance Status Information.
 2. Appendix B to Part 61 – Test Methods
 3. Appendix C to Part 61 – Quality Assurance Procedures
 - h. The following appendices to 40 CFR Part 63 – National Emission Standards for Hazardous Air Pollutants for Source Categories:
 1. Appendix A to Part 63 – Test Methods Pollutant Measurement Methods from Various Waste Media
 2. Appendix C to Part 63 – Determination of the Fraction Biodegraded (Fbio) in a Biological Treatment Unit.
 3. Appendix E to Part 63 – Monitoring Procedure for Nonthoroughly Mixed Open Biological Treatment Systems at Kraft Pulp Mills Under Unsafe Sampling Conditions
2. The following are federally listed non-precursor organic compounds, organic compounds which have been determined to have

negligible photochemical reactivity as listed in 40 CFR 51.100(s). This list is incorporated by reference as of July 1, 2016 July 1, 2017, and no future editions or amendments:

CAS NUMBER	COMPOUND NAME
1615-75-4	1 chloro-1-fluoroethane (HCFC-151a);
163702-07-6	1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C ₄ F ₉ OCH ₃ or HFE-7100);
375-03-1	1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (n-C3F7OCH3, HFE-7000);
132182-92-4	1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane (HFE-7300);
431-89-0	1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea);
431-63-0	1,1,1,2,3,3,3-hexafluoropropane (HFC-236ea);
138495-42-8	1,1,1,2,3,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);
431-31-2	1,1,1,2,3,3-pentafluoropropane (HFC-245eb);
811-97-2	1,1,1,2-tetrafluoroethane (HFC-134a);
690-39-1	1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
406-58-6	1,1,1,3,3-pentafluorobutane (HFC-365mfc);
460-73-1	1,1,1,3,3-pentafluoropropane (HFC-245fa);
71-55-6	1,1,1-trichloroethane (methyl chloroform);
306-83-2	1,1,1-trifluoro 2,2-dichloroethane (HCFC-123);
420-46-2	1,1,1-trifluoroethane (HFC-143a);
679-86-7	1,1,2,2,3-pentafluoropropane (HFC-245ca);
359-35-3	1,1,2,2-tetrafluoroethane (HFC-134);
406-78-0	1,1,2,2-Tetrafluoro-1-(2,2,2-trifluoroethoxy) ethane (HFE-347pcf2)
24270-66-4	1,1,2,3,3-pentafluoropropane (HFC-245ea);
76-13-1	1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
1717-00-6	1,1-dichloro 1-fluoroethane (HCFC-141b);
75-34-3	1,1-difluoroethane (HFC-152a);
76-14-2	1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114);
354-23-4	1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
507-55-1	1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb);
75-68-3	1-chloro 1,1-difluoroethane (HCFC-142b);
163702-05-4	1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C ₄ F ₉ OC ₂ H ₅ or HFE-7200);
124-68-5	2-amino-2- methyl-1-propanol (AMP)
163702-08-7	2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF ₃) ₂ CFCF ₂ OCH ₃);
163702-06-5	2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF ₃) ₂ CFCF ₂ OC ₂ H ₅);
754-12-1	2,3,3,3-tetrafluoropropene;
2837-89-0	2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
422-56-0	3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);
297730-93-9	3-ethoxy- 1,1,1,2,3,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500);
67-64-1	acetone;
75-45-6	chlorodifluoromethane (HCFC-22);
593-70-4	chlorofluoromethane (HCFC-31);
76-15-3	chloropentafluoroethane (CFC-115);
0	cyclic, branched, or linear completely methylated siloxanes;
75-71-8	dichlorodifluoromethane (CFC-12);
95508-16-0	difluoromethane (HFC-32);
616-38-6	dimethyl carbonate;
74-84-0	ethane;
95508-16-0	ethylfluoride (HFC-161);
188690-78-0	HCF ₂ OCF ₂ CF ₂ OCF ₂ H (HFE-338pcc13);
1691-17-4	HCF ₂ OCF ₂ H (HFE-134);
188690-77-9	HCF ₂ OCF ₂ OCF ₂ CF ₂ OCF ₂ H (H-Galden 1040x or H-Galden ZT 130 (or 150 or 180));
78522-47-1	HCF ₂ OCF ₂ OCF ₂ H (HFE-236cal2);
72-84-8	methane;
79-20-9	methyl acetate;
107-33-3	methyl formate (HCOOCH3);
75-09-2	methylene chloride (dichloromethane);
98-56-6	parachlorobenzotrifluoride (PCBTF);
354-33-6	pentafluoroethane (HFC-125);
127-18-4	perchloroethylene (tetrachloroethylene);
108-32-7	propylene carbonate;
102687-65-0	trans 1-chloro-3,3,3-trifluoroprop-1-ene (Solstice™ 1233zd(E))
29118-24-9	trans-1,3,3,3-tetrafluoropropene;
75-69-4	trichlorofluoromethane (CFC-11);

75-46-7	trifluoromethane (HFC-23);
0	and perfluorocarbon compounds which fall into these classes:
	(i) Cyclic, branched, or linear, completely fluorinated alkanes;
	(ii) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
	(iii) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
	(iv) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

3. The following documents are incorporated by reference and are approved for use as directed by the department under the Maricopa County Air Pollution Control Regulations. These documents are incorporated by reference as of the year specified below, and no future editions or amendments.
 - a. Section 1 and Section 7 of the Arizona Department of Environmental Quality's (~~ADEQ~~) ("ADEQ") "Arizona Testing Manual for Air Pollutant Emissions," amended as of March 1992, and no future editions or amendments.
 - b. The U.S. Government Printing Office's "Standard Industrial Classification Manual, 1987", published by the Executive Office of the President, Office of Management and Budget, and no future editions or amendments.
 - c. EPA Publication No. AP-42, 1995, "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, including Supplements A, B, C, D, E, F, Updates 2001, 2002, 2003, and 2004 and all updates as of ~~July 1, 2016~~ July 1, 2017, and no future editions or amendments.
 - d. EPA guidance document "Guidelines for Determining Capture Efficiency", January 9, 1995, and no future editions or amendments.
 - e. 2002 US NAICS Manual, "North American Industry Classification System United States", National Technical Information Service, US Census Bureau, 2002, and no future editions or amendments.
4. **Availability of Information:** Incorporated materials are available as listed:
 - a. Maricopa County Air Quality Department, 1001 N. Central Ave, Suite 125, Phoenix, AZ, 85004.
 - b. Maricopa County Rules are available electronically at ~~http://www.maricopa.gov/air~~ <http://www.maricopa.gov/1951/Adopted-Rules>.
 - c. EPA documents are available electronically at <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>.
 - d. ASTM standards are available from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.



REGISTER INDEXES

The *Register* is published by volume in a calendar year (See “General Information” in the front of each issue for more information).

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 RULEMAKING

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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R7-5-207.	FM-693	R2-20-402.02.	FXN-131		PN-1869;
R7-5-208.	FN-693	R2-20-702.	PXM-610;		P#-1869;
R7-5-301.	F#-693; FN-693		PXM-658;		PM-1869
R7-5-302.	F#-693; FN-693		PXM-722	R14-2-1211.	E#-865; P#-1869
R7-5-303.	F#-693; FN-693	R2-20-703.	FXM-133	R14-2-A1211.	EN-865; E#-865;
R7-5-304.	F#-693	R2-20-703.01.	PXN-610		EM-865;
R7-5-401.	F#-693; FN-693	Corporation Commission - Fixed Utilities			PN-1869;
R7-5-402.	FN-693	R14-2-1201.	E#-865;		PM-1869
R7-5-403.	FN-693		P#-1869	R14-2-1212.	E#-865; P#-1869
R7-5-404.	FN-693	R14-2-A1201.	EN-865; E#-865;	R14-2-A1212.	EN-865; E#-865;
R7-5-501.	FR-693; F#-693; FM-693		EM-865;		EM-865;
R7-5-502.	FR-693; F#-693; FM-693		PN-1869;		PN-1869;
R7-5-503.	FR-693; FN-693		P#-1869;		PM-1869
R7-5-504.	FR-693; FN-693		PM-1869	R14-2-1213.	E#-865; P#-1869
R7-5-505.	FN-693	R14-2-1202.	E#-865; P#-1869	R14-2-A1213.	EN-865; E#-865;
R7-5-506.	FN-693	R14-2-A1202.	EN-865; E#-865;		EM-865;
R7-5-507.	FN-693		EM-865;		PN-1869;
R7-5-508.	FN-693		PN-1869;		P#-1869;
			P#-1869;		PM-1869
			PM-1869	R14-2-1214.	E#-865; P#-1869
			E#-865; P#-1869	R14-2-A1214.	EN-865; E#-865;
					EM-865;
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**Economic Security, Department of -
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R6-3-51140. PM-1627
 R6-3-5205. PM-1627
 R6-3-5240. PM-1627
 R6-3-52235. PM-1627
 R6-3-55460. PM-1627

Education, State Board of

R7-2-205. FXM-725
 R7-2-318. FXN-1637
 R7-2-607.01. FXN-725
 R7-2-612. FXM-725
 R7-2-614. FXM-725
 R7-2-617. FXM-231
 R7-2-701. FXM-725
 R7-2-705. FXM-725
 R7-2-1304. FXM-725
 R7-2-1307. FXM-725
 R7-2-1308. FXM-725

**Emergency and Military Affairs,
 Department of - Division of Military
 Affairs**

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 R8-3-202. EXP-840
 R8-3-203. EXP-840
 R8-3-204. EXP-840
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**Emergency and Military Affairs,
 Department of - Project ChalleNGe**

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 R8-5-102. EXP-840
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**Environmental Quality, Department
 of - Administration**

R18-1-201. EXP-1575
 R18-1-202. EXP-1575
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**Environmental Quality, Department
 of - Air Pollution Control**

R18-2-101. FM-333
 R18-2-102. FM-333
 R18-2-201. FM-333
 R18-2-203. FM-333
 R18-2-217. FM-333
 R18-2-218. FM-333
 R18-2-301. FM-333
 R18-2-302. FM-333
 R18-2-302.01. FM-333

R18-2-303. FM-333
 R18-2-304. FM-333
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 R18-2-306.01. FM-333
 R18-2-307. FM-333
 R18-2-311. FM-333
 R18-2-312. FM-333
 R18-2-319. FM-333
 R18-2-320. FM-333
 R18-2-324. FM-333
 R18-2-326. FM-333
 R18-2-326.01. EXP-613
 R18-2-327. FM-333
 R18-2-330. FM-333
 R18-2-332. FM-333
 R18-2-334. FM-333
 R18-2-401. FM-333
 R18-2-402. FM-333
 R18-2-403. FM-333
 R18-2-404. FM-333
 R18-2-405. FM-333
 R18-2-406. FM-333
 R18-2-407. FM-333
 R18-2-408. FM-333
 R18-2-410. FM-333
 R18-2-411. FN-333
 R18-2-412. FM-333
 R18-2-502. FM-333
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 R18-2-508. FR-333
 R18-2-512. FM-333
 R18-2-513. FM-333
 R18-2-514. FN-333
 R18-2-515. FN-333
 R18-2-715. FM-767
 R18-2-715.01. FM-767
 R18-2-715.02. FM-767
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 R18-2-901. PM-827
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 R18-2-B1302. FN-767
 R18-2-C1301. FN-767
 R18-2-C1302. FN-767
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 R18-2-1705. EXP-135
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 R18-2-1707. EXP-135
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**Environmental Quality, Department
 of - Environmental Reviews and
 Certification**

R18-5-201. PM-1882

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 R18-5-203. PM-1882
 R18-5-204. PM-1882
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 R18-5-211. PR-1882
 R18-5-212. PR-1882
 R18-5-213. PR-1882
 R18-5-214. PR-1882
 R18-5-215. PR-1882
 R18-5-217. PR-1882
 R18-5-218. PR-1882
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 R18-5-220. PR-1882
 R18-5-221. PR-1882
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 R18-5-232. PR-1882
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 R18-5-243. PR-1882
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 of - Water Pollution Control**

R18-9-601. PR-1663
 R18-9-602. PR-1663
 R18-9-603. PR-1663
 R18-9-701. P#-1663
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 R18-9-703. P#-1663
 R18-9-704. P#-1663
 R18-9-705. P#-1663
 R18-9-706. P#-1663
 R18-9-707. P#-1663
 R18-9-708. P#-1663
 R18-9-709. P#-1663
 R18-9-710. P#-1663
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 R18-9-712. P#-1663
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R18-9-714.	P#-1663	R12-4-501.	PM-273;	R1-6-401.	PM-1347
R18-9-715.	P#-1663		FM-1732	R1-6-402.	PN-1347
R18-9-716.	P#-1663	R12-4-502.	PM-273;	R1-6-403.	PN-1347
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R18-9-718.	P#-1663	R12-4-503.	PM-273;	R1-6-501.	PR-1347
R18-9-719.	P#-1663		FM-1732	R1-6-502.	PR-1347
R18-9-720.	PR-1663	R12-4-504.	PM-273;	R1-6-601.	PR-1347
R18-9-A701.	P#-1663;		FXM-1034;	R1-6-701.	PR-1347
	PM-1663		FM-1732	R1-6-801.	PR-1347
R18-9-A702.	P#-1663;	R12-4-505.	PM-273;	R1-6-802.	PR-1347
	PM-1663		FM-1732		
R18-9-A703.	P#-1663;	R12-4-506.	PM-273;		
	PM-1663		FM-1732		
R18-9-A704.	P#-1663;	R12-4-507.	PM-273;		
	PM-1663		FXM-1034;		
R18-9-A705.	P#-1663;		FM-1732		
	PM-1663	R12-4-509.	PM-273;	R9-6-101.	PM-1524
R18-9-A706.	P#-1663;		FM-1732	R9-6-201.	PM-1524
	PM-1663	R12-4-510.	PM-273;	R9-6-202.	PM-1524
R18-9-A707.	PN-1663		FM-1732	Table 1.	PR-1524
R18-9-B701.	P#-1663;	R12-4-511.	PM-273;	Table 2.1.	PN-1524
	PM-1663		FM-1732	R9-6-203.	PM-1524
R18-9-B702.	P#-1663;	R12-4-513.	PM-273;	Table 2.	PM-1524
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R18-9-B703.	P#-1663;	R12-4-514.	PM-273;	Table 3.	PR-1524
	PM-1663		FM-1732	Table 2.3.	PN-1524
R18-9-B704.	P#-1663;	R12-4-515.	PM-273;	R9-6-205.	PM-1524
	PM-1663		FM-1732	R9-6-206.	PM-1524
R18-9-B705.	P#-1663;	R12-4-516.	PM-273	Table 4.	PR-1524
	PM-1663	R12-4-517.	PM-273;	Table 2.4.	PN-1524
R18-9-B706.	P#-1663;		FM-1732	R9-6-207.	PM-1524
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R18-9-B707.	P#-1663;		FM-1732	R9-6-302.	PM-1524
	PM-1663	R12-4-521.	PM-273;	R9-6-303.	PM-1524
R18-9-B708.	P#-1663;		FR-1732	R9-6-304.	PM-1524
	PM-1663	R12-4-522.	PR-273;	R9-6-305.	P#-1524;
R18-9-B709.	P#-1663;		FR-1732		PN-1524
	PM-1663	R12-4-524.	PM-273;	R9-6-306.	P#-1524;
R18-9-B710.	P#-1663;		FM-1732		PM-1524
	PM-1663	R12-4-526.	PM-273;	R9-6-307.	PR-1524;
R18-9-C701.	P#-1663;		FM-1732	R9-6-308.	PN-1524
	PM-1663	R12-4-527.	PM-273;		P#-1524;
R18-9-D701.	P#-1663;		FXM-1034;	R9-6-309.	PN-1524
	PM-1663	R12-4-529.	FM-1732	R9-6-310.	P#-1524;
R18-9-D702.	P#-1663;		PM-273;	R9-6-311.	PN-1524
	PM-1663	R12-4-530.	FM-1732		P#-1524;
R18-9-E701.	PN-1663		PN-273;	R9-6-312.	PM-1524
			FN-1732		P#-1524;

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Financial Institutions, Department of

R20-4-301.	EXP-841
R20-4-303.	EXP-841
R20-4-304.	EXP-841
R20-4-309.	EXP-841
R20-4-318.	EXP-841
R20-4-324.	EXP-841
R20-4-325.	EXP-841
R20-4-326.	EXP-841
R20-4-327.	EXP-841
R20-4-328.	EXP-841
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R12-4-402.	FM-492
R12-4-414.	PM-1472

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R1-6-101.	PM-1347
R1-6-102.	PM-1347
R1-6-103.	PM-1347
R1-6-104.	PM-1347
R1-6-201.	PM-1347
R1-6-202.	PM-1347
R1-6-203.	PM-1347
R1-6-204.	PM-1347
R1-6-205.	PM-1347
R1-6-206.	PM-1347
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R1-6-302.	PM-1347
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R9-6-313.	P#-1524;
R9-6-314.	PM-1524
R9-6-315.	P#-1524;
R9-6-316.	PN-1524
R9-6-317.	P#-1524;
R9-6-318.	PM-1524
R9-6-319.	P#-1524;
R9-6-320.	PM-1524

R9-6-321.	P#-1524; PN-1524	R9-6-354.	P#-1524; PM-1524	R9-6-386.	P#-1524; PM-1524
R9-6-322.	P#-1524; PM-1524	R9-6-355.	P#-1524; PM-1524	R9-6-387.	PR-1524; P#-1524; PM-1524
R9-6-323.	P#-1524; PM-1524	R9-6-356.	P#-1524; PM-1524	R9-6-388.	P#-1524; PM-1524
R9-6-324.	P#-1524; PM-1524	R9-6-357.	P#-1524; PM-1524	R9-6-389.	P#-1524; PM-1524
R9-6-325.	P#-1524; PM-1524	R9-6-358.	P#-1524; PN-1524	R9-6-390.	P#-1524; PM-1524
R9-6-326.	P#-1524; PM-1524	R9-6-359.	P#-1524; PM-1524	R9-6-391.	P#-1524; PM-1524
R9-6-327.	P#-1524; PM-1524	R9-6-360.	P#-1524; PM-1524	R9-6-392.	P#-1524; PM-1524
R9-6-328.	P#-1524; PM-1524	R9-6-361.	P#-1524; PN-1524	R9-6-393.	P#-1524; PM-1524
R9-6-329.	P#-1524; PM-1524	R9-6-362.	P#-1524; PM-1524	R9-6-394.	P#-1524; PM-1524
R9-6-330.	P#-1524; PM-1524	R9-6-363.	P#-1524; PM-1524	R9-6-395.	P#-1524; PM-1524
R9-6-331.	P#-1524; PM-1524	R9-6-364.	PR-1524; P#-1524; PM-1524	R9-6-396.	P#-1524; PM-1524
R9-6-332.	P#-1524; PM-1524	R9-6-365.	P#-1524; PM-1524	R9-6-397.	P#-1524; PM-1524
R9-6-333.	P#-1524; PM-1524	R9-6-366.	P#-1524; PM-1524	R9-6-398.	PN-1524
R9-6-334.	P#-1524; PM-1524	R9-6-367.	P#-1524; PM-1524	R9-6-1002.	PM-1524
R9-6-335.	P#-1524; PM-1524	R9-6-368.	P#-1524; PM-1524	R9-6-1102.	PM-1524
R9-6-336.	P#-1524; PM-1524	R9-6-369.	PR-1524; P#-1524; PM-1524	R9-6-1103.	PM-1524
R9-6-337.	P#-1524; PN-1524			R9-6-1202.	PM-1524
R9-6-338.	P#-1524; PM-1524	R9-6-370.	P#-1524; PN-1524	Health Services, Department of - Emergency Medical Services	
R9-6-339.	P#-1524; PM-1524	R9-6-371.	P#-1524; PM-1524		
R9-6-340.	P#-1524; PM-1524	R9-6-372.	P#-1524; PM-1524	Table 5.2.	FXM-1161
R9-6-341.	P#-1524; PM-1524	R9-6-373.	P#-1524; PM-1524	R9-25-601.	PM-577; FM-1728
R9-6-342.	P#-1524; PM-1524	R9-6-374.	P#-1524; PM-1524	R9-25-602.	PM-577; FM-1728
R9-6-343.	P#-1524; PM-1524	R9-6-375.	P#-1524; PM-1524	R9-25-1301.	PM-1067
R9-6-344.	P#-1524; PM-1524	R9-6-376.	P#-1524; PM-1524	R9-25-1302.	PM-1067
R9-6-345.	P#-1524; PM-1524	R9-6-377.	P#-1524; PN-1524	R9-25-1303.	P#-1067; PM-1067
R9-6-346.	P#-1524; PM-1524	R9-6-378.	P#-1524; PM-1524	R9-25-1303.01.	PN-1067
R9-6-347.	P#-1524; PM-1524	R9-6-379.	P#-1524; PM-1524	R9-25-1304.	P#-1067; PM-1067
R9-6-348.	P#-1524; PM-1524	R9-6-380.	P#-1524; PM-1524	R9-25-1305.	PR-1067; P#-1067; PM-1067
R9-6-349.	P#-1524; PM-1524	R9-6-381.	P#-1524; PM-1524	R9-25-1306.	PR-1067; PN-1067
R9-6-350.	P#-1524; PM-1524	R9-6-382.	P#-1524; PM-1524	R9-25-1307.	PR-1067; P#-1067; PM-1067
R9-6-351.	P#-1524; PM-1524	R9-6-383.	P#-1524; PM-1524	R9-25-1308.	P#-1067; PM-1067
R9-6-352.	P#-1524; PM-1524	R9-6-384.	P#-1524; PM-1524	Table 1.	PR-1067
R9-6-353.	P#-1524; PM-1524	R9-6-385.	P#-1524; PM-1524	Exhibit I.	PR-1067
				Table 13.1.	PN-1067
				R9-25-1309.	P#-1067; PN-1067
				R9-25-1310.	PR-1067; P#-1067; PM-1067
				R9-25-1311.	PR-1067
				R9-25-1312.	P#-1067

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Osteopathic Examiners in Medicine and Surgery, Board of		R4-29-414.	RC-1976	R4-9-117.	PM-1599
R4-22-104.	FM-763	R4-29-415.	RC-1976	R4-9-118.	PN-1599
Table 1.	FM-763	R4-29-416.	RC-1976	Respiratory Care Examiners, Board of	
R4-22-207.	FM-763	R4-29-417.	RC-1976	R4-45-102.	FXM-834
Pest Management, Office of		R4-29-418.	RC-1976	R4-45-208.	FXM-834
R4-29-101.	RC-1976	R4-29-501.	RC-1976	R4-45-209.	FXM-834
R4-29-102.	RC-1976	R4-29-502.	RC-1976	R4-45-201.	FXR-834
R4-29-103.	RC-1976	R4-29-503.	RC-1976	Retirement System Board, State	
R4-29-104.	RC-1976	R4-29-504.	RC-1976	R2-8-117.	FN-209
R4-29-105.	RC-1976	R4-29-505.	RC-1976	R2-8-124.	PN-647
R4-29-106.	RC-1976	Appendix A.	RC-1976	R2-8-125.	PN-647
R4-29-107.	RC-1976	R4-29-601.	RC-1976	R2-8-201.	EXP-34; FN-1414
Table 1.	RC-1976	R4-29-602.	RC-1976	R2-8-202.	FN-1414
R4-29-108.	RC-1976	R4-29-603.	RC-1976	R2-8-203.	FN-1414
R4-29-201.	RC-1976	R4-29-604.	RC-1976	R2-8-204.	FN-1414
R4-29-202.	RC-1976	R4-29-605.	RC-1976	R2-8-205.	FN-1414
R4-29-203.	RC-1976	R4-29-606.	RC-1976	R2-8-206.	FN-1414
R4-29-204.	RC-1976	R4-29-607.	RC-1976	R2-8-207.	EXP-34; FN-1414
R4-29-205.	RC-1976	R4-29-608.	RC-1976	R2-8-301.	PN-441
R4-29-206.	RC-1976	R4-29-609.	RC-1976	R2-8-302.	PN-441
R4-29-207.	RC-1976	R4-29-701.	RC-1976	R2-8-303.	PN-441
R4-29-208.	RC-1976	R4-29-702.	RC-1976	R2-8-304.	PN-441
R4-29-209.	RC-1976	R4-29-703.	RC-1976	R2-8-305.	PN-441
R4-29-210.	RC-1976	R4-29-704.	RC-1976	R2-8-306.	PN-441
R4-29-211.	RC-1976	R4-29-705.	RC-1976	R2-8-401.	FM-487; PM-1005
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R4-29-213.	RC-1976	R4-29-707.	RC-1976	R2-8-405.	FM-487
R4-29-214.	RC-1976	R4-29-708.	RC-1976	R2-8-801.	PN-444
R4-29-215.	RC-1976	Pharmacy, Board of		R2-8-802.	PN-444
R4-29-216.	RC-1976	R4-23-402.	PM-1009	R2-8-803.	PN-444
R4-29-301.	RC-1976	R4-23-407.1.	PN-5; EN-31; FN-967	R2-8-804.	PN-444
R4-29-302.	RC-1976	R4-23-411.	FM-211	R2-8-805.	PN-444
R4-29-303.	RC-1976	R4-23-703.	SPM-607	R2-8-806.	PN-444
R4-29-304.	RC-1976	R4-23-1104.	PM-1009	R2-8-807.	PN-444
R4-29-305.	RC-1976	R4-23-1104.01.	PN-1009	R2-8-808.	PN-444
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R4-29-307.	RC-1976	R4-26-401.	FM-215	R2-8-810.	PN-444
R4-29-308.	RC-1976	R4-26-403.	FM-215	R2-8-901.	PN-1469
R4-29-309.	RC-1976	R4-26-404.	FM-215	R2-8-902.	PN-1469
R4-29-310.	RC-1976	R4-26-404.1.	FN-215	R2-8-903.	PN-1469
R4-29-311.	RC-1976	R4-26-405.	FM-215	R2-8-904.	PN-1469
R4-29-312.	RC-1976	R4-26-406.	FM-215	R2-8-905.	PN-1469
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R4-29-317.	RC-1976	R4-26-414.	FM-215	R15-10-304.	PM-108; FM-1899
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R4-29-405.	RC-1976	R4-9-106.	PM-1599		
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Other notices related to rulemakings are listed in the Index by notice type, agency/county and by volume page number. Agency policy statements and proposed delegation agreements are included in this section of the Index by volume page number. Public records, such as Governor Office executive orders, proclamations, declarations and terminations of emergencies, summaries of Attorney General Opinions, and county notices are also listed in this section of the Index as published by volume page number.

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RULES 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.

Deadline Date (paper only) Friday, 5:00 p.m.	Register Publication Date	Oral Proceeding may be scheduled on or after
March 3, 2017	March 24, 2017	April 24, 2017
March 10, 2017	March 31, 2017	May 1, 2017
March 17, 2017	April 7, 2017	May 8, 2017
March 24, 2017	April 14, 2017	May 15, 2017
March 31, 2017	April 21, 2017	May 22, 2017
April 7, 2017	April 28, 2017	May 30, 2017
April 14, 2017	May 5, 2017	June 5, 2017
April 21, 2017	May 12, 2017	June 12, 2017
April 28, 2017	May 19, 2017	June 19, 2017
May 5, 2017	May 26, 2017	June 26, 2017
May 12, 2017	June 2, 2017	July 3, 2017
May 19, 2017	June 9, 2017	July 10, 2017
May 26, 2017	June 16, 2017	July 17, 2017
June 2, 2017	June 23, 2017	July 24, 2017
June 9, 2017	June 30, 2017	July 31, 2017
June 16, 2017	July 7, 2017	August 7, 2017
June 23, 2017	July 14, 2014	August 14, 2017
June 30, 2017	July 21, 2017	August 21, 2017
July 7, 2017	July 28, 2017	August 28 2017
July 14, 2014	August 4, 2017	September 5, 2017
July 21, 2017	August 11, 2017	September 11, 2017
July 28, 2017	August 18, 2017	September 18, 2017
August 4, 2017	August 25, 2017	September 25, 2017
August 11, 2017	September 1, 2017	October 2, 2017
August 18, 2017	September 8, 2017	October 10, 2017
August 25, 2017	September 15, 2017	October 16, 2017
September 1, 2017	September 22, 2017	October 23, 2017
September 8, 2017	September 29, 2017	October 30, 2017
September 15, 2017	October 6, 2017	November 6, 2017
September 22, 2017	October 13, 2017	November 13, 2017



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 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.

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2017

[M16-300]

DEADLINE FOR PLACEMENT ON AGENDA	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday November 22, 2016	Tuesday December 20, 2016	Wednesday December 28, 2016	Wednesday January 4, 2017
Tuesday December 27, 2016	Tuesday January 24, 2017	Tuesday January 31, 2017	Tuesday February 7, 2017
Tuesday January 24, 2017	Tuesday February 21, 2017	Tuesday February 28, 2017	Tuesday March 7, 2017
Tuesday February 21, 2017	Tuesday March 21, 2017	Tuesday March 28, 2017	Tuesday April 4, 2017
Tuesday March 21, 2017	Tuesday April 18, 2017	Tuesday April 25, 2017	Tuesday May 2, 2017
Tuesday April 25, 2017	Tuesday May 23, 2017	Wednesday May 31, 2017	Tuesday June 6, 2017
Tuesday May 23, 2017	Tuesday June 20, 2017	Tuesday June 27, 2017	Thursday July 6, 2017
Tuesday June 20, 2017	Tuesday July 18, 2017	Tuesday July 25, 2017	Tuesday August 1, 2017
Tuesday July 25, 2017	Tuesday August 22, 2017	Tuesday August 29, 2017	Wednesday September 6, 2017
Tuesday August 22, 2017	Tuesday September 19, 2017	Tuesday September 26, 2017	Tuesday October 3, 2017
Tuesday September 26, 2017	Tuesday October 24, 2017	Tuesday October 31, 2017	Tuesday November 7, 2017
Tuesday October 24, 2017	Tuesday November 21, 2017	Tuesday November 28, 2017	Tuesday December 5, 2017
Tuesday November 21, 2017	Tuesday December 19, 2017	Wednesday December 27, 2017	Wednesday January 3, 2018

*Materials must be submitted by **5 P.M.** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.