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# Arizona Administrative REGISTER

*Published by the Department of State ~ Office of the Secretary of State*

Vol. 24, Issue 20

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May 18, 2018

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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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

# Arizona Administrative REGISTER

Vol. 24

Issue 20

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**ADMINISTRATIVE REGISTER**  
This publication is available online for  
free at [www.azsos.gov](http://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](http://www.azsos.gov).

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

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

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

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

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

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

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

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

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

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

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

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

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

## Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

## About Preambles

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

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

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



**NOTICES OF 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 4. PROFESSIONS AND OCCUPATIONS  
CHAPTER 34. BOARD OF MANUFACTURED HOUSING**

[R18-82]

**PREAMBLE**

<b><u>1. Article, Part, or Section Affected (as applicable)</u></b>	<b><u>Rulemaking Action</u></b>
R4-34-101	Amend
R4-34-102	Amend
R4-34-103	Amend
R4-34-104	Repeal
R4-34-201	Amend
R4-34-202	Amend
R4-34-203	Amend
R4-34-204	Amend
R4-34-301	Amend
R4-34-302	Amend
R4-34-303	Amend
R4-34-401	Amend
R4-34-402	Amend
R4-34-501	Amend
R4-34-502	Amend
R4-34-503	Repeal
R4-34-504	Amend
R4-34-505	Amend
R4-34-506	Repeal
R4-34-601	Repeal
R4-34-603	Amend
R4-34-604	Repeal
R4-34-605	Amend
R4-34-606	Amend
R4-34-607	Amend
R4-34-701	Amend
R4-34-702	Amend
R4-34-703	Amend
R4-34-704	Amend
R4-34-705	Amend
R4-34-706	Amend
R4-34-707	New Section
R4-34-801	Amend
R4-34-802	Amend
R4-34-803	Repeal
R4-34-804	Repeal
R4-34-805	Amend



R4-34-1001

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. § 41-4010(A)(13)

Implementing statute: A.R.S. §§ 41-4004, 41-4005, 41-4010, and 41-4039

**3. The effective date for the rules:**

June 30, 2018

**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. Citation 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: 23 A.A.R. 2386, September 1, 2017

Notice of Proposed Rulemaking: 24 A.A.R. 165, January 26, 2018

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

Name: Debra Blake, Assistant Deputy Director

Address: Office of Manufactured Housing, Arizona Department of Housing  
1110 W. Washington St., Suite 280  
Phoenix, AZ 85007

Telephone: (602) 771-1000

Fax: (602) 771-1992

E-mail: Debra.blake@azhousing.gov

Website: www.housing.az.gov

**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 Board is amending or repealing all of its rules in response to a review of the rules conducted at the direction of the Governor's office and a five-year-review report approved by the Governor's Regulatory Review Council on July 6, 2017. Both reviews found that as a result of moving the Office from the Department of Fire, Building and Life Safety to the Department of Housing and re-codifying the Office's statutes, all internal cross references in the rules are incorrect. Additionally, the reviews concluded there are numerous ways in which to make the rules more clear, concise, and understandable. In response to multiple discussions with the Department's legislative liaison, Josh Tucker, and after reviewing a chart showing all intended rule changes, an exemption from Executive Order 2017-02 was given for this rulemaking by Mara Mellstrom, Policy Advisor in the Governor's Office, in an e-mail dated May 1, 2017.

**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 Board did not review or rely on a study in its evaluation of or justification for any rule in this rulemaking.

**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:**

The Board believes this rulemaking will have minimal economic impact on licensees, applicants, and consumers because the substance of the amended rules is not substantially different from the substance of the rules being amended.

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

Only minor, non-substantive, word-choice changes were made between the proposed and final rulemaking.

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

The Board received no comments regarding the rulemaking. No one attended the oral proceeding on March 5, 2018.

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

None

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

The licenses, permits, and approvals issued by the Office 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:**

Federal law applies to the subject of these rules (See 24 CFR 3280, 3282, 3284, 3285, 3286, and 3288). The Board has ensured the rules are no more stringent than federal law by incorporating the federal law by reference.

**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:**

No rule in the 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 34. BOARD OF MANUFACTURED HOUSING**

**ARTICLE 1. GENERAL**

- Section
- R4-34-101. Definitions
- R4-34-102. Materials Incorporated by Reference
- R4-34-103. Exceptions
- R4-34-104. ~~Workmanship Standards~~ Repealed

**ARTICLE 2. LICENSING**

- Section
- R4-34-201. General
- R4-34-202. Manufacturers
- R4-34-203. Retailers
- R4-34-204. Installers

**ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT**

- Section
- R4-34-301. Transaction Copies
- R4-34-302. Advertising
- R4-34-303. Brokered Transactions

**ARTICLE 4. SURETY BONDS**

- Section
- R4-34-401. Surety Bond Forms
- R4-34-402. Cash Deposits

**ARTICLE 5. FEES**

- Section
- R4-34-501. General
- R4-34-502. License Bond Amounts
- R4-34-503. ~~HUD Monitoring Inspection~~ Repealed
- R4-34-504. HUD Label Administration
- R4-34-505. Plans and Supplements
- R4-34-506. ~~Intergovernmental Agreement Permits~~ Repealed

**ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION**

- Section
- R4-34-601. ~~Manufactured Homes~~ Repealed
- R4-34-603. ~~Factory-built Buildings and FBB Subassemblies~~ FBBs
- R4-34-604. ~~Alterations~~ Repealed
- R4-34-605. Reconstruction of FBBs
- R4-34-606. Rehabilitation of Mobile Homes
- R4-34-607. Manufacturing Inspection and Certification



ARTICLE 7. PLAN APPROVALS

- Section
- R4-34-701. General
- R4-34-702. ~~Quality Compliance~~ Assurance Manuals
- R4-34-703. Drawings and Specifications
- R4-34-704. ~~Alterations or~~ Reconstruction Plans
- R4-34-705. Accessory Structures ~~and Ground Anchoring~~
- R4-34-706. ~~Factory-built Building~~ FBB Installation
- R4-34-707. Designated Flood-prone Area Installation

ARTICLE 8. PERMITS AND INSTALLATION

- Section
- R4-34-801. Permits
- R4-34-802. General Installation
- R4-34-803. ~~Soil and Materials~~ Repealed
- R4-34-804. ~~Utilities~~ Repealed
- R4-34-805. Accessory Structures

ARTICLE 10. ADMINISTRATIVE PROCEDURES

- Section
- R4-34-1001. Rehearing or Review

ARTICLE 1. GENERAL

R4-34-101. Definitions

The definitions in A.R.S. §§ ~~41-2142, 41-2152~~ 41-4001, and ~~41-215~~ 41-4008 apply to this Chapter. Additionally, in this Chapter:

1. "Act" means the Manufactured Housing Improvement Act of 2000, which is Title VI of the American Homeownership and Economic Opportunity Act of 2000.
2. "Agency" means, ~~in a brokered transaction, the consensual relationship that exists between an agent and the seller or purchaser of a used home when either the purchaser or seller authorizes the agent and the agent agrees to the authorization in writing. A licensed salesperson may establish an agency relationship on behalf of the salesperson's licensed and employing retailer the seller or purchaser of a used home has given a licensed salesperson written legal authority to act on behalf of the seller or purchaser when dealing with a third party. The written legal authority is also binding on the salesperson's licensed and employing retailer.~~
3. "Agency disclosure" means a document that specifies the ~~party or parties that an agent represents in a brokered transaction as a seller's agent, purchaser's agent, or dual agent who represents both the seller and purchaser~~ person a licensed salesperson or licensed retailer represents in a brokered transaction.
4. "Agent" means a licensed retailer ~~or broker who is authorized to act on behalf of either the a seller, or purchaser, or both the seller and purchaser of a used home or as a dual agent representing both.~~
5. "Branch location" means ~~an a satellite office, unit, station, facility, or space at a fixed location other than a in addition to the principal office, however designated, at which any where~~ business that may be conducted at the principal office is transacted.
6. "Brokered transaction" means a transaction in which a ~~properly~~ licensed broker acts as an agent for the seller, purchaser, or both.
7. "Certificate" means an Arizona Insignia of Approval, which is required for modular manufacture, installation, reconstruction, or rehabilitation work.
- ~~7.8.~~ "Co-brokered transaction" means a transaction in which the listing retailer and the selling retailer are not the same person.
9. "Commercial" means an FBB with a use-occupancy classification other than single-family dwelling.
10. "Consummation of sale, as defined at A.R.S. § 41-1001, includes filing an Affidavit of Affixture, if applicable.
- ~~8.11.~~ "FBB" means factory-built building.
12. "Field installed" means components, equipment, and/or construction that is to be completed or installed at the site. Field installed does not include reconstruction.
13. "HVAC" means heating, ventilation, and air conditioning.
9. "Lease with option to purchase" means a lease under which the lessee has the right to purchase the leased property for a ~~specified price and terms.~~
14. "Modular" means an FBB.
- ~~10.15.~~ "New" means a unit or subassembly not previously sold, bargained, exchanged, or given away to a purchaser.
11. "Offer to purchase in a brokered transaction" means a written proposal to purchase a used home listed for sale that a broker presents to the seller for ~~acceptance or rejection.~~
12. "Open subassembly" means ~~that the components of the subassembly can be readily inspected without being disassembled.~~
13. ~~16.~~ "Permanent foundation" means a system of support and perimeter enclosure of crawl space that is:
  - a. Constructed of durable materials (e.g., concrete, masonry, steel, or treated wood);



- b. Developed in accordance with the manufacturer's installation instructions or designed by ~~a licensed professional~~ an Arizona registered engineer;
  - c. Attached in a manner that effectively transfers all vertical and horizontal design loads that could be imposed on the structure by wind, snow, frost, seismic, or flood conditions, as applicable, to the underlying soil or rock;
  - d. Designed to exclude unwanted elements and varmints, ensure sufficient ventilation, and provide adequate access to the building; and
  - e. Not ~~affixed with~~ anchoring straps or cable ~~affixed~~ to ground anchors other than footings.
- ~~14-17.~~ "Purchase contract in a brokered transaction" means a written agreement between a purchaser and seller of a used home that indicates the sales price and terms of the sale.
- ~~15.~~ "Reconstruction" means ~~construction work performed on a manufactured home, mobile home, or factory built building for the purpose of restoring the unit to a usable condition, but does not include work limited to remodeling, replacing, or repairing appliances or components that will not significantly alter the systems or structural integrity of the living area.~~
- ~~18.~~ "Repair" means work performed on a manufactured home, mobile home, or FBB to restore the building to a habitable condition but does not impact the original structure, electrical, plumbing, HVAC, mechanical, use occupancy, or energy design.
- ~~19.~~ "Residential" means a building with a use-occupancy classification of single family dwelling or as governed by the International Residential Code.
- ~~16.~~ "Respond" means ~~to furnish the Office of Manufactured Housing or Office of Administration with a written explanation detailing any reasons why a complaint is not justified or the signature of the complainant indicating that the complainant is satisfied with the resolution of the verified complaint.~~
- ~~17-20.~~ "Retailer" means a dealer broker or broker dealer as prescribed at A.R.S. § 41-2142(9) and (5) 41-4001(5) and (10).
- ~~21.~~ "Site" means a parcel of land bounded by a property line or a designated portion of a public right-of-way.
- ~~22.~~ "Site work" means soil preparation including soil analysis, grading, drainage, utility trenches, and foundation systems preparation, and field-installed work including terminal and connections, on-site utility connections, accessibility structures, egress paths, parking, lighting, landscaping, and similar work.
- ~~18-23.~~ "Standards" means the materials incorporated by reference in R4-34-102.
- ~~19-24.~~ "Supplement" means a submittal of not more than two sheets of paper that indicates floor plan dimensional sizes, does not change more than 25% of a system or configuration, and is incorporated as part of an originally approved plan.
- ~~20-25.~~ "Technical service" means engineering assistance and interpretative application or clarification of compliance and enforcement of A.R.S. Title 41, Chapter 16, Articles 1, 2, and 4 and this Chapter.
- ~~21.~~ "Typical plan" means ~~a design plan that may be duplicated numerous times.~~
- ~~22-26.~~ "Used home" means ~~a used unit that is a previously titled manufactured home, mobile home, or factory built building~~ FBB designed for use as a residential dwelling.

#### **R4-34-102. Materials Incorporated by Reference**

The following materials, which the Board incorporates by reference, apply to this Chapter. The materials, which include no later amendments ~~of or~~ editions, are available from the Board. If there is a conflict between the incorporated material and a statute or rule, the statute or rule controls.

- ~~1.~~ **HUD Manufactured Housing Program**
  - ~~a-1.~~ 24 CFR 3280, Manufactured Home Construction and Safety Standards, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - ~~b-2.~~ 24 CFR 3282, Manufactured Home Procedural and Enforcement Regulations, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - ~~e-3.~~ 24 CFR 3284, Manufactured Housing Program Fee, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - ~~d-4.~~ 24 CFR 3285, Model Manufactured Home Installation Standards, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov;
  - ~~e-5.~~ 24 CFR 3286, Manufactured Home Installation Program, April 1, 2009, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov; ~~and~~
  - ~~f-6.~~ 24 CFR 3288, Manufactured Home Dispute Resolution Program, April 1, 2008, edition, available from the U.S. Government Printing Office, 732 N. Capitol St. NW, Washington, D.C. 20401 or bookstore.gpo.gov; ~~i~~
- ~~2.~~ **Factory built Building Program**
  - ~~a-7.~~ International Building Code (IBC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - ~~b-8.~~ International Residential Code (IRC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - ~~e-9.~~ International Mechanical Code (IMC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - ~~d-10.~~ International Plumbing Code (IPC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;
  - ~~e-11.~~ International Fuel Gas Code (IFGC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478;



- ¶12. International Energy Conservation Code (IECC), 2009 edition, available from the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478; and
- g.13. National Electrical Code (NEC), 2008 edition, available from the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169; and
- 3. Installation, Foundation, and Accessory Structures
  - a. Materials incorporated in subsections (1) and (2); and
- b.14. Protecting Manufactured Homes from Floods and Other Hazards, publication 85, second edition, November 2009, available from the Federal Emergency Management Agency, 500 C. St. SW, Washington, D.C. 20472 or www.fema.gov.

**R4-34-103. Exceptions**

- A. The Board makes the following exceptions to the materials incorporated by reference in R4-34-102:
  - 1. International Building Code and International Residential Code. A water or gas connection may be a flexible connector if the flexible connector:
    - a. Is not more than 6 feet long,
    - b. Is of the rated size necessary to supply the total demand of the unit, and
    - c. Made of materials that comply with the International Plumbing Code and International Fuel Gas Code; and
  - 2. International Residential Code. Exclude Section R313, Automatic Fire Sprinkler Systems.
- B. Under A.R.S. § 41-2144(D) ~~41-4010(D)~~, a local jurisdiction may petition the Board for an exception to a standard. ~~The~~ If the Board grants a local jurisdiction an exception to a standard, the local jurisdiction shall be bound by any conditions in the exception order issued by the Board. The local jurisdiction shall ensure that the petition for an exception:
  - 1. Specifies the standard ~~or code~~ sections affected;
  - 2. Justifies the requested exception with documented evidence of the local conditions that support the requested exception;
  - 3. Specifies the boundaries of the area affected by the local conditions;
  - 4. States why the exception is necessary to protect the health and safety of the public; and
  - 5. Provides an estimate of the economic impact ~~that~~ the requested exception will have on the petitioning jurisdiction, other affected governmental entities, the public, unit owners, and licensees, and the facts upon which the estimate is based.
- C. An exception ordered by the Board applies only within the jurisdiction that petitioned for the exception. ~~The jurisdiction shall comply with any conditions specified in the exception order.~~
- D. An exception order is effective on the date specified in the order, which will be at least 60 days after a Departmental Substantive Policy Statement has been issued to all licensed installers describing the exception, the area within which it applies, and any provisions applicable to its use.

**R4-34-104. Workmanship Standards Repealed**

- ~~A. All work shall be performed in a professional manner.~~
- ~~B. All work shall be performed in accordance with any applicable building code and professional industry standards.~~
- ~~C. If there is a conflict between professional standards and building code requirements, the latter will prevail.~~

**ARTICLE 2. LICENSING**

**R4-34-201. General**

- A. ~~An administrative review of the application shall be performed within~~ Within five business days ~~of following receipt, the Department shall perform an administrative review~~ of an application. If the Department determines the application is incomplete, the applicant will be provided an opportunity to complete the application. The Deputy Director shall issue a conditional license within ~~Within~~ 14 business days ~~of the Department's following receipt of the a completed license application and written evidence that after the applicant has passed any required license examination. The five day administrative completeness and 14 day substantive review timeframes provide an overall time frame of 19 days excluding time requirements that are the responsibility of the applicant the Department shall issue a conditional license.~~
- B. Corporate applicants shall submit a copy of their organizational documents, including the articles of incorporation or organization, and with all amendments, to the articles filed with the Arizona Corporation Commission, or, if a foreign corporation, the application for authority to state, as applicable, and a certificate of good standing to transact business in this state.
- C. ~~When a retailer or installer licensee changes its legal entity but remains within the scope of the license and retains the same qualifying party, the licensee may request an~~ An exemption from any applicable ~~testing examination requirement may be granted if a new license application identifies the same license classification and the same qualifying party listed on a previously held license, provided the previous license is was in good standing before it expired.~~
- D. ~~Upon receipt and review of the applicant's criminal background analysis by the Deputy Director of the Office of Administration, and upon mailing notification to the applicant, the previously issued~~ A licensee will be given notice that a conditional license is automatically effective as a permanent license to transact business within the scope of the license following review and approval by the Department of the licensee's criminal background analysis.
- E. Unless otherwise stated in the purchase contract, a retailer selling a mobile home, manufactured home, or FBB shall know the ordinances of the town, city, or county where the unit is to be installed regardless of whether the retailer is obligated to provide for the delivery or installation of the unit.

**R4-34-202. Manufacturers**

~~The Department shall place a manufacturer's~~ Manufacturers' license application applications fall into one of the following license classes, based on the listed activities that limit the scope of each class:

- 1. M-9A Manufacturer of ~~Factory Built Buildings and FBB Subassemblies: FBBs~~
  - a. ~~Manufactures factory built buildings and manufactures or reconstructs FBB subassemblies, or FBBs;~~
  - b. ~~Reconstructs factory built buildings and FBB subassemblies.~~
- 2. M-9C Manufacturer of ~~Manufactured Homes: manufactured homes~~



- a. ~~Manufactures~~ manufactures or reconstructs manufactured homes; and
  - b. ~~Reconstructs~~ manufactured homes.
3. M-9E Master Manufacturer: ~~Performs~~ performs work within the scope of classes M-9A and M-9C.

#### R4-34-203. Retailers

~~The Department shall place a retailer's~~ Retailers' license application applications fall into one of the following license classes, based on the listed activities that limit the scope of each class:

1. D-8 Retailer of ~~Manufactured Homes~~ manufactured homes or ~~Mobile Homes~~ mobile homes:
  - a. Buys, sells, or exchanges new or used manufactured homes; ~~and used~~ mobile homes; ~~or accessory structures;~~
  - b. ~~May sell new or used accessory structures included in a sales agreement;~~
  - ~~b.c.~~ Acts as an agent for the sale or exchange of used manufactured homes; ~~or mobile homes;~~ ~~or including existing or new accessory structures included in a sales agreement;~~
  - ~~e.d.~~ Makes alterations to new manufactured homes before a sale to a purchaser ~~under R4-34-604;~~ or
  - ~~d.e.~~ Contracts with properly licensed installers or contractors for the installation of manufactured homes, mobile homes, ~~or and existing or new accessory structures included in a sales agreement.~~
2. D-8B Broker of ~~Manufactured Homes~~ manufactured homes or ~~Mobile Homes~~ mobile homes:
  - a. Acts as an agent for the sale or exchange of used manufactured homes or mobile homes; ~~or that may include existing or new accessory structures included in a sales agreement;~~
  - b. Contracts with properly licensed installers or contractors for the installation of manufactured homes, mobile homes, ~~or and existing or new accessory structures included in a sales agreement.~~
3. D-10 Retailer of ~~Factory-Built Buildings and FBB Subassemblies~~ FBBs:
  - a. Buys, sells, or exchanges new or used ~~factory-built buildings and FBB subassemblies~~ FBBs;
  - b. Acts as an agent for the sale or exchange of new or used ~~factory-built buildings and FBB subassemblies~~ FBBs;
  - c. Makes alterations to new ~~factory-built buildings and FBB subassemblies before a sale to a purchaser~~ FBBs before sale to a purchaser; or
  - d. Contracts with properly licensed installers or contractors for the installation of ~~factory-built buildings, FBB subassemblies, and FBBs residential single-family factory-built buildings;~~ ~~or including any existing or new accessory structures included in a sales agreement.~~
4. D-12 Master Retailer: Performs work within the scope of classes D-8, D-8B, and D-10.

#### R4-34-204. Installers

A. ~~The Department shall place an installer's~~ Installers' license application applications fall into one of the following license classes, based on the listed activities that limit the scope of each class:

1. I-10C General ~~Installer~~ installer of ~~Manufactured Homes~~ manufactured homes, ~~Mobile Homes~~ mobile homes, or ~~Residential Single-Family Factory-Built Buildings~~ residential single-family FBBs:
  - a. Installs manufactured homes, mobile homes, or residential single-family ~~factory-built buildings~~ FBBs on foundation systems;
  - b. Installs ground anchors and ~~tie-down~~ tie-downs for manufactured homes or mobile homes;
  - c. Connects water, sanitary waste, gas, and electrical systems of all amperages to the proper onsite utility terminals provided by others;
  - d. Installs evaporative ~~coolers and~~ cooler systems on manufactured homes, mobile homes, or residential single-family ~~factory-built buildings~~ FBBs including providing roof jack to cooler ducts, installing exterior duct work, ~~providing electrical service and controls to cooler from nearest supply source, providing water to the cooler from nearest fresh water source, and performing cooler repair work;~~
  - e. ~~Installs roof jack to cooler ducts~~ Performs repair work, replaces or newly installs to existing mobile homes, manufactured homes, and residential single-family FBBs items in subsections (A)(1)(a) through (d); ~~and~~
  - f. ~~Installs duct work;~~ May subcontract to a properly licensed entity for installation of a manufactured home, mobile home, or residential single-family FBB or installation of an accessory structure in conjunction with installation of a home.
  - ~~g. Provides electrical service and controls to cooler from nearest supply source;~~
  - ~~h. Provides water to the cooler from the nearest fresh water source; or~~
  - ~~i. Performs work as indicated under manufacturer's warranty for the unit.~~
2. I-10D Installer of ~~Accessory Structures~~ accessory structures attached to ~~Manufactured Homes~~ manufactured homes, ~~Mobile Homes~~ mobile homes, or ~~Residential Single-Family Factory-Built Buildings;~~ residential single-family FBBs including installation of prefabricated accessory structure units, on-site constructed accessory structures, concrete footings or slabs for accessory structures, and plumbing, electrical, and mechanical equipment. An I-10 Installer may subcontract, as needed, to a properly licensed installer or contractor for installation of any accessory-structure item under this subsection.
  - a. Installs prefabricated accessory structure units;
  - b. Constructs accessory structures onsite;
  - e. Places concrete footings or slabs for accessory structures; or
  - d. Contracts with properly licensed contractors for the installation of plumbing, electrical, and mechanical equipment as part of an accessory structure and subcontracts all or any part of the items within this subsection to properly licensed installers or contractors.
3. I-10G Master ~~Installer~~ installer of ~~Manufactured Homes~~ manufactured homes, ~~Mobile Homes~~ mobile homes, or ~~Residential Single-Family Factory-Built Buildings;~~ manufactured homes, mobile homes, residential single-family FBBs, or commercial single-story FBBs built on a chassis with an electrical system no greater than 400 amperes is qualified to perform the work described under subsections (A)(1) and (2) and installs HVAC systems including electrical wiring, gas connections, and ductwork. An I-10G Master installer does not provide



service, maintenance, repair, or discharging, adding, or reclaiming refrigerants or any other work requiring certification. An I-10G Master installer may subcontract to a properly licensed entity for installation of any item under this subsection.

- a. Performs work within the scope of classes I-10C and I-10D;
- b. Installs evaporative cooling units and refrigeration air conditioning units, or
- e. Subcontracts with properly licensed installers or contractors.

B. Installer applicants. In addition to meeting the applicable requirements in subsections (A)(1) through (3), an applicant for To be qualified for an installer I-10C, I-10D, or I-10G license, an applicant shall:

- 1. Have a minimum of three years practical or field management experience in the specific type of installation, a related construction field, or the equivalent, for which the applicant is applying. At least two of the three ~~years~~ years' experience shall be within 10 years of the date of application. The applicant may substitute technical training in the specific type of installation, a related construction field, or the equivalent, from an accredited college or university or from a Department of ~~Fire, Building and Life Safety~~ Housing workshop for no more than one year of the three ~~years~~ years' experience required in this subsection;
- 2. Supply a written, notarized statement from each employer or other individual familiar with the applicant's employment or other work experience, which includes the name, address, and telephone number of the individual making the statement, the dates of the applicant's employment or other work experience, a description of the position the applicant held, and a ~~notarial certificate, signature~~ signature indicating ~~that~~ the signer vouches for the truthfulness of the statement as proof of ~~meeting~~ the applicant meets the experience requirement in subsection (B)(1); and
- 3. Supply a certified copy of each official transcript or certificate, demonstrating successful completion of any technical training the applicant wishes the Department to consider as proof of meeting the experience requirement in subsection (B)(1).

**ARTICLE 3. SALES TRANSACTIONS AND TRUST OR ESCROW ACCOUNT**

**R4-34-301. Transaction Copies**

~~A.~~ In all retail transactions, the retailer shall provide the purchaser with completed and signed copies of all documents pertaining to the transaction. A retailer shall maintain a record of all transaction documents. In every transaction:

~~B.1.~~ In all brokered transactions, each broker shall provide the client The retailer shall provide the purchaser with a copy of all completed and signed copies of all documents pertaining to the transaction.

~~C.2.~~ In a brokered transaction where the ~~If~~ a purchaser is ~~not~~ unrepresented, the listing ~~broker~~ retailer shall provide the purchaser with a copy of all completed and signed copies of all documents pertaining to the transaction; and

~~D.3.~~ In If a transaction is co-brokered ~~transaction~~, the listing ~~broker~~ retailer shall provide a copy of the listing agreement to the selling ~~broker~~ retailer, and the selling ~~broker~~ retailer shall provide a copy of all completed and signed documents ~~pertaining to the transaction to the listing broker retailer.~~

~~E.~~ A retailer or broker shall maintain records containing all transaction documents.

**R4-34-302. Advertising**

A. A retailer ~~or broker~~ shall include the retailer's licensed business name in all advertising.

B. A ~~broker~~ retailer shall not advertise or market a used home for more than the listed price.

**R4-34-303. Brokered Transactions**

A. A broker shall provide a copy of the agency disclosure to the party or parties ~~being represented~~ the broker represents.

B. ~~The~~ A seller's ~~broker~~ retailer shall place all earnest money deposits received in connection with ~~a~~ the sales transaction in the ~~broker's~~ retailer's trust or escrow account in accordance with A.R.S. § ~~41-2180~~ 41-4030 ~~except as provided in the exception provision.~~

C. Upon consummation of a brokered transaction, the seller's broker shall provide the seller with a closing statement that includes an accounting of all expenses charged to the seller, all pro rations, and all credits.

~~D.~~ Upon consummation of a brokered transaction, the purchaser's broker shall provide the purchaser with a closing statement that includes an accounting of all expenses charged to the purchaser, all pro rations, and all credits.

~~E.D.~~ In a co-brokered transaction, the seller shall pay the commission shown on the listing agreement as the total commission.

~~F.E.~~ The seller's broker shall prepare an addendum to the listing agreement if any of the terms of the listing agreement change. The seller's signature is required for the addendum to be valid. The addendum to the listing agreement shall reflect the date ~~that~~ the seller signs the addendum to the listing agreement.

~~G.F.~~ ~~Should~~ If the seller ~~or broker~~ elect ~~elects~~ to finance the unpaid balance reflected on the offer to purchase or purchase contract, the ~~agent~~ broker shall:

- 1. Maintain evidence of the original portion of the purchase price being financed by the seller or ~~agent~~ broker, and
- 2. Maintain evidence ~~that~~ the title has been transferred into the name of the purchaser and ~~that~~ the lienholder's position has been secured on the title.

**ARTICLE 4. SURETY BONDS**

**R4-34-401. Surety Bond Forms**

A. Manufacturers, installers, and retailers ~~except brokers (except those with a D-8B license classification) of manufactured homes, mobile homes, or residential single-family factory-built buildings,~~ shall submit the applicable surety bond amount from the list in R4-34-502, with a form provided by the Office of Administration.

B. A rider to the bond is required for the following changes:

- 1. Location of the licensee's principal place of business,
- 2. Business name,
- 3. Branch address,
- 4. License classification, or
- 5. Bond amount.



**R4-34-402. Cash Deposits**

- A. ~~Except for applicants Unless~~ exempt under R4-34-401, any applicant for a license or renewal of a license who desires to post an applicant or licensee posting cash in place lieu of a commercial surety bond shall deposit the applicable amount with the Deputy Director of the Office of Administration using any one of the following payment methods pay by:
  1. ~~Cash;~~ A cash deposit is not transferrable and shall be made in the name of the applicant or licensee as the name appears on the license application or issued license; or
  2. Certified or cashier's check or bank or postal money order made payable to the Arizona State Treasurer;
  3. ~~Cashier's check payable to the State Treasurer;~~
  4. ~~Bank money order payable to the State Treasurer; or~~
  5. ~~Postal money order payable to the State Treasurer.~~
- B. ~~Upon the receipt by the Deputy Director of the Office of Administration of an order from any a court of competent jurisdiction directing for the payment of funds on deposit, the Deputy Director shall make payment according to the court order as directed, at which time and suspend the license is suspended under A.R.S. § 41-2179 41-4029, if applicable. In order to To~~ reinstate the license, the licensee shall return the cash deposit to the required balance or, ~~as an alternative,~~ file a commercial surety bond for the full amount, and pay all applicable reinstatement fees.
- ~~C. The cash deposit is not transferable.~~
- ~~D. The applicant shall make the cash deposit in the name of the applicant as it appears on the license application.~~
- ~~E.C.~~ The applicant A cash deposit may withdraw the cash deposit be withdrawn by the applicant, licensee, or someone having authority to act on behalf of the applicant or licensee, under the following circumstances:
  1. ~~The A~~ A license is not issued to the applicant;
  2. The license has been terminated, for two years or more by expiration expired, revocation revoked, or voluntary cancellation cancelled for at least two years, and there are no outstanding claims against the deposit; and
  3. Two years after an applicant the licensee files a commercial surety bond as a replacement for that replaces the cash deposit; if there are no outstanding claims.
- ~~F. Upon written request and subsequent approval by the Deputy Director of the Office of Administration, a cash deposit may be withdrawn by the owner of a sole proprietorship, any partner of a partnership, any person with written evidence of authority to withdraw the cash deposit for a corporation, and any other person who can establish legal right to the cash deposit.~~

**ARTICLE 5. FEES**

**R4-34-501. General**

- A. The Board shall establish a fee schedule before May 15 for the coming fiscal year.
- B. ~~The Deputy Director of the Office of Administration shall notify all licensees of the established fee schedule before June 1 of each year and post the fee schedule on the Department's website.~~
- C. Licensees shall pay fees for the following services ~~and may request a fee schedule from the Office:~~
  1. Manufacturer license,
  2. Retailer license,
  3. Installer license,
  4. Salesperson license,
  5. Inspection and technical service,
  6. Plans and supplements,
  7. Installation permits and insignias, ~~or and~~
  8. Administrative functions.

**R4-34-502. License Bond Amounts**

- A. An applicant shall submit the applicable license bond amount listed for each license class.

License Class	Bond Amount
M-9A	<del>\$10,000.00</del> <u>\$10,000</u>
M-9C	<del>\$65,000.00</del> <u>\$65,000</u>
M-9E	<del>\$100,000.00</del> <u>\$100,000</u>
D-8	<del>\$25,000.00</del> <u>\$25,000</u>
D-10	<del>\$25,000.00</del> <u>\$25,000</u>
D-12	<del>\$25,000.00</del> <u>\$25,000</u>
I-10C	<del>\$2,500.00</del> <u>\$2,500</u>
I-10D	<del>\$1,000.00</del> <u>\$1,000</u>
I-10G	<del>\$5,000.00</del> <u>\$5,000</u>

- B. The Board shall not renew a license unless ~~and until~~ the applicant's licensee's surety bond is in full force and effect or the full cash deposit is in full force and effect made or in place.

**R4-34-503. HUD Monitoring Inspection Repealed**

~~Each manufactured home manufacturer shall pay a fee as established by the U.S. Department of Housing and Urban Development for each unit manufactured in this state. This fee shall be made payable to the Secretary of HUD for purchase of HUD labels. This fee is in addition to the inspection fee required by R4-34-501(C)(5).~~

**R4-34-504. HUD Label Administration**

In addition to the fees required under R4-34-501(C), ~~each a manufactured home manufacturer of manufactured homes shall pay \$5 to the Office of Administration a fee of \$5 Department~~ for each label issued in this state.

**R4-34-505. Plans and Supplements**



If a licensee submits a plan or supplement submitted that is not acceptable complete and correct, the Department shall provide written notice the plan or supplement is not acceptable and provide and the licensee fails to supply a complete and correct submittal within 60 days after from the date on the notification letter, notice for the licensee to submit a complete and correct plan or supplement. If the licensee fails to submit a complete and correct plan or supplement within the time provided, the Department shall return the submitted plan or supplement and treat the submittal fee originally paid by the licensee as forfeited and return the submittal. Resubmissions To resubmit a plan or supplement, the licensee shall be accompanied by pay a new submittal fee.

**R4-34-506. Intergovernmental Agreement Permits Repealed**

The permit fee charged by local enforcement agencies participating in the Installation Inspection Program shall not exceed the amount established by the Board for the same service.

**ARTICLE 6. MANUFACTURING, CONSTRUCTION, AND INSPECTION**

**R4-34-601. Manufactured Homes Repealed**

A manufacturer shall build a manufactured home according to the standards in R4-34-102.

**R4-34-603. Factory-built Buildings and FBB Subassemblies FBBs**

A. A manufacturer shall construct a factory-built building or a FBB subassembly an FBB according to the applicable standards in R4-34-102(2) and:

1. Provide a complete set of drawings and specifications to the Department under R4-34-703(B);
2. Affix a permanent serial or identification number to each unit during the first stage of manufacturing. If a unit an FBB has multiple sections (modules), the manufacturer shall ensure that each section module is separately identified. The serial or identification number location and application method shall be shown in the plans required under R4-34-703(B)(7); and
3. Affix an Arizona Insignia of Approval a Modular Manufacturer's Certificate to each completed section. The insignia shall indicate the unit serial number and plan approval number, and be located on the unit as module where indicated in the plans plan required under R4-34-703(B)(8) (B)(5).

B. A manufacturer of a non-residential factory-built building or a FBB subassembly shall comply with 10 A.A.C. 3 relating to the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

C.B. The Department may require that a manufacturer of a factory-built building or an FBB subassembly that is produced and shipped before plan approval to remove the unit FBB from this state and remove insignias the Modular Manufacturer's Certificate based on the Department's assessment of the following factors:

1. Probable harm to the public's public safety and welfare,
2. Number of previous Previous violations of a similar nature, and
3. Unwillingness of the manufacturer Manufacturer's failure to comply with plan submittal and requirements.

**R4-34-604. Alterations Repealed**

A retailer shall ensure that alterations are consistent with applicable standards and codes, as prescribed in R4-34-704(A).

**R4-34-605. Reconstruction of FBBs**

A manufacturer shall ensure that reconstruction of an FBB is consistent with applicable codes, as standards prescribed in R4-34-704(B)-R4-34-102 and:

1. Existing construction, systems (electrical, plumbing, HVAC, energy, etc.), and components are structurally and otherwise sound and compliant with standards governing at the time of manufacture;
2. New construction, systems, and components comply with applicable standards in R4-34-102;
3. A permanent serial or identification number is affixed to each reconstructed FBB as required under R4-34-603(A);
4. An Arizona Reconstruction Certificate is affixed to each module; and
5. The reconstructed FBB complies with R4-34-102.

**R4-34-606. Rehabilitation of Mobile Homes**

A. A rehabilitation permit shall be obtained from the office prior to Department before any modification of the unit a mobile home.

B. The following requirements shall be met for a mobile home to be issued a certificate of compliance:

1. A smoke detector (which may be a single station alarm device) shall be installed on any wall in a hallway or space connecting bedroom(s) each sleeping room and living areas outside each separate sleeping area in the immediate vicinity of the sleeping rooms. When located in a hallway the detector shall be between the return air intake and the living area. Each smoke detector shall be installed in accordance with its listing. The top of the detector shall be located between 4 inches to 12 inches below the ceiling. Each smoke detector shall be installed in accordance with its manufacturer's instructions;
2. The walls, ceilings, and doors of each gas-fired gas-fired furnace and water heater water-heater compartment shall be lined with 5/16 inch 5/16-inch gypsum board, unless the except a door to a compartment that opens to the exterior of the unit mobile home, in which case the door may be all metal construction. All exterior compartments shall seal to the interior of the unit mobile home;
3. Each room designated expressly for sleeping purposes shall have at least one outside egress window or an approved exit device, unless it has an exterior exit door. The window or exit shall have a minimum clear dimension of 22 inches, and a minimum clear opening of 5 five square feet. The, and the bottom of the exit shall is not be more than 36 inches above the floor;
4. All electrical systems shall be The electrical system is tested for continuity to assure that ensure metallic parts are properly bonded, tested for operation to demonstrate that all equipment is connected and in working order, and given a polarity check to determine that connections are proper. The electrical system shall be is properly protected for the required amperage load. If the unit wiring is of aluminum conductors are used, all receptacles and switches rated 20 amperes or less and directly connected to the aluminum conductors shall be are marked CO/ALR. Exterior receptacles other than heat tape receptacles; shall be are of the



- ground fault circuit interrupter (GFI) type. Conductors of dissimilar metals (Copper/Aluminum/or Copper Clad Aluminum) ~~must be~~ are connected in accordance with NEC Section 110-14 of the National Electrical Code incorporated at R4-36-102; and
5. ~~The unit's gas Gas piping shall be tested with the appliance valves removed from the piping system and piping capped at those areas. The piping system shall withstand a pressure of at least 6 inch mercury or 3 psi gauge for a period of not less than 10 minutes without showing any drop in pressure. Pressure shall be measured with a mercury manometer or a slope gauge calibrated so as to read in increments of not greater than 1/10th pound or equivalent device. The source of normal operating pressure shall be isolated before the pressure test is made. After the appliance connections are reinstalled, the piping system and connections shall be tested with line pressure of not less than 10 inches nor more than 14 inches water column air pressure. The appliance connections shall be tested for leakage with soapy water or bubble solution. All gas furnaces and water heaters shall be vented to the exterior in accordance with UMC Chapter 8 methods incorporated at R4-36-102. All gas furnaces and water heaters shall be installed in compliance with materials incorporated at R4-36-102. If a rehabilitated mobile home is to be relocated following rehabilitation, the gas tests required under this subsection may be performed and inspected at the time of installation at the new location.~~
  - C. ~~The rehabilitated mobile home unit shall be inspected by the office Department to ascertain compliance with subsection (B).~~
  - D. ~~The office Department shall issue a certification of compliance for each unit rehabilitated mobile home in compliance with subsection (B), and affix an insignia of approval to the exterior wall nearest the point of entrance of the electrical service.~~
  - E. ~~Upon request the office shall issue a waiver for a unit that does not qualify as a mobile home. The category of the unit shall be determined by inspection of the unit or presentation of acceptable documents. The waiver fee is applicable if the category of the unit can be determined to qualify for exemption. If an inspection of the unit is necessary to determine its category, the inspection fee shall apply.~~
  - F.E. ~~A person served with If the Department determines a rehabilitated mobile home does not comply with subsection (B), the Department shall serve a correction notice shall make the required and require the person served to make corrections within the time period specified in the notice. The Department shall determine the time period shall be determined by the office for correction based on the severity of the hazard or violation in and the time reasonably needed to make the correction. A minimum of The Department shall allow at least 30 days shall be allowed for correction unless an imminent safety hazard is found, or if the correction has been unreasonably delayed. In either event, in which case, the Department shall serve an Order to Vacate shall be issued to the person occupying the unit rehabilitated mobile home.~~
  - G.F. ~~A The Department shall serve an Order to Vacate on a person occupying a non-rehabilitated unit mobile home shall be served with an Order to Vacate that unit within 5 five days if on after an inspection of the unit is found to contain non-rehabilitated mobile home finds an imminent safety hazard.~~

#### R4-34-607. Manufacturing Inspection and Certification

- A. The Department shall conduct manufactured home plant certification under R4-34-102(+).
- B. Before issuing ~~insignias Certificates~~, the Department shall certify that ~~each~~ a manufacturing facility of ~~factory-built buildings FBBs or FBB subassemblies~~ is capable of manufacturing the ~~units or subassemblies FBBs~~ to the specifications in the approved drawings and ~~procedures in the approved the quality assurance compliance assurance manual required under R4-34-702.~~
- C. Unit certification:
  1. ~~The Department shall conduct manufactured home certification under R4-34-102(1); and~~
  2. ~~Each A manufacturer of factory-built buildings FBBs, FBB subassemblies, and reconstructed units FBBs shall certify compliance with approved plans by affixing an Arizona Insignia of Approval a Modular Manufacturer Certificate or Reconstruction Certificate, as appropriate, to each unit or subassembly FBB before delivery to a retailer.~~
- D. Records and reporting: ~~By the 15th of each month:~~
  1. ~~Each A manufacturer of manufactured homes shall report to the Department affixing HUD labels, complete any other required reports, and establish and maintain records required under R4-34-102(+); and~~
  2. ~~Each An manufacturer of factory-built buildings FBB manufacturer, reconstructed units, and FBB subassemblies shall report to the Department affixing Arizona Insignias of Approval by the 15th day of each month Modular and Reconstruction Certificates during the previous month.~~
- E. The Department shall decertify a production manufacturing facility for any one of the following reasons if:
  1. ~~An inspector identifies a A serious defect existing exists in more than one unit FBB;~~
  2. ~~An inspector identifies three or more repetitive failures to comply with specifications in the approved plans, codes standards, or quality assurance compliance assurance manual;~~
  3. ~~A An in-state licensee within this state fails to produce approved units for more than six consecutive months; or~~
  4. ~~An out-of-state licensee fails to file quarterly inspection reports for a period of six consecutive months.~~
- F. Recertification is required upon decertification of Before resuming a production, a decertified manufacturing facility shall be recertified by the Department.
  1. The Department shall evaluate the production process at the decertified manufacturing facility to assure ensure the manufacturer's procedures are consistent with the approved plans, ~~codes standards~~, and ~~quality assurance compliance assurance~~ manual at every stage of production.
  2. Upon When the manufacturer's successful completion of manufacturer successfully completes the recertification process, the Department shall issue ~~insignias Certificates or Labels~~ to the manufacturer.
- G. Inspection of retailer lots:
  1. The Department shall may conduct regular inspections of retailer lots to assure ensure compliance with approved plans, standards, and A.R.S. § 41-2195 41-4048.
  2. The Department may require that a manufacturer of units produced and shipped before plan approval remove the units from this state and remove insignias based on the following factors:
    - a. Probable harm to the public's safety and welfare;
    - b. Number of previous violations of a similar nature, and



- e. Unwillingness of the manufacturer to comply with plan submittal and requirements.

**ARTICLE 7. PLAN APPROVALS**

**R4-34-701. General**

- A. Before construction of a ~~unit or subassembly~~ manufactured home or FBB, a manufacturer shall submit to the office:
  1. The ~~quality assurance~~ compliance assurance manual required by R4-34-702, and
  2. The drawings and specifications required by R4-34-703.
- B. Before ~~performance of any alteration, a retailer shall obtain plan approval under R4-34-704(A), performing one of the following, a person shall obtain plan approval:~~
  1. Under R4-34-704(A) for an alteration,
  2. Under R4-34-704(B) for a reconstruction,
  3. Under R4-34-705 to install an attached accessory structure, and
  4. Under R4-34-706 to install an FBB.
- ~~C. Before installing an accessory structure or ground anchors for a manufactured home, mobile home, or residential single family factory built building, an installer shall obtain plan approval under R4-34-705.~~
- ~~D. Before reconstructing a manufactured home or factory built building, a manufacturer shall obtain plan approval under R4-34-704(B).~~
- ~~E. Before the installation of a factory built building a person installing the building shall obtain plan approval under R4-34-706.~~
- ~~F.C.~~ The Department shall determine whether a submittal is administratively complete within Within 20 business days after receipt of a submittal receiving a plan submitted under subsection (B), the Department shall perform an administrative review of the plan submittal and if incomplete, require the licensee to provide a complete plan submittal. The Department shall review all plans within Within 20 business days after receipt of a complete submittal. The overall time frame for plan approval is 40 days, excluding time for requirements that are the responsibility of the applicant receiving a complete plan submittal, the Department shall approve or disapprove the plan submittal.
- ~~G.D.~~ A manufacturer, retailer, or installer shall provide an original and one copy of each submittal: person that submits a plan under subsection (B) shall ensure the plan conforms with the following standards:
  1. Each page is at least 8 1/2 X 11 inches;
  2. The font is at least eight point;
  3. The cover page includes an index and provides a 3 X 5 inch blank space near the title block;
  4. The plan and all details and calculations are sealed by an Arizona registered engineer; and
  5. The plan is consistent with all applicable standards incorporated at R4-34-102.
- ~~H.~~ A manufacturer, retailer, or installer shall update each plan so that it is consistent with current standards and codes adopted by the Board. Supplements are acceptable for this purpose.
- ~~I.~~ Plans submitted shall be stamped by an engineer registered by the State of Arizona.

**R4-34-702. Quality Compliance Assurance Manuals**

- ~~A.~~ A manufacturer of manufactured homes shall prepare the quality assurance manual required by R4-34-102(1).
- ~~B.~~ A manufacturer of factory built buildings and FBB subassemblies ~~FBBs~~ shall prepare a quality compliance assurance manual that has all of the following attributes:
  1. Format: An 8 1/2 X 11 inch format with page numbers and revision traceability;
  - ~~a.2.~~ 8 1/2 by 11 inch size, The manufacturer's name and address of the factory to which the manual applies;
  - ~~b.3.~~ An index page, and A table of contents that identifies key elements in the quality and compliance control process;
  - ~~e.4.~~ Revision traceability: An organizational chart that shows titles and functions of all positions responsible for any aspect of quality and compliance control;
  - ~~2.5.~~ Contents: A description of the design-document control process and procedures for ensuring the current approved design package or building plans are available to production, quality, and compliance personnel;
  - ~~a.6.~~ An organization chart, by position, of all quality control personnel responsible for compliance of incoming components and in-plant manufacturing activities; A description of procedures for handling materials, including treatment and disposal of rejected materials, in compliance with standards;
  - ~~b.7.~~ A description of the quality assurance program adhered to by personnel listed on the organization chart; A description of the FBB-identification system including a unique identifier, such as a serial or identification number, that is permanently affixed to each module of the FBB at the beginning of manufacturing and where the unique identifier is located on the FBB;
  - ~~e.8.~~ A flow chart depicting the minimum in-plant inspection requirements, using stations, a production control routing document, stage of manufacture or type of work control, or an equivalent method of in-plant inspection; A drawing showing the layout of the factory and location of the work area for each step in the manufacturing sequence with a description of the scope of work performed at each work area, including off-line processes;
  - ~~d.9.~~ A description of tests performed and test equipment used; An inspection checklist, keyed to the drawing required in subsection (8), that identifies the inspections and tests to be performed at each step in the manufacturing sequence and title of the position responsible for ensuring inspections and tests are performed;
  - ~~e.10.~~ A description of procedures for receiving and inspecting construction materials, handling damaged material, and rotating stock; A list that includes step-by-step procedures for ensuring all required tests are performed, the equipment needed to perform each test, and procedures for maintaining test equipment;
  - ~~f.11.~~ A description of procedures for control of drawings and insignias; and A description of procedures for maintaining control of certificates, installing certificates on FBBs, and making the monthly report of certificates and title of the position responsible for ensuring these tasks are performed;
  - ~~g.12.~~ A description of recordkeeping procedures. A description of the procedures for storing completed FBBs at the facility including the manner in which stored FBBs are protected from the elements and other sources of potential damage; and



13. A description of procedures for ensuring building documents are retained and title of the position responsible for ensuring document retention.

#### R4-34-703. Drawings and Specifications

- A. A manufacturer of manufactured homes shall submit to the Department drawings and specifications that comply with applicable standards in R4-34-102(1).
- B. A manufacturer of ~~factory-built buildings~~ FBBs or FBB subassemblies shall submit to the Department plans that comply with the applicable standards in R4-34-102(2). The manufacturer shall ensure the plans shall provide or have the following information or format attributes:
1. ~~A set of Dimensioned drawings and details identifying;~~ process descriptions, component specification lists, shop drawings, ~~or~~ and other documents that specify and identify each component, process, assembly operation, and manufacturing step. Include electrical, plumbing, gas, and HVAC systems;
  2. ~~A complete set of dimensional views designating the location of all processes performed in the manufacture of the unit or subassembly;~~ A traceable identification for each component and subassembly listed;
  3. ~~A complete listing of all components and subassemblies by cross identification to usage;~~ Design analysis calculations for all loads and systems;
  4. ~~A traceable identification for each component and subassembly listed;~~
  5. ~~A complete listing of all processes by cross identification to usage;~~
  6. ~~An onsite foundation specification for each unit for a given soil bearing capacity;~~
  7. ~~The location and process for stamping the permanent serial or identification number on the FBB or subassembly; and~~
  8. ~~The location of the Arizona Insignia of Approval Modular Manufacturer Certificate; and~~
  6. Dimensional plans and details identifying all components and construction to be field installed.

#### R4-34-704. Alterations or Reconstruction Plans

##### ~~A.~~ Alterations:

1. ~~A retailer or broker performing any alteration on a unit shall send notice of the alteration to the manufacturer of the unit.~~
2. ~~A retailer or broker performing an alteration on a unit shall prepare a detailed set of drawings and specifications that depict all aspects of the alteration and any serial numbers of the unit.~~
3. ~~A retailer or broker shall ensure that manufactured home plans comply with the manufactured home construction and safety standards prescribed in R4-34-102(1).~~
4. ~~A retailer or broker shall ensure that factory-built building and FBB subassembly plans comply with R4-34-703(B).~~

##### ~~B.~~ Reconstruction:

1. ~~A.~~ A manufacturer shall comply with the standards in R4-34-102(2) when preparing a reconstruction plans plan.
2. ~~B.~~ A manufacturer preparing a reconstruction plans plan shall ~~prepare~~ ensure the plan contains a detailed set of dimensioned drawings and specifications that depict all aspects of the reconstruction ~~and contains,~~ including a plan depicting the original configuration, and contains the serial or identification number of the unit.
- C. A manufacturer shall include with a reconstruction plan a certification statement regarding existing components, construction, and systems indicating they are structurally sound, functional, and do not pose a life safety threat.

#### R4-34-705. Accessory Structures ~~and Ground Anchoring~~

##### ~~A.~~ Accessory structures:

1. ~~A.~~ For commercial ~~factory-built buildings~~ FBBs, ~~an installer~~ a properly licensed entity or person shall comply with the International Building Code when preparing attached accessory structure plans. For manufactured homes, mobile homes, and residential single-family factory-built buildings FBBs ~~an installer~~ a properly licensed entity or person shall comply with the International Residential Code when preparing attached accessory structure plans.
2. ~~B.~~ The Department may approve a design that does not comply with ~~the International Building Code or the International Residential Code subsection (A)~~ based on a demonstration by an Arizona ~~Registered Engineer~~ registered engineer that the design ~~is engineered to meet~~ standards at least equivalent to those in ~~the applicable code subsection (A).~~
3. ~~C.~~ An installer A properly licensed entity or person shall submit plans, which are sealed by an Arizona registered engineer, for all attached accessory structures except skirting ~~systems that have manufacturer installation instructions and HVAC systems, evaporative coolers, refrigeration, air conditioning systems, and storage rooms of less than 120 square feet.~~
- ~~B.~~ Ground anchoring plans shall be certified by a registered engineer or approved by the Office of Manufactured Housing so that anchoring systems resist overturning and lifting effects of the wind.
  1. ~~An installer shall comply with the applicable requirements in R4-34-102 or the manufacturer's installation manual when preparing ground anchoring plans. If neither apply, the Department shall compare the plans to those of an equivalent, current installation to determine whether the plans are approveable.~~
  2. ~~The plans shall be of sufficient detail and description that all materials, dimensions, and processes can be readily identified.~~

#### R4-34-706. ~~Factory-built Building~~ FBB Installation

##### ~~A.~~ An installer shall complete and submit an application form obtained from the Department.

- ~~B.~~ An installer A properly licensed entity or person shall include the following in ~~the~~ installation plans submitted to the Department:
1. ~~The~~ A site plans plan, including that includes the location of the building and ~~location of~~ all utility lines;
  2. ~~The~~ A foundation plans, including plan that includes:
    - a. ~~A~~ A description of the soil class and the soil bearing pressure;
    - b. ~~Footings~~ A description of footings and other foundation supports designed to meet the minimum bearing pressure at the depth required;
    - c. ~~A~~ A complete set of drawings indicating dimensions and details of the foundation footing and anchoring; and a complete list of materials; ~~and~~ with a cross-identification of how materials will be used, in the appropriate view; and



- d. Calculations, prepared by an Arizona registered engineer, for all load conditions, including wind loads for horizontal loads, uplift loads, and overturning; and horizontal and torsional earthquake effects on foundations.
- 3. Electrical drawings, including the isometric one-line diagram required by R4-34-102(2)(~~e~~), that contain the following information:
  - a. Size and type of conductors, length of feeders, and all amperage;
  - b. Dimensions of gutterways and raceways;
  - c. Complete details of panelboards, switchboards, and distribution centers; and
  - d. All grounding and bonding connections.
- 4. Plumbing drawings, including ~~any~~ one-line diagrams required by R4-34-102(2)(~~d~~) ~~and (e)~~ that contain the following information:
  - a. Location of sewer tap, water meter, and gas meter;
  - b. Size, length, and all materials for sewer, water, and gas lines; ~~and~~
  - c. Location of all cleanouts and grade of sewer line;
  - d. Fixture unit calculations for plumbing and gas fixtures;
  - e. Fastening and closure details for connection of multiple modules; and
  - f. Dimensional plans and details for all components and construction to be field installed.

**R4-34-707. Designated Flood-prone Area Installation**

Before installing a manufactured home, mobile home, or FBB in a designated flood-prone area, an installer shall submit and obtain Department approval of an installation plan that includes the following:

- 1. A site plan showing the location of the manufactured home, mobile home, or FBB;
- 2. A copy of the designated flood-use permit or flood design conditions issued by the local enforcement agency showing the flood zone type and regulatory and base flood elevations;
- 3. A site-specific foundation plan that is prepared by an Arizona registered engineer and includes:
  - a. A complete set of drawings indicating dimensions and details of the foundation system and anchoring to prevent floatation, collapse, or lateral movement of the structure;
  - b. A complete list of materials cross identified to the drawings in subsection (3)(a) showing how the materials will be used;
  - c. An indication of how to place the structure to ensure the bottom frame of the structure is at or above the regulatory flood elevation;
  - d. An indication of where to place external utilities and equipment to ensure they are at or above the regulatory flood elevation;
  - e. If the structure has an enclosed foundation, an indication of where to place flood vents or other openings; and
  - f. All calculations used to determine all load conditions; and
- 4. Written approval of the information in subsections (1) through (3) from the local flood-district administrator having authority.

**ARTICLE 8. PERMITS AND INSTALLATION**

**R4-34-801. Permits**

- A. ~~A licensee or consumer~~ properly licensed entity or person shall obtain a permit for the installation of ~~a manufactured homes home, mobile homes home, factory-built buildings FBB, or attached accessory structures structure,~~ or rehabilitation of ~~a mobile homes home.~~
- B. The Department shall issue or deny a permit within seven business days ~~from the date~~ after the application is received. If a permit is denied, corrections to the application shall be submitted to the Department within 20 business days after the denial.
- C. ~~A licensee or consumer~~ properly licensed entity or person shall obtain a all required permit permits, such as zoning, flood plain, and installation, from the Department or local jurisdiction before beginning any installation work, and post the permit ~~All permits shall be posted in a conspicuous location onsite. The licensee properly licensed entity or person who contracts to install a unit perform the installation and or a licensed installer who subcontracts to perform the installation shall verify that a valid installation permit has all required permits have been obtained from the Department and local jurisdiction before beginning the installation.~~
- D. ~~Local jurisdictions~~ A local jurisdiction that have has entered into agreement with the Department may issue installation permits and conduct inspections.
- E. ~~A permit fee shall be charged either by the~~ The Department or the ~~a local jurisdiction participating in the installation inspection program shall charge the permit fee expressly authorized under A.R.S. § 41-2144(A)(4). The fee charged by the Department shall be the amount established by the Board under A.R.S. § 41-2144(A)(4). The fee charged by a the local jurisdiction shall not exceed the amount established by the Board under A.R.S. § 41-2144(A)(4).~~
- F. Every permit, ~~except a special-use special-use permit,~~ expires six months ~~from the date~~ after the permit is issued. The Department may extend the permit for good cause if a written request is made to the Department before the permit expires and the fee established by the Board under A.R.S. § 41-2144(A)(4) is paid again.
- G. A licensee or consumer shall obtain a certificate of occupancy from the Department before occupying a ~~commercial factory-built building~~ manufactured home, mobile home, or FBB.
- H. The permit holder, owner, or contractor shall ~~call for~~ request all required inspections.
- I. ~~All At the time of a scheduled inspection, the permit holder, owner, or contractor shall ensure all work listed on the permit to be inspected shall be is~~ accessible (opened) for inspections and no work is performed beyond the point indicated for each successive inspection without first obtaining approval from the Department.
- J. The permit holder, owner, or contractor shall ensure Approved approved plans or the manufacturer's installation manual and all applicable manuals shall be are available onsite.



- K. A ~~special use~~ special-use permit for ~~factory built buildings~~ an FBB used for ~~events~~ an event of 45 days or less shall be obtained from the Department. The special-use permit expires 45 days from the date of ~~purchase~~ issuance. The unit holder of a special-use permit shall ~~be removed~~ remove the FBB from the site when the permit expires.

#### R4-34-802. General Installation

- A. ~~An installer or contractor~~ A properly licensed entity shall ~~complete and affix and complete~~ complete an Arizona Insignia of Approval Installation Certificate to ~~each~~ a manufactured home, mobile home, or ~~single-family factory-built building~~ FBB at the ~~tail-light end of each~~ unit; ~~opposite the hitch and adjacent to the manufacturer certificate or HUD label, approximately one foot up from the floor and one foot in from the road side. "Road side" means the right side of the unit when viewing the unit from the hitch.~~ The ~~installer or contractor~~ properly licensed entity shall affix the ~~insignia~~ Arizona Installation Certificate before calling the ~~Office~~ Department for an inspection.
- B. ~~An installer or contractor~~ A properly licensed entity shall make a report by the 15th of each month regarding compliance with subsection (A).
- C. ~~An installer or contractor~~ Before beginning an installation, a properly licensed entity shall check with the local jurisdictions for ~~frost line jurisdiction regarding frost-line~~ requirements governing permanent foundations or utilities.
- D. ~~An installer or contractor~~ A properly licensed entity shall install ~~multi-sectional~~ all new manufactured homes, ~~manufactured after June 30, 1977, according to the manufacturer's instructions for joining the sections, making utility cross-over connections, and providing center (marriage) line and perimeter supports if the instructions are consistent with this Chapter~~ used manufactured homes, and mobile homes according to the materials incorporated by reference in R4-34-102.
- E. Before making an installation, a properly licensed entity shall perform or contract with a qualified professional to assess the site and soil and make site preparations necessary to ensure the site is compatible with the manufactured home, mobile home, or residential single-family FBB to be installed. The entity that actually assesses and prepares the site has primary responsibility for the work performed. The entity that contracts to have the site assessment and preparation done, if different, has secondary responsibility for the work performed.
- F. Installation of a manufactured home, mobile home, or FBB shall be performed only by a properly licensed entity.

#### R4-34-803. Soil and Materials Repealed

- ~~A. A licensee that contracts with a consumer for an installation shall perform or contract for any site preparation necessary to make the site compatible with the manufactured home, mobile home, or residential single-family factory-built building to be installed. The licensee may contract with a licensed installer or other qualified professional to assess site and soil compatibility or perform any necessary preparation work. The party actually performing the site compatibility assessment or work is primarily responsible for work related to site compatibility or preparation. The licensee that contracts with the consumer, if a different entity, is secondarily responsible.~~
- ~~B. Soil Preparation~~
- ~~1. Unless contrary to law, an installer or contractor shall:
 
    - a. Divert any surface water away from the dwelling, any accessory structures, and their support components;
    - b. Provide sufficient drainage to prevent standing water and soil saturation detrimental to structures;
    - c. Establish soil grades that slope away from the dwelling, any accessory structures, and their support components; and
    - d. Compact all fill and backfill within 6 feet of the perimeter of the unit to prevent displacement.~~
  - ~~2. When determining soil compaction an installer or contractor shall:
 
    - a. Assume a minimum bearing capacity of 1,000 psf; or
    - b. Test and prove a minimum bearing capacity of 1,000 psf to the onsite inspector; or
    - c. Adhere to the specifications of a registered engineer, provided onsite, to an inspector.~~
- ~~C. Materials: An installer or contractor shall use materials that comply with applicable standards incorporated in R4-34-102.~~
- ~~D. Footings: An installer or contractor shall:~~
- ~~1. Place each footing on a surface capable of distributing equalized transfer of applied loads;~~
  - ~~2. Calculate and use the minimum size of each footing, necessary to minimize settling of the unit accounting for local soil conditions;~~
  - ~~3. Use piers with a maximum square base of 11 1/2 inch installed on 12 inch by 12 inch footings to support mobile and manufactured homes manufactured before January 1, 1984;~~
  - ~~4. Use main frame blocking installed on footings with 144 square inches of surface placed 3 feet, 6 inches from center, or footings with 256 square inches of surface placed at 6 foot intervals to support manufactured homes manufactured on or after January 1, 1984;~~
  - ~~5. Use footing material with one of the following attributes:
 
    - a. Minimum 3/4 inch thick plywood or two layers of 5/8 inch thick plywood no less than 12 inches wide. The plywood shall be Grade CDX APA Rated Sheeting Exposure 1, PSI treated for ground contact, conforming to International Building Code or International Residential Code, as applicable under R4-34-102(2)(a) or (b);
    - b. Minimum 2-inch nominal thickness wood no less than 12 inches wide, and treated for ground contact, conforming to the International Building Code or the International Residential Code, as applicable under R4-34-102(2)(a) or (b);
    - c. Minimum 3-inch thick precast concrete pad with either 256 or 144 square inches of ground surface. The concrete shall have a minimum of 28 days compressive strength of not less than 4000 pounds per square inch; or
    - d. Hard plastic pad with either 256 or 144 square inches of ground surface. The plastic pad shall withstand a minimum vertical concentrated load failure rating of 15,000 pounds when tested on very dense and coarse gravel soils. "Failure" means that a crack at least 4 inches in length has appeared anywhere on the pad or the pad's surface has curled or bowed.~~
  - ~~6. Stack plywood with face grain perpendicular and fasten the plywood with corrosion-resistant nails or 7/16-inch wide crown staples or screws;~~
  - ~~7. Fasten wood products that are stacked with corrosion-resistant nails or 7/16-inch wide crown staples or screws;~~



- 8. Not use any 2 inch thick piece of wood with split penetration greater than 4 inches into the end of the piece and parallel to the edges of the piece;
- 9. When precast concrete pads are stacked, use pads with equal sized surface sides;
- 10. When concrete masonry unit (CMU) building blocks are used for supports, use only 256 square inch ground and 8 inch by 16 inch caps;
- 11. Stack plastic pads only when the pad is provided with an interlocking system; and
- 12. Stack no more than two equal sized concrete pads per support.

**E. Supports (piers):** An installer or contractor shall:

- 1. Place supports or piers on footings that do not exceed the size of the footing;
- 2. Ensure that supports or piers bear no greater load than 8,000 pounds;
- 3. Ensure that supports or piers have a minimum vertical concentrated load failure rating of 15,000 pounds;
- 4. Not use supports with a height in excess of 36 inches or less than 12 inches for more than 25% of the supports along the main beams of the chassis, including footing;
- 5. For a below ground installation, ensure that the height of the bottom of the perimeter rim joist is a minimum of 6 inches above finished grade;
- 6. Ensure that the height of the bottom of the floor joist is a minimum of 18 inches above soil base unless otherwise specified by the manufacturer in instructions consistent with this Chapter;
- 7. Locate supports or piers under the main beams of the chassis at intervals no greater than 6 feet and no more than 2 feet from either end of each main beam. When intervals no greater than 6 feet are not feasible because of running gear, supports shall be located as close as possible to the running gear with the remainder of the supports spaced according to the 6 and 2 foot requirements;
- 8. Stagger the flanges on top of supports or piers so that every other flange is on the opposite side of the beam; and
- 9. Construct permanent support heights to the International Building Code or the International Residential Code as applicable under R4-34-102(2)(a) or (b).

**F. Wedges:** An installer or contractor shall:

- 1. Use two wedges in alignment per support;
- 2. Use wood wedges that are a minimum of 1 1/2 inches by 3 1/2 inches by 6 inches; and
- 3. Drive wedges in tightly so that the height developed does not exceed 2 inches at the support; and
- 4. Provide each I-Beam of the building with full bearing on the wedge; or
- 5. Use listed or approved shimming material according to the manufacturer's wedge instructions; or
- 6. Use material and methods designed by an Arizona professional engineer or architect and approved by the authority having jurisdiction.

**G. Anchoring:** An installer or contractor shall use an anchoring system that is certified by a registered, professional engineer.

**H. Snow/Wind Loads**

- 1. Under 24 CFR 3282.11 and 3280.305, the authority having jurisdiction may not require manufactured homes to be built or installed to a snow load greater than 20 pounds per square foot unless the jurisdiction has received approval from HUD.
- 2. Manufactured homes may be manufactured and installed, at the owner's option, to withstand greater than a 20 pound snow load. An installer or contractor shall install these units according to the manufacturer's instructions for the foundation support system if the instructions are consistent with this Chapter.

**I. Permanent Foundation Systems**

- 1. An installer or contractor shall install factory built buildings in compliance with R4-34-102(2).
- 2. An installer or contractor shall install manufactured and mobile homes according to the manufacturer's permanent foundation requirements or sealed engineered plans if the requirements or plans are consistent with this Chapter.

**R4-34-804. Utilities Repealed**

**A. Utility service facilities.** An installer or contractor shall not enter into an agreement to connect units to utility service facilities that are not compatible with the units.

**B. Electric.** An installer or contractor shall make all electric connections or installations according to the National Electric Code.

- 1. An installer or contractor shall connect manufactured or mobile homes using a piece of flexible metal conduit no greater than 36 inches and no less than 18 inches long. The installer or contractor shall use liquidtight, flexible metal conduit when a manufactured home is set at ground level or in a wet location. The installer or contractor shall connect the flexible metal conduit at the location so that only the rigid conduit emerges from the ground and the conduit extends at least 6 inches above ground level.
- 2. When service equipment is installed on a manufactured home, an installer or contractor shall install the grounding electrode in compliance with the National Electrical Code. The following items shall be installed according to the National Electrical Code:
  - a. Feeder size according to Table 310.15(B)(6);
  - b. Power supply cord according to 550.10, and
  - c. Conduit according to Chapter 9 (including Annex C).

**C. Sewer.** An installer or contractor shall make sewer connections or installations in compliance with the International Plumbing Code.

**D. Water.** An installer or contractor shall make water connections or installations in compliance with the International Plumbing Code.

**E. Gas.** An installer or contractor shall make gas connections or installations in compliance with the International Fuel Gas Code.

- 1. The installer or contractor shall perform a gas test with the gas appliance flex connectors capped and the valves in the open position. The installer or contractor shall pressurize the system at 6 inches of mercury (45 ounces of mercury) or 3 psi gauge for 15 minutes. The system passes if there is no drop in pressure during the test. Pressure shall be measured with a mercury manometer or slope gauge calibrated in increments not greater than 1/10th of a pound, or an equivalent device. The source of normal operating pressure shall be isolated before the pressure test.
- 2. The flexible connector shall not be more than 6 feet long.
- 3. Flex connectors are not required for permanent foundation systems.



~~F. Mechanical. An installer or contractor shall make mechanical connections and installations in compliance with the International Mechanical Code and the International Energy Conservation Code.~~

**R4-34-805. Accessory Structures**

- ~~A. For the purpose of "Attached," as used in A.R.S. § 41-2142(1), the word "attached" 41-2142(1), means fastened by any means to a manufactured home, or mobile home, or residential single-family, factory-built building FBB at the time of its installation and removable without degradation of the structural integrity of the unit.~~
- ~~B. An installer or contractor shall install, assemble, or construct each accessory structure in compliance with applicable standards incorporated by reference in R4-34-102(3).~~
- ~~C. An installer or contractor installing manufactured homes, mobile homes, or factory-built buildings shall provide an opening that permits access to the underfloor area. If the access is through the skirting, retaining wall, or perimeter foundation wall, the access opening shall measure at least 18 inches by 24 inches.~~
- ~~D. The Department shall approve or reject plans as prescribed in R4-34-705.~~
- E. Above or Below Grade Skirting**
  - 1. For all skirting, an installer or contractor shall:
    - a. Provide an 18 inch by 24 inch minimum access crawl hole;
    - b. Ventilate skirting according to the International Building Code or the International Residential Code, and
    - c. Install skirting according to this Chapter or the manufacturer's instructions if the instructions are consistent with this Chapter.
  - 2. For below grade skirting, an installer or contractor shall design and construct skirting as a retaining wall according to the International Building Code or the International Residential Code.

**ARTICLE 10. ADMINISTRATIVE PROCEDURES**

**R4-34-1001. Rehearing or Review**

- A. A party may amend a petition motion for rehearing or review filed under A.R.S. § ~~41-2184~~ 41-4038 at any time before it is ruled ~~upon~~ on by the Director. The opposing party may file a response within 15 days after the date the petition motion or amended petition motion is filed. The Director may require the ~~filing of parties to file~~ written briefs explaining the issues raised in the petition motion and provide for oral argument.
- B. The Director may affirm or modify the decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons in A.R.S. § ~~41-2184(D)~~ 41-4038(D). An order modifying the decision or granting a rehearing shall specify with particularity the grounds on which the modification or rehearing is granted, and any rehearing shall cover only those matters.
- C. When a petition motion for rehearing or review is based upon affidavits, ~~they~~ the affidavits shall be served with the petition motion. An opposing party or the Attorney General may, within 10 days after service, serve opposing affidavits.
- D. Not later than 15 days after the date of the decision, the Director may grant a rehearing or review on the Director's own initiative for any reason for which the Director might have granted relief on the petition motion of a party. The Director may grant a petition motion for rehearing or review, timely served, for a reason not stated in the motion.

**NOTICE OF FINAL RULEMAKING**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM - ADMINISTRATION**

[R18-83]

**PREAMBLE**

- 1. **Article, Part, or Section Affected (as applicable)** **Rulemaking Action**  
R9-22-718 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. § 36-2903.01  
Implementing statutes: A.R.S. § 36-2905.01
- 3. **The effective date of the rule:**  
June 30, 2018
- 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: 24 A.A.R. 354, February 16, 2018  
Notice of Proposed Rulemaking: 24 A.A.R. 345, February 16, 2018
- 5. **The agency's contact person who can answer questions about the rulemaking:**  
Name: Nicole Fries  
Address: AHCCCS  
Office of Administrative Legal Services  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4232  
Fax: (602) 253-9115  
E-mail: AHCCCSRules@azahcccs.gov



Web site: www.azahcccs.gov

**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 proposed rulemaking will amend and clarify rules to provide a wider breadth of providers who may be reimbursed under the Urban Hospital Inpatient Reimbursement Program. In particular, this rulemaking is requested to allow AHCCCS to remove the exceptions for Tribal Regional Behavioral Health Authorities (TRBHA's) and the Arizona Department of Health Services, Division of Behavioral Health Services (ADHS/BHS), currently interpreted as extending to Regional Behavioral Health Authorities (RBHA's) as well because RBHA's were subcontractors of ADHS/DBHS at the time the rule was last amended. Since the transfer of ADHS/DBHS duties and responsibilities to AHCCCS (Arizona Laws 2015, Chapter 195), RBHA's and TRBHA's contract directly with AHCCCS, and therefore, the provisions of the rule will be revised to include them in the definition of contractor for purposes of the Urban Hospital Reimbursement Program. In addition, the requirement for the Contractor to be an Urban Contractor no longer achieves the objectives AHCCCS intended. Instead, AHCCCS intends to encourage contracting between providers and all contractors to best serve AHCCCS members who require inpatient stays, regardless of whether the Contractor is urban or rural. Therefore the Urban Contractor requirement will also be removed from the rule. Also, the rule will explicitly authorize inpatient psychiatric hospitals to be included in the Urban Hospital Reimbursement Program subject to the 95% discount.

The amended rule will encourage competition among hospitals and Contractors, expand provider networks, promote administrative efficiencies, and authorize AHCCCS to more efficiently and effectively reimburse hospitals for inpatient stays. Current federal and state statutory provisions do not prohibit such a change. The proposed rulemaking will also limit AHCCCS Program expenditures to hospitals in this State by extending applicability of the 95% reimbursement to all AHCCCS Contractors responsible for payments to non-contracted urban hospitals. As a result, the rulemaking supports payments to hospitals that are consistent with efficiency, economy, and quality of care, promoting the fiscal health of the State.

**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:**

A study was not referenced or relied upon when revising these regulations.

**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:**

The rulemaking will not diminish a previous grant of authority of a political subdivision.

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

This rulemaking creates greater opportunities for contracts between contractors and urban hospitals. Based on these changes, the economic impact of this rulemaking will be a savings due to paying 95% of the reimbursement rate for inpatient urban hospitals stays if they are non-contracting hospitals. Since this rulemaking extends the types of hospitals that may be paid 95% when non-contracted, there is a potential savings of over \$2 million less per year, paid in reimbursements to non-contracting hospitals for member inpatient stays. This is because non-contracted inpatient stays were 40% of those stays AHCCCS reimbursed in FY2017. Each 1% discount of the reimbursement value is equal to \$440,830; therefore 5% would equal \$2,204,105. Since the rulemaking may incentivize urban hospitals to contract at a greater rate, exact savings going forward cannot be predicted; however, it is estimated to be over \$2 million less per year.

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

There were no changes between the proposed and final rulemaking.

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

No public comments were received.

**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:**

No other matters have been prescribed.

**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 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:**

The rule is not more stringent than the federal law, 42 CFR 435.915 because waivers to exempt the Administration from the federal law are allowable, the Administration has held such a waiver before, and the proposed rule would be less stringent than the federal law.

**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:**

No material is incorporated 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:**

The rule was not made, amended or repealed as an emergency rule.

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

**TITLE 9. HEALTH SERVICES**

**CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM - ADMINISTRATION**

**ARTICLE 7. STANDARD FOR PAYMENTS**

Section

R9-22-718. Urban Hospital Inpatient Reimbursement Program

**ARTICLE 7. STANDARD FOR PAYMENTS**

**R9-22-718. Urban Hospital Inpatient Reimbursement Program**

**A. Definitions.** The following definitions apply to this Section:

1. ~~“Nonecontracted Hospital” means an urban hospital which does not have a contract under this Section with an urban contractor in the same county. “Contractor” has the same meaning as set forth in Arizona Revised Statutes, section 36-2901, and includes all contractors regardless of whether the GSA’s served by the contractor includes urban or rural counties.~~
2. ~~“Rural Contractor” means a contractor or program contractor as defined in A.R.S. Title 36, Chapter 29 that does not provide services to members residing in either Maricopa or Pima County. “Noncontracted Hospital” means an urban hospital, including psychiatric hospitals, which does not have a contract under this Section with a contractor.~~
3. ~~“Urban Contractor” means a contractor or program contractor as defined in A.R.S. Title 36, Chapter 29, that provides services to members residing in Maricopa or Pima County and may also provide services to members who reside in other counties. An urban contractor does not include ADHS/BHS, or a TRBHA.~~
4. ~~“Rural Hospital” means a hospital, that is physically located in Arizona but in a county other than Maricopa and Pima County.~~
35. ~~“Urban Hospital” means a hospital that is not a rural hospital, as defined in R9-22-712.07, and that is physically located in Maricopa or Pima County.~~

**B. General Provisions.**

1. This Section applies to an urban hospital who receives payment for inpatient hospital services under A.R.S. §§ 36-2903.01 and 36-2904.
2. AHCCCS shall operate an inpatient hospital reimbursement program under A.R.S. § 36-2905.01 and this Section.
3. Residency of the member receiving inpatient AHCCCS covered services is not a factor in determining which hospitals are required to contract with which contractors.
4. ~~An urban~~ A contractor shall enter into a contract for reimbursement for inpatient AHCCCS covered services with one or more urban hospitals located in the same county as the ~~urban~~ contractor.
5. A noncontracted urban hospital shall be reimbursed for inpatient services by ~~an urban~~ a contractor at 95% of the amount calculated as defined in A.R.S. § 36-2903.01 and this Article, unless otherwise negotiated by both parties.

**C. Contract Begin Date.** A contract under this Article shall cover inpatient acute care hospital services for members with hospital admissions on and after October 1, 2003.

**D. Outpatient urban hospital services.** Outpatient urban hospital services, including observation days and emergency room treatments that do not result in an admission, shall be reimbursed either through an urban hospital contract negotiated between a contractor and an urban hospital, or the reimbursement rates set forth in A.R.S. § 36-2903.01. Outpatient services in an urban hospital that result in an admission shall be paid as inpatient services in accordance with this Section.

**E. Urban Hospital Contract.**

1. Provisions of an urban hospital contracts. The urban hospital contract shall contain but is not limited to the following provisions:
  - a. Required provisions as described in the Request for Proposals (RFP);
  - b. Dispute settlement procedures. If the AHCCCS Grievance System prescribed in A.R.S. § 36-2903.01(B) and rule is not used, then arbitration shall be used;
  - c. Arbitration procedure. If arbitration is used, the urban hospital contract shall identify:
    - i. The parties’ agreement on arbitrating claims arising from the contract,
    - ii. Whether arbitration is nonbinding or binding,
    - iii. Timeliness of arbitration,
    - iv. What contract provisions may be appealed,
    - v. What rules will govern arbitrations,
    - vi. The number of arbitrators that shall be used,
    - vii. How arbitrators shall be selected, and
    - viii. How arbitrators shall be compensated.
  - d. Timeliness of claims submission and payment;
  - e. Prior authorization;
  - f. Concurrent review;
  - g. Electronic submission of claims;
  - h. Claims review criteria;
  - i. Payment of discounts or penalties such as quick-pay and slow-pay provisions;
  - j. Payment of outliers;



- k. Claim documentation specifications under A.R.S. § 36-2904.
- l. Treatment and payment of emergency room services; and
- m. Provisions for rate changes and adjustments.
- 2. AHCCCS review and approval of urban hospital contracts:
  - a. AHCCCS may review, approve, or disapprove the hospital contract rates, terms, conditions, and amendments to the contract;
  - b. The AHCCCS evaluation of each urban hospital contract shall include but not be limited to the following areas:
    - i. Availability and accessibility of services to members,
    - ii. Related party interests,
    - iii. Inclusion of required terms pursuant to this Section, and
    - iv. Reasonableness of the rates.
- F. Quick-Pay/Slow-Pay. A payment made by ~~urban~~ a contractor to a noncontracted hospital shall be subject to quick-pay discounts and slow-pay penalties under A.R.S. § 36-2904.

**NOTICE OF FINAL RULEMAKING**  
**TITLE 13. PUBLIC SAFETY**  
**CHAPTER 14. CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD**

[R18-84]

**PREAMBLE**

- |   |                                 |
|---|---------------------------------|
| <b><u>1. Article, Part, or Section Affected (as applicable)</u></b> | <b><u>Rulemaking Action</u></b> |
| Article 1   | New Article                     |
| R13-14-101  | New Section                     |
| R13-14-102  | New Section                     |
| R13-14-103  | New Section                     |
| Article 2   | New Article                     |
| R13-14-201  | New Section                     |
| R13-14-202  | New Section                     |
| R13-14-203  | New Section                     |
| R13-14-204  | New Section                     |
| R13-14-205  | New Section                     |
| Article 3   | New Article                     |
| R13-14-301  | New Section                     |
| R13-14-302  | New Section                     |
- 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. § 22-137(A)(1)  
 Implementing statute: A.R.S. § 22-137(A) and (B)
- 3. The effective date for the rules:**  
 June 30, 2018
- 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. Citation 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: 13 A.A.R. 3556, December 29, 2017  
 Notice of Proposed Rulemaking: 13 A.A.R. 3529, December 29, 2017
- 5. The agency's contact person who can answer questions about the rulemaking:**  
 Name: Tracy Unmacht  
 Address: 818 N. First St.  
 Phoenix, AZ 85004  
 and  
 P.O. Box 13116  
 Phoenix, AZ 85002  
 Telephone: (602) 343-6280  
 Fax: (602) 712-1252



E-mail: cestb@azcapitolconsulting.com

Website: www.cestb.az.gov

**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 Constable Ethics, Standards and Training Board (CESTB) was established at A.R.S. § 22-136 in 2006. Under A.R.S. § 22-137, the CESTB is required to make rules regarding constables, complaints, investigations and hearings, discipline, and training grants. The CESTB has made some informal rules but has never made the rules using the required Arizona Administrative Procedure Act, even though the CESTB is not exempt from the APA. In this rulemaking, the CESTB makes the required rules.

An exemption from Executive Order 2017-02 was provided for this rulemaking by Mara Mellstrom, Policy Advisor in the Governor's Office, in an e-mail dated August 8, 2017.

**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 CESTB did not review or rely on a study in its evaluation of or justification for a rule in this rulemaking.

**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:**

The CESTB expects the rulemaking to have minimal economic impact. The CESTB is simply making the rules required by statute. A constable against whom a complaint is made will benefit from having due process protections but will incur the expense of defending against the complaint. This expense can be avoided by complying fully with A.R.S. § 22-131 and R13-14-103.

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

Clarifying changes were made to R13-14-201 and R13-14-202 between the proposed and final rulemaking. Additional minor, editorial, changes were made.

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

Two questions were asked at the oral proceeding held on February 21, 2018. The first question was about the CESTB's authority to deem someone a vexatious litigant. The CESTB's authority for this provision, which was added to the rules at the request of the CESTB's assistant attorney general, is at A.R.S. § 22-137(A)(3).

The second question asked why R13-14-205(A)(2) set the time after mailing for completion of service at five days. This provision mirrors that established under A.R.S. § 41-1092.09(C).

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

None

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

The CESTB does not issue permits.

**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 these rules.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**

No analysis was submitted.

**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:**

No rule in this rule package was previously made, amended, or repealed as an emergency rule.

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

**TITLE 13. PUBLIC SAFETY**

**CHAPTER 14. CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD**

**ARTICLE 1. GENERAL PROVISIONS**

Section

R13-14-101. Definitions

R13-14-102. Conduct of the Board



R13-14-103. Constable Code of Conduct

**ARTICLE 2. COMPLAINTS; HEARINGS; DISCIPLINARY ACTION**

Section

R13-14-201. Filing a Complaint; Jurisdiction

R13-14-202. Complaint Processing

R13-14-203. Hearing Procedures

R13-14-204. Disciplinary Action

R13-14-205. Review or Rehearing of Decision

**ARTICLE 3. TRAINING AND EQUIPMENT PROGRAM GRANTS**

Section

R13-14-301. Request for Grant Applications

R13-14-302. Evaluation of Grant Applications

**ARTICLE 1. GENERAL PROVISIONS**

**R13-14-101. Definitions**

In this Chapter, unless the context requires otherwise:

“Board” means the Constable Ethics, Standards, and Training Board established under A.R.S. § 22-136(A).

“Complainant” means a person, other than the Board, that files a complaint regarding a constable.

“Constable” means an individual elected under A.R.S. § 22-102 and any deputy constable appointed, employed, or authorized by the county board of supervisors.

“Party” has the meaning specified at A.R.S. § 41-1001.

“Person” has the meaning specified at A.R.S. § 1-215.

“Respondent” means a constable against whom a complaint is filed.

**R13-14-102. Conduct of the Board**

**A.** Board members shall elect the officers specified under A.R.S. § 22-136(B) annually. An individual elected as an officer may serve successive terms without limit.

**B.** The Board shall comply with A.R.S. Title 38, Chapter 3, Article 3.1 regarding open meetings. A person that wishes to have an item placed on the agenda of the Board for discussion and action shall submit the item in writing to the Board at least 48 hours before the Board meeting.

**C.** A Board member present at a Board meeting in real time by telephone or other electronic means is present for the purpose of determining a quorum.

**D.** Board members shall comply with A.R.S. Title 38, Chapter 3, Article 8 regarding conflicts of interest.

**R13-14-103. Constable Code of Conduct**

**A.** A constable shall:

1. Comply with all federal, state, and local law;

2. Act in a manner that promotes public confidence in the constable’s office;

3. Be honest and conscientious in all professional and personal interactions;

4. Avoid a conflict of interest, including the appearance of a conflict of interest, in the performance of constable duties;

5. Perform constable duties without:

a. Bias or prejudice; and

b. Regard for kinship, social or economic status, political interests, public opinion, or fear of criticism or reprisal;

6. Maintain accurate public information regarding the performance of the constable’s duties including the daily activity log required under A.R.S. § 11-445;

7. Provide complete and accurate answers to questions regarding court and other procedures available to an individual who comes in contact with the constable’s office;

8. Act at all times in a manner appropriate for an elected public official;

9. Be courteous, patient, and respectful toward all individuals who come in contact with the constable’s office;

10. Inform an individual who asks for legal advice that as a matter of law, a constable is not allowed to give legal advice while performing the constable’s official duties; and

11. Comply with all training requirements relating to being a constable.

**B.** A constable shall not:

1. Use or attempt to use the constable position to obtain a privilege or exemption for the constable or any other person;

2. Use public funds, property, or other resources for a private or personal purpose;

3. Solicit or accept a gift or favor from any person known to do business with an Arizona justice court;

4. Solicit or accept payment other than mandated compensation for providing assistance that is part of an official duty;

5. Use words or engage in other conduct that a reasonable person would believe reflects bias or prejudice based on race, gender, religion, national origin, disability, age, sexual orientation, or socioeconomic status;

6. Disclose confidential information received in the course of performing an official duty unless disclosure is required by law; or

7. Use information received in the course of performing an official duty for personal gain or advantage.

**ARTICLE 2. COMPLAINTS; HEARINGS; DISCIPLINARY ACTION****R13-14-201. Filing a Complaint; Jurisdiction**

- A.** A person may submit to the Board a written complaint regarding a constable using the complaint form on the Board's website. A written complaint may be submitted in person at the Board office or by U.S. Postal Service or e-mail. The complainant shall include in the complaint facts that allege the constable failed to comply fully with A.R.S. § 22-131 or R13-14-103 within the last four years. The complainant may attach to the complaint form any documents or other evidence relevant to the complaint.
- B.** At the monthly Board meeting following receipt of a written complaint under subsection (A), the Board shall review the complaint to determine whether the complaint is within the Board's jurisdiction.
- The Board shall find a complaint is within the Board's jurisdiction if the complaint meets the standards in subsection (A). If the Board determines the complaint is within the Board's jurisdiction, the Board shall process the complaint as described in R13-14-202.
  - The Board shall find a complaint is not within the Board's jurisdiction if the complaint does not meet the standards in subsection (A). Following the meeting at which the Board determines the complaint is not within the Board's jurisdiction, the Board shall provide notice to the person that submitted the complaint and the constable who was the subject of the complaint.
- C.** If the Board obtains information the Board believes may indicate a constable failed to comply fully with A.R.S. § 22-131 or R13-14-103 within the last four years, the Board may initiate a complaint against the constable. If the Board initiates a complaint against a constable, the Board shall process the complaint as described in R13-14-202.

**R13-14-202. Complaint Processing**

- A.** Following the meeting at which the Board determines a complaint is within the Board's jurisdiction, as described under R13-14-201, the Board shall send notice to the respondent and:
- A copy of the complaint received, including any documents or other evidence attached to the complaint form; and
  - A request that the respondent submit a written response to the allegations in the complaint within 45 days after the date on the notice.
- B.** After receiving the written response or 45 days after providing notice under subsection (A), the Board shall review the respondent's written response and conduct any investigation the Board determines is necessary.
- C.** The Board shall schedule the complaint for hearing at the Board's second meeting following the meeting referenced in subsection (A).
- D.** Before allowing review of the complaint investigative file, the Board may redact confidential information.

**R13-14-203. Hearing Procedures**

- A.** Except as modified by this Chapter, the Board shall conduct a hearing regarding a complaint according to the procedures at A.R.S. Title 41, Chapter 6, Article 10 and the rules of the Office of Administrative Hearings at 2 A.A.C. 19.
- B.** If the Board finds after a hearing that a complainant is a vexatious litigant, as defined at A.R.S. § 12-3201, the Board may take the same action with regard to the complainant as the Superior Court would be allowed to take under A.R.S. § 12-3201.

**R13-14-204. Disciplinary Action**

If the Board determines disciplinary action under A.R.S. § 22-137(A)(5) is warranted, the Board shall consider factors including, but not limited to, the following when determining the appropriate discipline:

- Prior disciplinary offenses;
- Dishonest or self-serving motive;
- Pattern and frequency of misconduct;
- Bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the Board;
- Submission of false evidence, false statements, or other deceptive practices during the investigative or disciplinary process;
- Refusal to acknowledge wrongful nature of conduct; and
- Harm caused to a member of the public.

**R13-14-205. Review or Rehearing of Decision**

- A.** A party aggrieved by a Board order or decision may:
- Seek judicial review of the order or decision under A.R.S. § 12-904; or
  - Except as provided in subsection (G), file a written motion for review or rehearing with the Board not later than 30 days after service of the order or decision. For purposes of this subsection, service is complete on personal service or five days after the date the Board order or decision was mailed to the party's last known address.
- B.** A motion for rehearing or review may be amended at any time before it is ruled on by the Board. A party may file a response within 15 days after service of the motion or amended motion by any other party. The Board may require written briefs regarding the issues raised in the motion and may provide for oral argument.
- C.** The Board may grant rehearing or review of a Board order or decision for any of the following causes materially affecting the moving party's rights:
- An irregularity in the administrative proceedings of the Board or the prevailing party or any order or abuse of discretion that caused the moving party to be deprived of a fair hearing;
  - Misconduct of the Board or the prevailing party;
  - An accident or surprise that could not be prevented by ordinary prudence;
  - Newly discovered material evidence that could not with reasonable diligence be discovered and produced at the original hearing;
  - An error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing or during the progress of the case; or
  - The order or decision is not justified by the evidence or is contrary to law.



- D.** The Board may affirm or modify a Board order or decision or grant a rehearing or review to all or any of the parties, on all or part of the issues, for any of the reasons specified in subsection (C). An order granting a rehearing or review shall specify the grounds on which the rehearing or review is granted, and the rehearing or review shall cover only the matters specified.
- E.** Not later than 30 days after a Board order or decision is rendered, the Board may on its own initiative order a rehearing or review of its order or decision for any reason specified in subsection (C). After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review for a reason not stated in the motion.
- F.** When a motion for rehearing or review is based on affidavits, the party shall serve the affidavits with the motion. An opposing party may, within 15 days after service, serve opposing affidavits. The Board for good cause or by written agreement of all parties may extend the period for service of opposing affidavits to a total of 20 days. Reply affidavits are permitted.
- G.** If the Board finds that the immediate effectiveness of a Board order or decision is necessary to preserve public peace, health, or safety and that a rehearing or review of the Board order or decision is impracticable, unnecessary, or contrary to the public interest, the Board order or decision may be issued as a final order or decision without an opportunity for a rehearing or review. If a Board order or decision is issued as a final order or decision without an opportunity for rehearing or review, any application for judicial review of the order or decision shall be made within the time permitted for final orders or decisions.
- H.** A complainant:
  - 1. Is not a party to:
    - a. A Board administrative action, decision, or proceeding; or
    - b. A court proceeding for judicial review of a Board decision under A.R.S. §§ 12-901 through 12-914; and
  - 2. Is not entitled to seek rehearing or review of a Board action or decision under this Section.

**ARTICLE 3. TRAINING AND EQUIPMENT PROGRAM GRANTS**

**R13-14-301. Request for Grant Applications**

- A.** As required under A.R.S. § 22-138, the Board makes grants for constable training and support and equipment.
- B.** The Board shall issue requests for grant applications that meet the standards required under A.R.S. § 41-2702.
- C.** The Board shall post the requests for grant applications on the Board’s website at least six weeks before grant applications are due. The Board shall send written notice of the online availability of the requests for grant applications to all constables and any person that has submitted a written request to receive the notice.

**R13-14-302. Evaluation of Grant Applications**

- A.** Members of the Board shall review and evaluate each grant application in a manner consistent with A.R.S. § 41-2702. The Board shall base the Board’s decision regarding an application only on the criteria specified in the request for grant applications.
- B.** The Board shall vote on each application and award grants at a public meeting.



## 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**

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



**REGISTER PUBLISHING DEADLINES**

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

<b>Deadline Date (paper only) Friday, 5:00 p.m.</b>	<b>Register Publication Date</b>	<b>Oral Proceeding may be scheduled on or after</b>
March 23, 2018	April 13, 2018	May 14, 2018
March 30, 2018	April 20, 2018	May 21, 2018
April 6, 2018	April 27, 2018	May 29, 2018
April 13, 2018	May 4, 2018	June 4, 2018
April 20, 2018	May 11, 2018	June 11, 2018
April 27, 2018	May 18, 2018	June 18, 2018
May 4, 2018	May 25, 2018	June 25, 2018
May 11, 2018	June 1, 2018	July 2, 2018
May 18, 2018	June 8, 2018	July 9, 2018
May 25, 2018	June 15, 2018	July 16, 2018
June 1, 2018	June 22, 2018	July 23, 2018
June 8, 2018	June 29, 2018	July 30, 2018
June 15, 2018	July 6, 2018	August 6, 2018
June 22, 2018	July 13, 2018	August 13, 2018
June 29, 2018	July 20, 2018	August 20, 2018
July 6, 2018	July 27, 2018	August 27, 2018
July 13, 2018	August 3, 2018	September 4, 2018
July 20, 2018	August 10, 2018	September 10, 2018
July 27, 2018	August 17, 2018	September 17, 2018
August 3, 2018	August 24, 2018	September 24, 2018
August 10, 2018	August 31, 2018	October 1, 2018
August 17, 2018	September 7, 2018	October 9, 2018
August 24, 2018	September 14, 2018	October 15, 2018
August 31, 2018	September 21, 2018	October 22, 2018
September 7, 2018	September 28, 2018	October 29, 2018
September 14, 2018	October 5, 2018	November 5, 2018
September 21, 2018	October 12, 2018	November 13, 2018
September 28, 2018	October 19, 2018	November 19, 2018
October 5, 2018	October 26, 2018	November 26, 2018
October 12, 2018	November 2, 2018	December 3, 2018



### 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 <http://grrc.az.gov>.

#### GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2018

[M18-01]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday November 21, 2017	Tuesday December 19, 2017	Wednesday January 3, 2018	Tuesday January 9, 2018
Tuesday December 19, 2017	Tuesday January 23, 2018	Tuesday January 30, 2018	Tuesday February 6, 2018
Tuesday January 23, 2018	Tuesday February 20, 2018	Tuesday February 27, 2018	Tuesday March 6, 2018
Tuesday February 20, 2018	Tuesday March 20, 2018	Tuesday March 27, 2018	Tuesday April 3, 2018
Tuesday March 20, 2018	Tuesday April 17, 2018	Tuesday April 24, 2018	Tuesday May 1, 2018
Tuesday April 17, 2018	Tuesday May 22, 2018	Wednesday May 30, 2018	Tuesday June 5, 2018
Tuesday May 22, 2018	Tuesday June 19, 2018	Tuesday June 26, 2018	Tuesday July 10, 2018
Tuesday June 19, 2018	Tuesday July 24, 2018	Tuesday July 31, 2018	Tuesday August 7, 2018
Tuesday July 24, 2018	Tuesday August 21, 2018	Tuesday August 28, 2018	Wednesday September 5, 2018
Tuesday August 21, 2018	Tuesday September 18, 2018	Tuesday September 25, 2018	Tuesday October 2, 2018
Tuesday September 18, 2018	Tuesday October 23, 2018	Tuesday October 30, 2018	Tuesday November 6, 2018
Tuesday October 23, 2018	Tuesday November 20, 2018	Tuesday November 27, 2018	Tuesday December 4, 2018
Tuesday November 20, 2018	Tuesday December 18, 2018	Thursday January 3, 2019	Tuesday January 8, 2019
Tuesday December 18, 2018	Tuesday January 22, 2019	Tuesday January 29, 2019	Tuesday February 5, 2019

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