



Arizona Administrative REGISTER

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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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

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

ADMINISTRATIVE CODE
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

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

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Participate in the Process

Look for the Agency Notice

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

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

Attend a public hearing/meeting

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

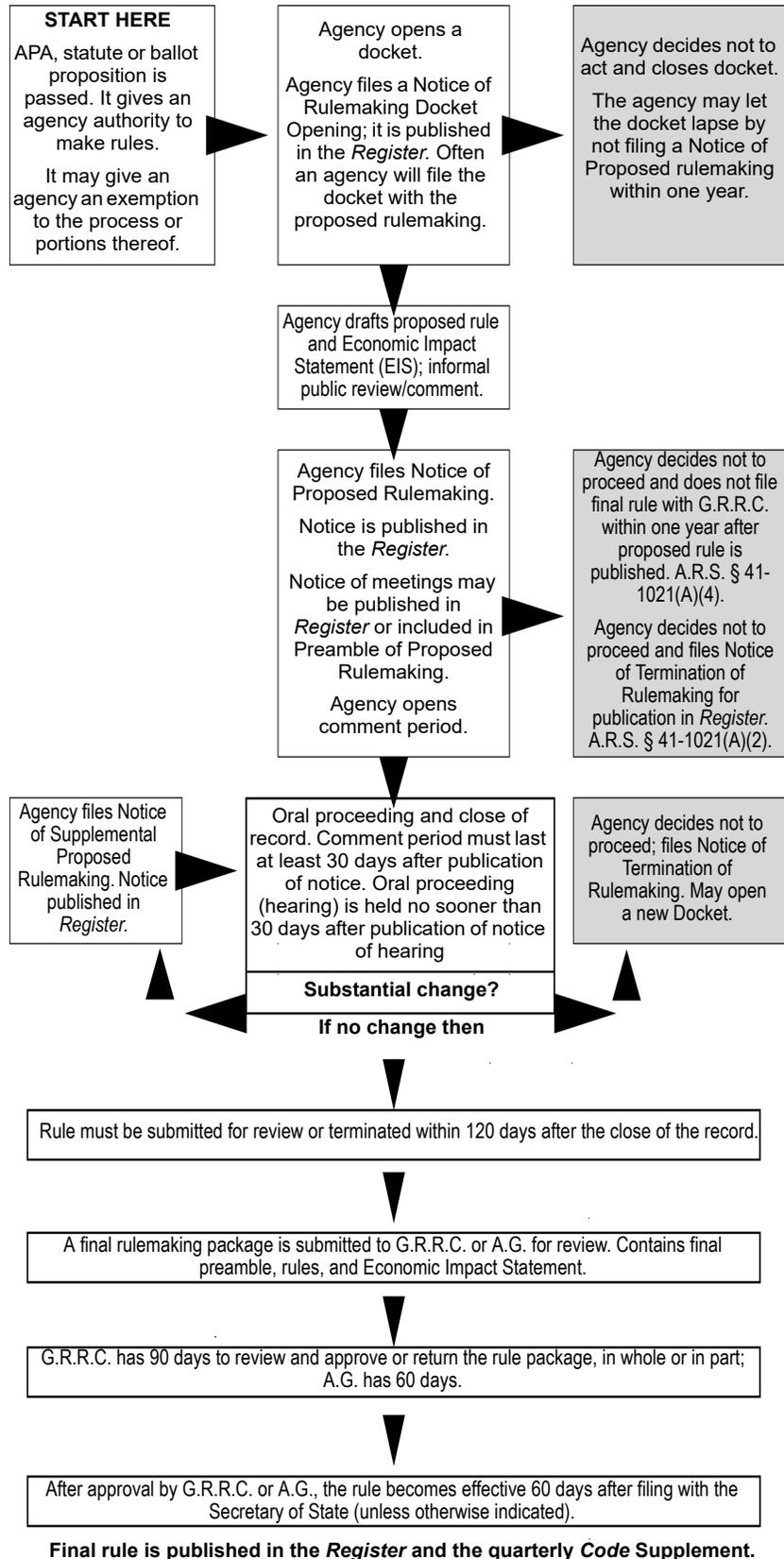
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

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

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

Arizona Regular Rulemaking Process



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

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

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

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

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

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

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

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

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

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

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

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

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

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

Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

About Preambles

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

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

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



NOTICES OF FINAL RULEMAKING

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

The final published notice includes a preamble and

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

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

**NOTICE OF FINAL RULEMAKING
TITLE 17. TRANSPORTATION
CHAPTER 4. DEPARTMENT OF TRANSPORTATION
TITLE, REGISTRATION, AND DRIVER LICENSES**

[R19-138]

PREAMBLE

- | | |
|---|--|
| <p>1. <u>Article, Part, or Section Affected (as applicable)</u></p> <p>Article 1
R17-4-101
R17-4-407
R17-4-407
R17-4-409</p> | <p><u>Rulemaking Action</u></p> <p>New Article
New Section
Repeal
New Section
Amend</p> |
|---|--|
- 2. Citations to the agency’s statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statutes: A.R.S. §§ 28-366, 28-3002, 28-3165, and 28-3175
 Implementing statutes: A.R.S. §§ 28-3151, 28-3158, 28-3159, 28-3170, 28-3171, 28-3173, 28-6991, 28-6993, 41-1080, and 6 CFR 37
- 3. The effective date of the rule:**
 July 2, 2019
- 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):**
 The Department has selected an immediate effective date for these rules as authorized under A.R.S. § 41-1032(A)(4). In direct support of the Department’s ability to preserve and maintain the public peace, health, and safety, this rulemaking ensures that the Department is able to continue offering all applicants for an Arizona driver license or non-operating identification license an uninterrupted opportunity to request issuance of a travel-compliant driver license or identification license that is federally-recognized as a secure credential and can be accepted by federal authorities as proof of identity for any official purpose defined under 6 CFR 37, which includes accessing a federal facility, boarding a federally-regulated commercial aircraft, or entering a nuclear power plant. On and after October 1, 2020, the credentials referenced in these rules will be the only Arizona credentials that federal authorities can accept as proof of a person’s identity, in lieu of requiring that each person carry a passport or other federally-approved form of identification.
- The Department has determined that these rules provide a significant public benefit, since the rules contain provisions for issuing federally-recognized secure credentials to qualified applicants, no penalty is associated with a violation of the rules, and application to the Department for either of the credentials is completely voluntary. However, Department records indicate that less than 4% of Arizona’s current credential holders have requested a travel-compliant credential, which may be a strong indication that the Department’s Motor Vehicle Division field offices will soon experience a wave of applicants seeking expeditious issuance of the new travel-compliant credentials ahead of the looming deadline imposed by the U.S. Department of Homeland Security (DHS). The Department has already begun an extensive effort to promote early application and issuance of these travel-compliant credentials so that all Arizona driver license and non-operating identification license holders are well-aware of the approaching federal deadline and the benefit of convenience these new credentials can provide.
- b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**
 Not applicable



4. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:

Notice of Rulemaking Docket Opening: 25 A.A.R. 679, March 15, 2019

Notice of Proposed Rulemaking: 25 A.A.R. 670, March 15, 2019

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

Name: John Lindley, Senior Rules Analyst

Address: Arizona Department of Transportation
Rules and Policy Development Office of the Director
206 S. 17th Ave., Mail Drop 180A
Phoenix, AZ 85007

Telephone: (602) 712-8804

E-mail: jlindley@azdot.gov

Website: Please visit the ADOT website to track progress of this rule and any other agency rulemaking matters at www.azdot.gov/about/GovernmentRelations.

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

The Arizona Department of Transportation engages in this rulemaking to permanently codify rules previously made by exempt rulemaking at 22 A.A.R. 819, April 15, 2016, on initial implementation of Laws 2015, Ch. 294 (HB2609). The exempt rules made by the Department, after first providing public notice and at least thirty days for public comments, allowed the Department to collect a \$25 application fee when processing an original, reinstatement, or renewal application for a travel-compliant driver license or an original or renewal application for a travel-compliant identification license. Since A.R.S. § 28-3175 now requires the Department to issue a travel-compliant credential on request, the \$25 fee must be reestablished by regular rulemaking as required under A.R.S. § 41-1008.

Because of the Department's ability to issue these federally-recognized travel-compliant driver licenses and identification licenses, DHS has deemed that Arizona is in full compliance with the REAL ID Act of 2005, and will therefore continue to accept all current standard-issue Arizona driver licenses and identification licenses at airport security and restricted federal facilities until October 1, 2020, even if the license is marked "Not for Federal Identification."

Effective October 1, 2020, the travel-compliant driver license or identification license is the only Arizona credential that federal authorities will accept as proof of identity for an official purpose defined by DHS under 6 CFR 37, which includes accessing a federal facility, boarding a federally-regulated commercial aircraft, or entering a nuclear power plant. This rulemaking ensures that the Department remains in full compliance with the requirements of federal laws and regulations regarding secure credential issuance. If the Department were unable to continue issuing these credentials, a great number of Arizona residents would risk losing access to all areas secured under the jurisdiction of the federal government beginning October 1, 2020.

While providing additional clarification on the processes used by applicants who seek a federally-recognized travel-compliant driver license or travel-compliant identification license under R17-4-407, the Department has also used this rulemaking opportunity to preserve and clarify the application process and fee currently in effect for the standard-issue non-operating identification license provided under R17-4-409.

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 agency did not review or rely on any study for 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 Department engages in this rulemaking, as required under A.R.S. § 41-1008(E), to permanently codify a \$25 application fee the Department initially established by exempt rulemaking at 22 A.A.R. 819, April 15, 2016, for issuance of an Arizona driver license or identification license that can be accepted by all federal agencies as a secure credential issued by the Department in full compliance with the federal Real ID Act of 2005, Public Law 109-13, 119 Stat. 302.

Since the travel-compliant credentials issued by the Department under A.R.S. § 28-3175 and R17-4-407 were deemed by DHS to be issued in full compliance with the federal requirements of the REAL ID Act of 2005, DHS has agreed to continue accepting all existing standard-issue Arizona credentials at airport security and restricted federal facilities until October 1, 2020, at which point only the federally-recognized Arizona travel-compliant credentials will be accepted.

The Department believes that the federally recognized travel-compliant credentials will become the preferred credentials for securing access to restricted federal facilities and conducting domestic travel through international airports, in lieu of having to carry a passport or other qualifying documents. Additionally, the \$25 fee for a federally-recognized travel-compliant Arizona driver license or identification license is nominal and provides the most cost effective way to expedite domestic travel for Arizona residents who prefer to apply for this new secure credential instead of having to apply for or renew a U.S. passport, which may cost more than \$110.

The Department anticipates that these rules will have a minimal economic impact on small businesses and consumers as follows:

Small businesses that routinely reimburse employees for costs associated with obtaining or maintaining a valid Arizona driver license or non-operating identification license may experience a minimal increase in operational costs if the employees require



secure travel-compliant credentials. The application fee collected by the Department is \$25 when processing an original, reinstatement, or renewal application for any travel-compliant driver license class or an original or renewal application for a travel-compliant identification license, regardless of the application type (e.g. upgrade, downgrade, etc.). However, on application for a standard-issue Arizona driver license the Department will continue to collect the age-appropriate fees provided under A.R.S. § 28-3002, and the \$12 fee as provided under A.R.S. § 28-3165 and R17-4-409 for a standard-issue Arizona non-operating identification license.

The transportation industry and consumers may experience a significant, but unquantifiable, benefit over the long term in the added ease of access and freedom of movement each holder of a travel-compliant driver license or identification license should achieve by not having to waste valuable time waiting in lines to be cleared for access by DHS when conducting business with federal authorities, accessing federal facilities, boarding federally-regulated commercial aircraft, or entering secured areas like nuclear power plants.

Prior to May 2018, the Department processed between 3,000 and 4,000 applications for the new secure travel-compliant credentials each month. However, after reaching-out by email to more than 1.6 million existing Arizona driver license and non-operating identification license holders urging them to consider converting to a secure travel-compliant credential, the Department has begun processing up to 10,000 of these credentials each month.

Department records indicate that less than four percent of Arizona’s current credential holders have requested a federally-recognized travel-compliant credential. As of March 1, 2019, the Department has issued 199,373 travel-compliant driver licenses, and 6,082 travel-compliant identification licenses, for a total of 205,455 secure credentials as follows:

License Class or Type:	Total Currently Issued Credentials	Standard-issue	Percentage of Total Currently Issued Credentials	Travel-compliant	Percentage of Total Currently Issued Credentials
Non-commercial Driver	5,217,607	5,025,204	96.31%	192,403	3.69%
Commercial Driver	108,716	101,746	93.59%	6,970	6.41%
Non-operating Identification	1,078,924	1,072,842	99.44%	6,082	.56%
Averaging:	6,405,247	6,199,792	96.45%	205,455	3.55%

If the Department were unable to continue issuing these secure travel-compliant credentials, a great number of Arizona residents would risk losing their ability to board a federally-regulated commercial aircraft or to gain access to restricted areas in federal facilities, such as nuclear power plants and military facilities beginning October 1, 2020, unless a valid passport or other federally-approved identification is provided.

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

Minor grammatical and technical corrections were made at the request of the Governor’s Regulatory Review Council staff.

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

The Department received no public or stakeholder comments regarding this rulemaking.

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:

The federal REAL ID Act of 2005 requires that all states meet higher federal security standards for the production and design, application, and issuance of state driver licenses and identification licenses that can be accepted by federal agencies for official purposes, including but not limited to boarding a federally-regulated commercial aircraft or accessing restricted areas in federal facilities, nuclear power plants, or military facilities. Although A.R.S. §§ 28-336 and 28-338 expressly prohibit the Department from fully implementing the federal REAL ID Act of 2005, Laws 2015, Ch. 294, expressly provided that the Department shall issue a federally-recognized driver license or identification license if voluntarily requested by an applicant.

Arizona law requires that any applicant for a driver license, instruction permit, or non-operating identification license provide to the Department satisfactory proof of the applicant’s full legal name, date of birth, sex and domicile residence address in this state, if the applicant has a residence address, and that the applicant’s presence in the United States is authorized under federal law as prescribed under A.R.S. § 41-1080. The Department maintains on its website at www.azdot.gov, a comprehensive list of all documents that can be accepted as satisfactory proof of all information required for obtaining a state-issued driver license or non-operating identification license.

As provided under A.R.S. § 28-3175, Arizona’s federally-recognized travel-compliant driver licenses and identification licenses are valid for a period of up to eight years and do not contain radio frequency identification technology.

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

Although federal law subjects the Department and the applicant to more stringent security and issuance requirements, a federally-recognized travel-compliant driver license or identification license issued by the Department under these rules is considered a general permit, as required under A.R.S. § 41-1037 and defined under A.R.S. § 41-1001, since the facilities, activities, and practices afforded to the holders of each license class or type are substantially similar in nature for all hold-



ers of each license class or type, whether standard-issue or travel-compliant.

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

These rules reference the federal regulations established by the U.S. Department of Homeland Security under 6 CFR 37, in conformance with the federal REAL ID Act of 2005, which now requires that all states shall:

Meet more stringent federal security standards for the production and design, application, and issuance of driver and identification licenses that federal government agencies can accept for official purposes, including boarding a federally-regulated commercial aircraft or accessing restricted areas in federal facilities, nuclear power plants, or military facilities;

Follow the federally-prescribed minimum application, documentation, verification, and card issuance requirements each time a person requests issuance of a secure REAL ID-compliant driver or identification license; and

Ensure that the face and the machine readable zone of each standard-issue driver license or non-operating identification license issued by the state clearly indicates that the credential is not acceptable by the federal government for identification or other official purposes.

Additionally, since the federal regulations clearly outline all documentation necessary for a person to establish identity and date of birth on application for a federally-acceptable secure REAL ID-compliant driver or identification license, these rules are not more stringent than the applicable federal law.

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

No analysis was submitted to the Department.

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

This rulemaking incorporates no materials by reference.

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

The rules were not previously made, amended, repealed or renumbered as an emergency rule.

15. The full text of the rules follows:

**TITLE 17. TRANSPORTATION
CHAPTER 4. DEPARTMENT OF TRANSPORTATION
TITLE, REGISTRATION, AND DRIVER LICENSES**

ARTICLE 1. RESERVED GENERAL PROVISIONS

Section
R17-4-101. Definitions

ARTICLE 4. DRIVER LICENSES

Section
R17-4-407. ~~Application for Travel-Compliant Driver License or Nonoperating Identification License; Fee~~ Travel-compliant Driver License or Travel-compliant Non-operating Identification License Application; Fee
R17-4-409. ~~Application for Nonoperating Non-operating Identification License Application; Applicability; Fee~~

ARTICLE 1. RESERVED GENERAL PROVISIONS

R17-4-101. Definitions

In addition to the definitions prescribed under A.R.S. § 28-101, A.R.S. § 28-3001, and 6 CFR 37.3, the following terms apply to this Chapter, unless otherwise specified:

“Non-operating identification license” means a credential issued by the Department for identification purposes only, as prescribed under A.R.S. § 28-3165, which does not grant authority to operate a motor vehicle and is not intended to be accepted by federal agencies for an official purpose defined under 6 CFR 37.3.

“Travel-compliant driver license” has the same meaning as the term REAL ID Driver’s License defined under 6 CFR 37.3, which is a driver license issued by the Department as prescribed under A.R.S. § 28-3175 in compliance with A.R.S. Title 28, Chapter 8, and the federal standards provided under 6 CFR 37 for state issuance of secure credentials intended to be accepted by federal agencies for official purposes.

“Travel-compliant identification license” has the same meaning as the term REAL ID Identification Card as defined under 6 CFR 37.3, which is a non-operating identification license issued by the Department as prescribed under A.R.S. § 28-3175 in compliance with A.R.S. Title 28, Chapter 8, and the federal standards provided under 6 CFR 37 for state issuance of secure credentials acceptable by federal agencies for official purposes.

ARTICLE 4. DRIVER LICENSES

~~R17-4-407. Application for Travel-Compliant Driver License or Nonoperating Identification License; Fee~~ Travel-compliant Driver License or Travel-compliant Non-operating Identification License Application; Fee



- A.** For the purposes of this Section:
1. "Travel-compliant driver license" means a federally compliant driver license issued pursuant to A.R.S. § 28-3175.
 2. "Travel-compliant nonoperating identification license" means a federally compliant nonoperating identification license issued pursuant to A.R.S. § 28-3175.
- B.** An applicant shall apply to the Department, on a form provided by the Department, for a travel-compliant driver license or a travel-compliant nonoperating identification license.
- C.** An applicant must meet and comply with all lawful requirements for an Arizona driver license or nonoperating identification license.
- D.** An applicant shall meet and comply with all application and documentation requirements in the most current edition of 6 CFR 37, including satisfactory proof of identity, date of birth, social security number, principle residency, and evidence of lawful status in the United States. Documents and information must be verified by the Department. An applicant may obtain a listing of acceptable documentation from the Department's website at www.azdot.gov.
- E.** An applicant shall pay a \$25 fee for any class of a travel-compliant driver license or travel-compliant nonoperating identification license.
- F.** A travel-compliant driver license is valid for a period of eight years after issuance and is renewable for successive periods of eight years up to but not exceed the year of the licensee's 65th birthday, except for when:
1. The applicant is authorized for a shorter period of time as provided under A.R.S. § 13-3821, 28-3171(B), or 28-3223, or federal law authorizes the applicant's presence for a shorter period of time.
 2. The applicant is 60 years of age or older and the travel-compliant driver license is valid for a period of five years after issuance and renewable for successive periods of five years.
- G.** A travel-compliant nonoperating identification license is valid for a period of eight years after issuance and is renewable for successive periods of eight years, except for when the applicant is authorized for a shorter period of time as provided under A.R.S. § 13-3821, 28-3171(B), or 28-3223, or federal law authorizes the applicant's presence for a shorter period of time.
- A.** A person seeking a travel-compliant driver license or travel-compliant identification license shall meet and comply with all:
1. State laws and rules applicable to every applicant who seeks issuance of any other driver license class, type, endorsement or nonoperating identification license issued by the Department; and
 2. Federal laws and regulations regarding the application and minimum documentation, verification, and card issuance requirements prescribed in the most recent edition of 6 CFR 37.11 for establishing satisfactory proof of a person's identity, date of birth, social security number, principal residence address of domicile in this state, and lawful status in the United States.
- B.** A person seeking a travel-compliant driver license or travel-compliant identification license shall:
1. Apply to the Department using an application form provided by the Department; and
 2. Submit to the Department for authentication, satisfactory proof of the applicant's full legal name, date of birth, sex, social security number, principal residence address of domicile in this state, and that the applicant's presence in the United States is authorized under federal law. A list of all source documents the Department may accept as satisfactory proof under state and federal law is maintained by the Department on its website at www.azdot.gov.
- C.** An applicant for a travel-compliant driver license or travel-compliant identification license shall submit to the Department a fee of \$25:
1. On original application, reinstatement, or renewal of any travel-compliant driver license class; or
 2. On original application or renewal of a travel-compliant identification license.
- D.** A travel-compliant driver license or travel-compliant identification license issued by the Department, as prescribed under A.R.S. § 28-3175 and this Section, is:
1. Valid for a period of up to eight years;
 2. Renewable for successive periods of up to eight years; and
 3. Subject to all state and federal laws or restrictions requiring the issuance of a shorter expiration period (e.g., up to age 65, as provided under A.R.S. § 28-3171, or for a time period equal to the applicant's authorized stay in the United States, as provided under 6 CFR 37.21, etc.).

R17-4-409. Application for Nonoperating Non-operating Identification License Application; Applicability; Fee

- A.** This Section does not apply to applicants for a travel-compliant nonoperating identification license. Except as provided under R17-4-407, this Section applies to applicants for a nonoperating identification license.
- B.** An applicant shall apply to the Department, on a form provided by the Department, for a nonoperating identification license, and shall comply with the requirements under A.R.S. § 28-3165.
- C.** An applicant may obtain a listing of satisfactory proof of an applicant's name and date of birth from the Department's website at www.azdot.gov.
- D.** Except as provided under A.R.S. § 28-3165, an applicant shall pay a \$12 fee for a nonoperating identification license.
- A.** A person seeking a non-operating identification license, issued by the Department as prescribed under A.R.S. § 28-3165 and this Section, shall apply to the Department using a form provided by the Department.
- B.** An applicant shall submit a \$12 fee to the Department, on application for a non-operating identification license, unless the applicant is provided a specific statutory exemption from payment of the fee.
- C.** An applicant shall provide to the Department, on application for a non-operating identification license, satisfactory proof of the applicant's full legal name, date of birth, sex, principal residence address of domicile in this state, and evidence that the applicant's presence in the United States is authorized under federal law as listed by the Department on its website at www.azdot.gov.
- D.** A person seeking a travel-compliant identification license issued by the Department under A.R.S. § 28-3175, which is recognized by federal agencies as proof of identity for use when accessing federal facilities, boarding federally-regulated commercial aircraft, or entering nuclear power plants, shall apply to the Department as provided under R17-4-407.



NOTICE OF FINAL RULEMAKING
TITLE 17. TRANSPORTATION
CHAPTER 4. DEPARTMENT OF TRANSPORTATION
TITLE, REGISTRATION, AND DRIVER LICENSES

[R19-139]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
3. The effective date of the rules:
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:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:
7. A reference to any study relevant to the rules that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:
8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:
9. A summary of the economic, small business, and consumer impact:



provides at no charge. A vehicle owner who chooses a special license plate may request a duplicate special license plate. The duplicate special license plate fee of \$10 per special license plate is only applicable to a vehicle owner with a special license plate when requesting a duplicate special license plate. A.R.S. § 28-2151 also authorizes the Department to charge the estimated mailing cost to send a license plate to the owner. A vehicle owner currently pays postage costs of \$5.53 for a full-size license plate or \$4.80 for a special plate for a motorcycle or small trailer. With the current postage costs, a vehicle owner can purchase a duplicate special license plate including postage costs for \$15.53. Due to the fact that obtaining a duplicate special license plate is optional for most vehicle owners, the regulatory burden of the rules is primarily on those vehicle owners who voluntarily request a duplicate special license plate. The Department does not track the number of duplicate special license plates requested annually, but during FY 2017, vehicle owners requested over 450,000 special license plates.

A vehicle owner who has permanent physical disabilities may request a disabled special license plate. For a vehicle owner who has a wheelchair carrier or wheelchair lift and wheelchair attached to the vehicle, the owner is required by law to have a license plate on the rear of the vehicle and a license plate on the wheelchair carrier to ensure visibility of the license plate. Those vehicle owners who attach a wheelchair carrier or lift to their vehicles who need a duplicate special license plate after the rule's effective date, will be subject to this fee.

Those small businesses, as defined in A.R.S. § 41-1001, that have light duty vehicles with commercial registration that are used for commercial purposes 1,000 or more hours per registration year, can not obtain a special license plate, and would not be impacted under these rules. If a vehicle is registered in the name of a commercial enterprise, the vehicle must be registered commercially unless the applicant certifies that the vehicle is not used for commercial purposes. Subject to these requirements, some small businesses with light-duty vehicles that are not registered commercially, but are used commercially less than 1,000 hours per registration cycle, could choose a special license plate, and would be required to pay the duplicate special license plate fee and mailing costs.

The license plate manufacturing cost varies with different special plate designs, however, the average manufacturing cost for a duplicate special license plate is \$3.50. The Department has not included any administrative costs in this fee. If the Department included administrative costs other than manufacturing in the cost of a duplicate special license plate, it is likely that Departmental costs would have exceeded the \$10 cost of the duplicate special license plate. The Department incurs costs for this rulemaking and to program motor vehicle systems changes, including this fee to allow for electronic payment for a duplicate special license plate. In order to reduce total agency programming costs, the agency delayed implementation of the duplicate special license plate fee until other motor vehicle systems programming could occur.

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

No changes were made between the proposed rulemaking and the final rulemaking.

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

The Department held a public hearing on the rules on May 8, 2019, but did not receive any stakeholder comments at the hearing or prior to the close of record, which was on May 8, 2019.

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

None

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

The rules do not require a permit, however, a license plate is a type of general permit because the activities and practices authorized by each class of licensee are the same for all drivers with a special license plate.

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

No federal laws are applicable to the rules and the rules are not more stringent than federal law.

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

A business competitiveness analysis was not submitted to the Department.

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

The rules do not have any incorporations by reference.

14. Whether the rules were previously made, amended, or repealed as emergency rules. 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 rules were not previously made, amended, or repealed as emergency rules.

15. The full text of the rules follows:



TITLE 17. TRANSPORTATION
CHAPTER 4. DEPARTMENT OF TRANSPORTATION
TITLE, REGISTRATION, AND DRIVER LICENSES

ARTICLE 3. VEHICLE REGISTRATION

Section

R17-4-351. Special License Plate: Definition

R17-4-352. Duplicate Special License Plate: Fee

ARTICLE 3. VEHICLE REGISTRATION

R17-4-351. Special License Plate: Definition

For the purposes of R17-4-352, “special license plate” or “special plate” has the meaning prescribed in A.R.S. § 28-2401.

R17-4-352. Duplicate Special License Plate: Fee

- A.** The Department shall charge and collect from a motor vehicle owner a one-time fee of \$10 for each duplicate special license plate requested.
- B.** The Department shall charge and collect the current applicable U.S. Postal Service postage rate as provided in A.R.S. § 28-2151 and A.A.C. R17-1-204 to mail a duplicate special license plate to a motor vehicle owner.



NOTICES OF FINAL EXPEDITED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Final Expedited Rulemaking. The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of the expedited rules should be addressed to the agency promulgating the rules. Refer to Item #5 to contact the person charged with the rulemaking.

**NOTICE OF FINAL EXPEDITED RULEMAKING
TITLE 9. HEALTH SERVICES
CHAPTER 10. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING**

[R19-140]

PREAMBLE

- | | |
|---|---------------------------------|
| 1. <u>Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| R9-10-119 | Amend |
| R9-10-1505 | Amend |
| R9-10-1509 | Amend |
- 2. Citations to the agency’s statutory authority for the rulemaking to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statutes: A.R.S. §§ 36-132(A)(1), 36-136(G)
 Implementing statutes: A.R.S. §§ 36-132(A)(17), 36-405(A) and (B), 36-406, 36-449.03, 36-2161 and Laws 2018, Ch. 219
- 3. The effective date of the rules:**
 July 2, 2019
- 4. Citations to all related notices published in the Register that pertain to the record of the final expedited rulemaking:**
 Notice of Rulemaking Docket Opening: 25 A.A.R. 678, March 15, 2019
 Notice of Proposed Expedited Rulemaking: 25 A.A.R. 1159, May 3, 2019
- 5. The agency’s contact person who can answer questions about the expedited rulemaking:**
- Name: Colby Bower, Assistant Director
 Address: Department of Health Services
 Public Health Licensing Services
 150 N. 18th Ave., Suite 510
 Phoenix, AZ 85007
- Telephone: (602) 542-6383
 Fax: (602) 364-4808
 E-mail: Colby.Bower@azdhs.gov
- or
- Name: Robert Lane, Chief
 Address: Arizona Department of Health Services
 Office of Administrative Counsel and Rules
 150 N. 18th Ave., Suite 200
 Phoenix, AZ 85007
- Telephone: (602) 542-1020
 Fax: (602) 364-1150
 E-mail: Robert.Lane@azdhs.gov
- 6. An agency’s justification and reason why a rule should be made, amended, repealed or renumbered, under A.R.S. § 41-1027, to include an explanation about the rulemaking:**
 In order to ensure public health, safety, and welfare, Arizona Revised Statutes (A.R.S.) §§ 36-405 and 36-406 require the Arizona Department of Health Services (Department) to adopt rules establishing minimum standards and requirements for construction, modification, and licensure of health care institutions. A.R.S. § 36-449.03 requires the Department to adopt rules that establish minimum standards and requirements for abortion clinics, a class of health care institutions. Laws 2018, Ch. 219 amends A.R.S. §§ 36-2161 and 36-2162 to require abortion providers to: supply additional information to the Department in abortion procedure and complication reports; request additional information from women seeking abortions; and provide information to women seeking abortions who are victims of certain crimes. After obtaining an exception from the rulemaking moratorium established by Executive Order 2018-02, the Department has revised rules in 9 A.A.C. 10, Articles 1 and 15 to comply with Laws 2018, Ch. 219. The Department has revised the rules in 9 A.A.C. 10, Article 15, Abortion Clinics, to include new requirements for reporting complica-



tions according to A.R.S § 36-2161(A)(15), requesting information specified in A.R.S. § 36-2161(A)(12) from a patient, and providing information required in A.R.S. § 36-2161(C) to a patient, if applicable. In addition, A.A.C. R9-10-119 is revised to update cross-references to new subsections in A.R.S. § 36-2161. The Department believes the rulemaking meets the criteria for expedited rulemaking since the changes made will not increase the cost of regulatory compliance, increase a fee, or reduce procedural rights of persons regulated, but amend rules that became outdated with the statutory revisions made by Laws 2018, Ch. 219.

7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review or rely on any study for 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:

Under A.R.S. § 41-1055(D)(2), the Department is not required to provide an economic, small business, and consumer impact statement.

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

Between the proposed expedited rulemaking and the final expedited rulemaking, no changes were made to the rulemaking.

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

The Department did not receive any written stakeholder comments about the rulemaking during the 30-day comment period.

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

There are no other matters prescribed by statute applicable specifically to the Department or this specific rulemaking.

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:

Although other Sections of this Chapter require the issuance of a permit, under A.R.S. § 36-407, the Sections included in this rulemaking do not relate to the issuance of a regulatory permit. Therefore, consideration of a general permit is not applicable to this rulemaking.

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 laws do not apply to the rule.

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 such 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 rules:

None

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

The rule was not previously made as an emergency rule.

15. The full text of the rule follows:

**TITLE 9. HEALTH SERVICES
CHAPTER 10. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING**

ARTICLE 1. GENERAL

Section
R9-10-119. Abortion Reporting

ARTICLE 15. ABORTION CLINICS

Section
R9-10-1505. Incident Reporting
R9-10-1509. Abortion Procedures

**ARTICLE 1. GENERAL****R9-10-119. Abortion Reporting**

- A. A licensed health care institution where abortions are performed shall submit to the Department, in a Department-provided format and according to A.R.S. § ~~36-2161(B) and (C)~~ 36-2161(D) and (E), a report that contains the information required in A.R.S. § 36-2161(A) and the following:
1. The final disposition of the fetal tissue from the abortion; and
 2. Except as provided in subsection (B), if custody of the fetal tissue is transferred to another person or persons:
 - a. The name and address of the person or persons accepting custody of the fetal tissue,
 - b. The amount of any compensation received by the licensed health care institution for the transferred fetal tissue, and
 - c. Whether a patient provided informed consent for the transfer of custody of the fetal tissue.
- B. A licensed health care institution where abortions are performed is not required to include the information specified in subsections (A)(2)(a) through (c) in the report required in subsection (A) if the licensed health care institution where abortions are performed:
1. Transfers custody of the fetal tissue:
 - a. To a funeral establishment, as defined in A.R.S. § 32-1301;
 - b. To a crematory, as defined in A.R.S. § 32-1301; or
 - c. According to requirements in A.A.C. R18-13-1406, A.A.C. R18-13-1407, and A.A.C. R18-13-1408; or
 2. Complies with requirements in A.A.C. R18-13-1405.
- C. For purposes of this Section, the following definition applies: "Fetal tissue" means cells, or groups of cells with a specific function, obtained from an aborted human embryo or fetus.

ARTICLE 15. ABORTION CLINICS**R9-10-1505. Incident Reporting**

- A. A licensee shall ensure that the Department is notified of an incident as follows:
1. For the death of a patient, verbal notification the next working day;
 2. For a fetus delivered alive, verbal notification the next working day; and
 3. For a serious injury of a patient or viable fetus, written notification within 10 calendar days after the date of the serious injury.
- B. A medical director shall conduct an investigation of an incident and document an incident report that includes:
1. The date and time of the incident;
 2. The name of the patient;
 3. A description of the incident, including, if applicable, information required in A.R.S. § 36-2161(A)(15);
 4. Names of individuals who observed the incident;
 5. Action taken by patient care staff members and employees during the incident and immediately following the incident; and
 6. Action taken by the patient care staff members and employees to prevent the incident from occurring in the future.
- C. A medical director shall ensure that the incident report is:
1. Submitted to the Department and, if the incident involved a licensed individual, the applicable professional licensing board within 10 calendar days after the date of the notification in subsection (A); and
 2. Maintained on the premises for at least two years after the date of the incident.

R9-10-1509. Abortion Procedures

- A. A medical director shall ensure that a medical evaluation of a patient is conducted before the patient's abortion is performed that includes:
1. A medical history including:
 - a. Allergies to medications, antiseptic solutions, or latex;
 - b. Obstetrical and gynecological history;
 - c. Past surgeries;
 - d. Medication the patient is currently taking; and
 - e. Other medical conditions;
 2. A physical examination, performed by a physician that includes a bimanual examination to estimate uterine size and palpation of adnexa;
 3. The following laboratory tests:
 - a. A urine or blood test to determine pregnancy;
 - b. Rh typing, unless the patient provides written documentation of blood type acceptable to the physician;
 - c. Anemia screening; and
 - d. Other laboratory tests recommended by the physician or medical director on the basis of the physical examination; and
 4. An ultrasound imaging study of the fetus, performed as required in A.R.S. §§ 36-2156 and 36-2301.02(A).
- B. If the medical evaluation indicates a patient is Rh negative, a medical director shall ensure that:
1. The patient receives information from a physician on this condition;
 2. The patient is offered RhO(d) immune globulin within 72 hours after the abortion procedure;
 3. If a patient refuses RhO(d) immune globulin, the patient signs and dates a form acknowledging the patient's condition and refusing the RhO(d) immune globulin;
 4. The form in subsection (B)(3) is maintained in the patient's medical record; and
 5. If a patient refuses RhO(d) immune globulin or if a patient refuses to sign and date an acknowledgment and refusal form, the physician documents the patient's refusal in the patient's medical record.
- C. A physician shall estimate the gestational age of the fetus, based on one of the following criteria, and record the estimated gestational age in the patient's medical record:



1. Ultrasound measurements of the biparietal diameter, length of femur, abdominal circumference, visible pregnancy sac, or crown-rump length or a combination of these; or
 2. The date of the last menstrual period or the date of fertilization and a bimanual examination of the patient.
- D.** A medical director shall ensure that:
1. The ultrasound of a patient required in subsection (A)(4) is performed by an individual who meets the requirements in R9-10-1506(3);
 2. An ultrasound estimate of gestational age of a fetus is performed using methods and tables or charts in a publication distributed nationally that contains peer-reviewed medical information, such as medical information derived from a publication describing research in obstetrics and gynecology or in diagnostic imaging;
 3. An original patient ultrasound image is:
 - a. Interpreted by a physician, and
 - b. Maintained in the patient's medical record in either electronic or paper form; and
 4. If requested by the patient, the ultrasound image is reviewed with the patient by a physician, physician assistant, registered nurse practitioner, or registered nurse.
- E.** A medical director shall ensure that before an abortion is performed on a patient:
1. Written consent, that meets the requirements in A.R.S. § 36-2152 or 36-2153, as applicable, and A.R.S. § 36-2158 is signed and dated by the patient or the patient's representative; ~~and~~
 2. Information is provided to the patient on the abortion procedure, including alternatives, risks, and potential complications;
 3. Information specified in A.R.S. § 36-2161(A)(12) is requested from the patient; and
 4. If applicable, information required in A.R.S. § 36-2161(C) is provided to the patient.
- F.** A medical director shall ensure that an abortion is performed according to the abortion clinic's policies and procedures and this Article.
- G.** A medical director shall ensure that:
1. A patient care staff member monitors a patient's vital signs throughout an abortion procedure to ensure the patient's health and safety;
 2. Intravenous access is established and maintained on a patient undergoing an abortion after the first trimester unless the physician determines that establishing intravenous access is not appropriate for the particular patient and documents that fact in the patient's medical record;
 3. If an abortion procedure is performed at or after 20 weeks gestational age, a patient care staff member qualified in neonatal resuscitation, other than the physician performing the abortion procedure, is in the room in which the abortion procedure takes place before the delivery of the fetus; and
 4. If a fetus is delivered alive:
 - a. Resuscitative measures, including the following, are used to support life:
 - i. Warming and drying of the fetus,
 - ii. Clearing secretions from and positioning the airway of the fetus,
 - iii. Administering oxygen as needed to the fetus, and
 - iv. Assessing and monitoring the cardiopulmonary status of the fetus;
 - b. A determination is made of whether the fetus is a viable fetus;
 - c. A viable fetus is provided treatment to support life;
 - d. A viable fetus is transferred as required in R9-10-1510; and
 - e. Resuscitative measures and the transfer, as applicable, are documented.
- H.** To ensure a patient's health and safety, a medical director shall ensure that following the abortion procedure:
1. A patient's vital signs and bleeding are monitored by:
 - a. A physician;
 - b. A physician assistant;
 - c. A registered nurse practitioner;
 - d. A nurse; or
 - e. If a physician is able to provide direct supervision, as defined in A.R.S. § 32-1401 or A.R.S. § 32-1800, as applicable, to a medical assistant, as defined in A.R.S. § 32-1401 or A.R.S. § 32-1800, a medical assistant under the direct supervision of the physician; and
 2. A patient remains in the recovery room or recovery area until a physician, physician assistant, registered nurse practitioner, or nurse examines the patient and determines that the patient's medical condition is stable and the patient is ready to leave the recovery room or recovery area.
- I.** A medical director shall ensure that follow-up care:
1. For a surgical abortion is offered to a patient that includes:
 - a. With a patient's consent, a telephone call made to the patient to assess the patient's recovery:
 - i. By a patient care staff member other than a surgical assistant; and
 - ii. Within 24 hours after the patient's discharge following a surgical abortion; and
 - b. A follow-up visit scheduled, if requested, no more than 21 calendar days after the abortion that includes:
 - i. A physical examination,
 - ii. A review of all laboratory tests as required in subsection (A)(3), and
 - iii. A urine pregnancy test;
 2. For a medication abortion includes a follow-up visit, scheduled between seven and 21 calendar days after the initial dose of a substance used to induce an abortion, that includes:
 - a. A urine pregnancy test, and
 - b. An assessment of the degree of bleeding; and



3. Is documented in the patient's medical record, including:
 - a. A patient's acceptance or refusal of a follow-up visit following a surgical abortion;
 - b. If applicable, the results of the follow-up visit; and
 - c. If applicable, whether the patient consented to a telephone call and, if so, whether the patient care staff member making the telephone call to the patient:
 - i. Spoke with the patient about the patient's recovery, or
 - ii. Was unable to speak with the patient.
- J.** If a continuing pregnancy is suspected as a result of the follow-up visit in subsection (I)(1)(b) or (I)(2), a physician who performs abortions shall be consulted.



NOTICES OF RULEMAKING DOCKET OPENING

This section of the Arizona Administrative Register contains Notices of Rulemaking Docket Opening.

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

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

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

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

NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA MEDICAL BOARD

[R19-141]

- 1. Title and its heading: 4, Professions and Occupations
Chapter and its heading: 16, Arizona Medical Board
Article and its heading: 1, General Provisions
5, Executive Director Duties
Section numbers: R4-16-101 and R4-16-501 through R4-16-510

2. The subject matter of the proposed rule: In a 5YRR, to be approved by the Council in early 2019, the Board indicated it intended to amend rules in Article 5 and add clarifying definitions to R4-16-101. This rulemaking addresses the needed amendments. An exemption from Executive Order 2019-01 for this rulemaking was provided by Emily Rajakovich of the Governor's Office in an e-mail dated June 21, 2019.

3. A citation to all published notices relating to the proceeding: None

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

Name: Patricia McSorley
Address: Arizona Medical Board
1740 W Adams St.
Phoenix, AZ 85007
Telephone: (480) 551-2700
Fax: (480) 551-2707
E-mail: patricia.mcsorley@azmd.gov
Website: www.azmd.gov

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

The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

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

To be determined



NOTICES OF SUBSTANTIVE POLICY STATEMENT

The *Administrative Procedure Act* (APA) requires the publication of Notices of Substantive Policy Statement issued by agencies (A.R.S. § 41-1013(B)(9)).

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

Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect an agency's

internal procedures and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the APA.

If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT BOARD OF ACCOUNTANCY

[M19-74]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Title: Usage of a Firm Name Other than the Firm Name Registered with the Board
Policy Statement #: 2019-001

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issue/Effective Date: June 25, 2019

3. Summary of the contents of the substantive policy statement:

The substantive policy statement clarifies the Board's interpretation of what does not constitute a violation of A.R.S. § 32-731(I).

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 32-731

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a new substantive policy statement.

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Monica L. Petersen, Executive Director
Address: Board of Accountancy
100 N. 15th Ave., Suite 165
Phoenix, AZ 85007
Telephone: (602) 364-0870
Fax: (602) 364-0903
E-mail: mpetersen@azaccountancy.gov
Website: www.azaccountancy.gov

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Copies of the substantive policy statement are available, at no charge, from 8:00 a.m. until 5:00 p.m., Monday through Friday, at the Board of Accountancy located at 100 N. 15th Ave., Suite 165, Phoenix AZ 85007, or on the Board's website: <https://www.azaccountancy.gov/>.



GOVERNOR EXECUTIVE ORDER

Executive Order 2019-01 is being reproduced in each issue of the Administrative Register as a notice to the public regarding state agencies' rulemaking activities.

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2019-01

Moratorium on Rulemaking to Promote Job Creation and Customer-Service-Oriented Agencies; Protecting Consumers Against Fraudulent Activities

[M19-04]

WHEREAS, government regulations should be as limited as possible; and

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

WHEREAS, protecting the public health, peace and safety of the residents of Arizona is a top priority of state government; and

WHEREAS, in 2015 the State of Arizona implemented a moratorium on all new regulatory rulemaking by State agencies through executive order and renewed the moratorium in 2016, 2017 and 2018; and

WHEREAS, the State of Arizona eliminated or repealed 422 needless regulations in 2018 and 676 in 2017 for a total of 1,098 needless regulations eliminated or repealed over two years; and

WHEREAS, estimates show these eliminations saved job creators more than \$31 million in operating costs in 2018 and \$48 million in 2017 for a total of over \$79 million in savings over two years; and

WHEREAS, approximately 283,300 private sector jobs have been added to Arizona since January 2015; and

WHEREAS, all government agencies of the State of Arizona should continue to promote customer-service-oriented principles for the people that it serves; and

WHEREAS, each State agency shall continue to conduct a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay and legal uncertainty associated with government regulation while protecting the health, peace and safety of residents; and

WHEREAS, each State agency should continue to evaluate its administrative rules using any available and reliable data and performance metrics; and

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

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

- 1. A State agency subject to this Order shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justifications for the rulemaking:
a. To fulfill an objective related to job creation, economic development or economic expansion in this State.
b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
c. To prevent a significant threat to the public health, peace, or safety.
d. To avoid violating a court order or federal law that would result in sanctions by a federal court for failure to conduct the rulemaking action.
e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
f. To comply with a state statutory requirement.
g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
i. To address matters pertaining to the control, mitigation, or eradication of waste, fraud or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
j. To eliminate rules which are antiquated, redundant or otherwise no longer necessary for the operation of state government.
2. A State agency subject to this Order shall not publicize any directives, policy statements, documents or forms on its website unless such are explicitly authorized by Arizona Revised Statutes or Arizona Administrative Code.
3. A State agency subject to this Order and which issues occupational or professional licenses shall review the agency's rules and practices related to receiving and acting on substantive complaints about unlicensed individuals who are allegedly holding them-



selves out as licensed professionals for financial gain and are knowingly or recklessly providing or attempting to provide regulated services which the State agency director believes could cause immediate and/or significant harm to either the financial or physical health of unknowing consumers within the state. Agencies shall identify and execute on opportunities to improve its complaint intake process, documentation, tracking, enforcement actions and coordination with proper law enforcement channels to ensure those allegedly trying to defraud unsuspecting consumers and putting them at risk for immediate and/or significant harm to their financial or physical health are stopped and effectively diverted by the State agency to the proper law-enforcement agency for review. A written plan on the agency's process shall be submitted to the Governor's Office no later than May 31, 2019.

4. For the purposes of this Order, the term "State agencies" includes, without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official; (b) the Corporation Commission; and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those state agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
5. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, "person," "rule," and "rulemaking" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

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

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this ninth day of January in the Year Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Third.

ATTEST:

Katie Hobbs
SECRETARY OF STATE

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**

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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**

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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**

XN = Exempt new Section
XM = Exempt amended Section
XR = Exempt repealed Section
X# = Exempt renumbered Section

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

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RULES EFFECTIVE DATES CALENDAR

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

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



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



REGISTER PUBLISHING DEADLINES

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

Deadline Date (paper only) Friday, 5:00 p.m.	Register Publication Date	Oral Proceeding may be scheduled on or after
April 12, 2019	May 3, 2019	June 3, 2019
April 19, 2019	May 10, 2019	June 10, 2019
April 26, 2019	May 17, 2019	June 17, 2019
May 3, 2019	May 24, 2019	June 24, 2019
May 10, 2019	May 31, 2019	July 1, 2019
May 17, 2019	June 7, 2019	July 8, 2019
May 24, 2019	June 14, 2019	July 15, 2019
May 31, 2019	June 21, 2019	July 22, 2019
June 7, 2019	June 28, 2019	July 29, 2019
June 14, 2019	July 5, 2019	August 5, 2019
June 21, 2019	July 12, 2019	August 12, 2019
June 28, 2019	July 19, 2019	August 19, 2019
July 5, 2019	July 26, 2019	August 26, 2019
July 12, 2019	August 2, 2019	September 3, 2019
July 19, 2019	August 9, 2019	September 9, 2019
July 26, 2019	August 16, 2019	September 16, 2019
August 2, 2019	August 23, 2019	September 23, 2019
August 9, 2019	August 30, 2019	September 30, 2019
August 16, 2019	September 6, 2019	October 7, 2019
August 23, 2019	September 13, 2019	October 15, 2019
August 30, 2019	September 20, 2019	October 21, 2019
September 6, 2019	September 27, 2019	October 28, 2019
September 13, 2019	October 4, 2019	November 4, 2019
September 20, 2019	October 11, 2019	November 12, 2019
September 27, 2019	October 18, 2019	November 18, 2019
October 4, 2019	October 25, 2019	November 25, 2019
October 11, 2019	November 1, 2019	December 2, 2019
October 18, 2019	November 8, 2019	December 9, 2019
October 25, 2019	November 15, 2019	December 16, 2019
November 1, 2019	November 22, 2019	December 23, 2019



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 2019

[M19-05]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> January 22, 2019	<i>Tuesday</i> February 19, 2019	<i>Tuesday</i> February 26, 2019	<i>Tuesday</i> March 5, 2019
<i>Tuesday</i> February 19, 2019	<i>Tuesday</i> March 19, 2019	<i>Tuesday</i> March 26, 2019	<i>Tuesday</i> April 2, 2019
<i>Tuesday</i> March 19, 2019	<i>Tuesday</i> April 23, 2019	<i>Tuesday</i> April 30, 2019	<i>Tuesday</i> May 7, 2019
<i>Tuesday</i> April 23, 2019	<i>Tuesday</i> May 21, 2019	Wednesday May 29, 2019	<i>Tuesday</i> June 4, 2019
<i>Tuesday</i> May 21, 2019	<i>Tuesday</i> June 18, 2019	<i>Tuesday</i> June 25, 2019	<i>Tuesday</i> July 2, 2019
<i>Tuesday</i> June 18, 2019	<i>Tuesday</i> July 23, 2019	<i>Tuesday</i> July 30, 2019	<i>Tuesday</i> August 6, 2019
<i>Tuesday</i> July 23, 2019	<i>Tuesday</i> August 20, 2019	<i>Tuesday</i> August 27, 2019	Wednesday September 4, 2019
<i>Tuesday</i> August 20, 2019	<i>Tuesday</i> September 17, 2019	<i>Tuesday</i> September 24, 2019	<i>Tuesday</i> October 1, 2019
<i>Tuesday</i> September 17, 2019	<i>Tuesday</i> October 22, 2019	<i>Tuesday</i> October 29, 2019	<i>Tuesday</i> November 5, 2019
<i>Tuesday</i> October 22, 2019	<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> November 26, 2019	<i>Tuesday</i> December 3, 2019
<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 7, 2020	<i>Tuesday</i> January 14, 2020
<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> January 28, 2020	<i>Tuesday</i> February 4, 2020

* 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.



GOVERNOR'S REGULATORY REVIEW COUNCIL
NOTICE OF ACTION TAKEN AT THE JULY 2, 2019 MEETING

[M19-75]

RULEMAKINGS

DEPARTMENT OF TRANSPORTATION

Title 17, Chapter 4, Article 3, Vehicle Registration

New Sections: R17-4-351, R17-4-352

COUNCIL ACTION: APPROVED

DEPARTMENT OF TRANSPORTATION

Title 17, Chapter 4, Article 1, General Provisions; Article 4, Driver Licenses

New Article: Article 1
New Section: R17-4-101
Repeal: R17-4-407
New Section: R17-4-407
Amend: R17-4-409

COUNCIL ACTION: APPROVED

DEPARTMENT OF INSURANCE

Title 20, Chapter 6, Article 11, Medicare Supplement Insurance

Amend: Article 11, R20-6-1101

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 10, Article 1, General; Article 15, Abortion Clinics

Amend: R9-10-119, R9-10-1505, R9-10-1509

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 13, Article 1, Hearing Screening

Amend: R9-13-101, R9-13-102, R9-13-103, R9-13-104, R9-13-105
Repeal: R9-13-107, R9-13-108, R9-13-109
New Section: Table 13.1, R9-13-106, R9-13-107, R9-13-108, R9-13-109, R9-13-110, R9-13-111, R9-13-112, R9-13-113, R9-13-114, R9-13-115

COUNCIL ACTION: APPROVED

GAME AND FISH COMMISSION

Title 12, Chapter 4, Game and Fish Commission

New Article: Article 10
New Section: R12-4-1001, R12-4-1002, R12-4-1003, R12-4-1004, R12-4-1005

COUNCIL ACTION: APPROVED

GAME AND FISH COMMISSION

Title 12, Chapter 4, Article 1, Definitions and General Provisions; Article 2, Licenses; Permits; Stamps; Tags

Amend: R12-4-102; R12-4-106
New Section: R12-4-204

COUNCIL ACTION: APPROVED

BOARD OF OSTEOPATHIC EXAMINERS

Title 4, Chapter 23, Article 1, General Provisions; Article 2, Licensing

Amend: R4-22-102, Table 1, R4-22-201, R4-22-202, R4-22-207



COUNCIL ACTION: APPROVED

FIVE-YEAR REVIEW REPORTS

DEPARTMENT OF TRANSPORTATION

Title 17, Chapter 1, Articles 1-3, 5-7, Department of Transportation Administration

COUNCIL ACTION: APPROVED

DEPARTMENT OF ECONOMIC SECURITY

Title 6, Chapter 13, Article 1, Tuberculosis Control Program; Article 8, Short-Term Crisis Services

COUNCIL ACTION: APPROVED

STATE BOARD OF HOMEOPATHIC AND INTEGRATED MEDICINE EXAMINERS

Title 4, Chapter 38, Articles 1-4, Possessions and Occupations

COUNCIL ACTION: APPROVED

BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS

Title 4, Chapter 33, Articles 4, Assisted Living Facility Manager Certification; Article 6, Assisted Living Facility Manager Training Programs

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 16, Article 5, Licensing Speech-Language Pathologist Assistants

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 16, Article 2, Licensing Audiologists and Speech-Language Pathologists

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES

Title 9, Chapter 16, Article 3, Licensing Hearing Aid Dispensers

COUNCIL ACTION: APPROVED

CONSIDERATION AND DISCUSSION OF WHETHER TO REQUEST A REVIEW REPORT FROM THE DEPARTMENT OF HEALTH SERVICES ON THE RULES IN 12 A.A.C. 2 OUTSIDE OF THE 5-YEAR REVIEW PROCESS PURSUANT TO A.R.S. § 41-1056(D).

COUNCIL ACTION: COUNCIL VOTED TO REQUEST A REVIEW REPORT ON THESE RULES TO BE DUE ON AUGUST 27, 2019