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From the Publisher

ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Office of the Secretary of State's website is the official published version for rulemaking activity in the state of Arizona. The *Register* is published weekly by issue number, every Friday by the Administrative Rules Division.

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

The *Register* contains notices of docket openings, proposed, final, emergency, expedited, exempt, and terminated rules as defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10. Other "notice only" filings are published in the *Register* which includes Informal Public Meetings on an Open Rulemaking Docket, Formal Rulemaking Advisory Committees, Public Information, Oral Proceedings, Public Hearings, Public Meetings, Agency Guidance Documents, Substantive Policy Statements, Proposed Delegation Agreements, Final Delegation Agreements, and Agency Ombudsman.

ABOUT AMENDMENTS TO RULES

Rulemaking is defined in the APA. Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.

ABOUT THE TABLE OF CONTENTS

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.

ABOUT FILE NUMBERS

Notices filed in the Division are assigned a file number. This number is enclosed in brackets and located at the top right of the published documents in the *Register*. Original filed notices are available in pdf for free. For a copy, contact our Division with the file number.

ABOUT THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* (A.A.C) contains codified text of rules. When published, the underling and striking of text in notices as published in the *Register* are removed. The codified rules have either been approved by the Governor's Regulatory Review Council or Attorney General as prescribed under the APA. The *Code* also contains rules exempt from the rulemaking process, and emergency rules. The authenticated pdf of *Code* Chapters posted on the Office of the Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

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REGISTER

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How to Participate in Rulemaking

Review Published Notices

Review notices published in the *Arizona Administrative Register*.

The Preamble at the beginning of a notice contains information about the rulemaking and provides agency justification and regulatory intent. Agency contact information is published in the Preamble for those interested in participating in the rulemaking process.

The Preamble 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.

Agency Contact Lists

Many agencies maintain stakeholder lists to contact those interested in proposed changes to rules. Check an agency's website and its newsletters for information about notices, oral proceedings, 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. Refer to A.R.S. § 41-1033 for more information.

Attend a Public Meeting

Attend a public meeting, known as an oral proceeding, being conducted by the agency on a Notice of Proposed Rulemaking.

A proceeding may be listed in the Preamble of a Notice of Proposed Rulemaking or an agency may inform the public of the meeting in a Notice of Oral Proceeding. Attend the meeting and be prepared to speak and comment.

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

Refer to information in the Preamble.

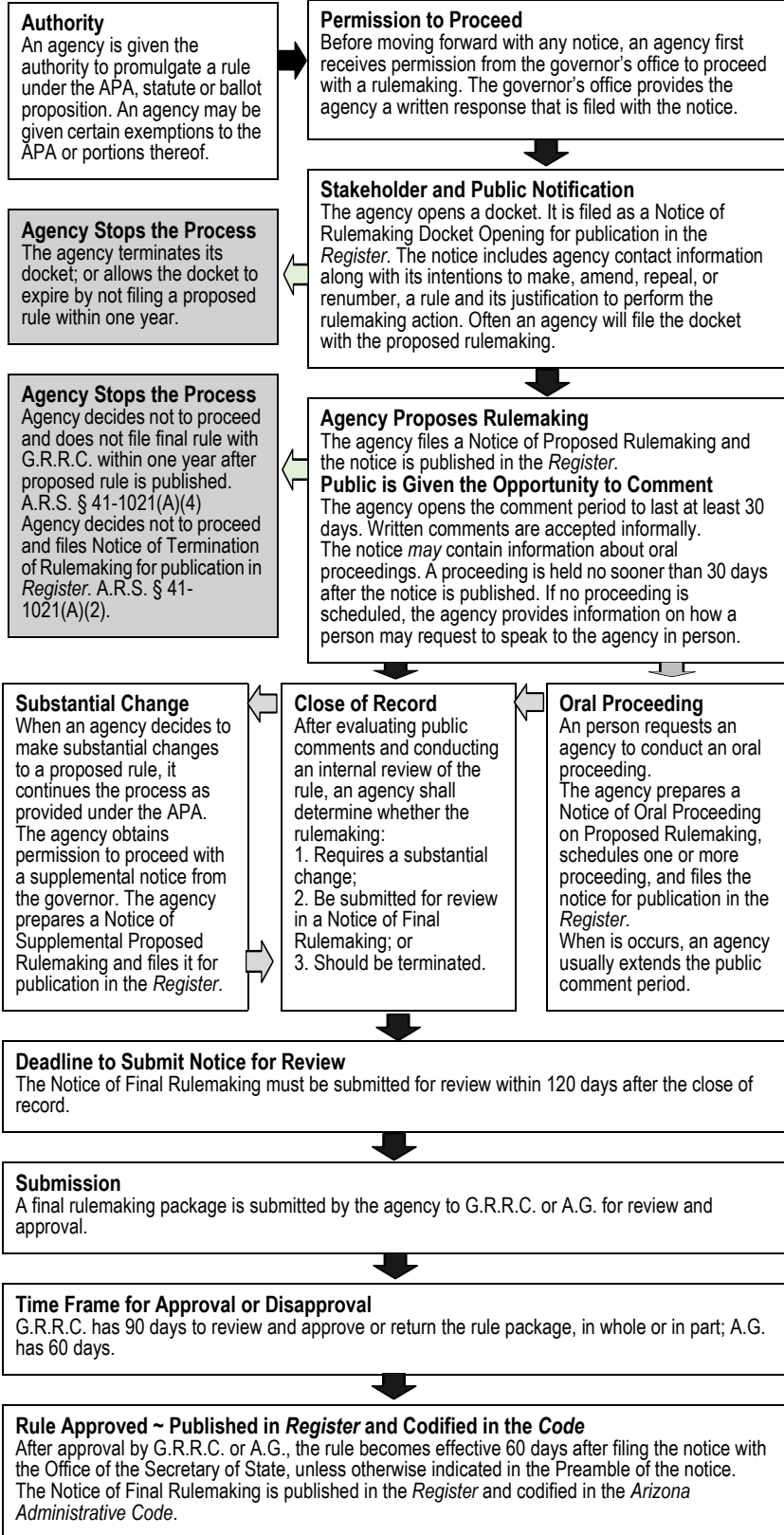
Write the Agency

Put your comments in writing and send them 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, before the rules are filed with the Secretary of State.

THE REGULAR RULEMAKING PROCESS

START THE PROCESS HERE



Definitions and Acronyms

Arizona Administrative Code, 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, 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.

NOTICES OF PROPOSED RULEMAKING

The APA requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under A.R.S. § 41-1021. A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same Register issue. If they are not filed at the same time, information on where the docket opening was published is listed in the preamble of the proposed rulemaking.

An agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the Register before scheduling any oral proceedings. Written public comments shall be accepted for at least 30 days after the published notice. Refer to A.R.S. §§ 41-1013, 41-1022 and 41-1023.

Questions about the notice can be answered by the person listed in item #5 of the preamble.

Refer to item #11 for information on how to comment on this notice, the close of record to comment, and information related to oral proceedings.

NOTICE OF PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

[R26-29]

PREAMBLE

- 1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on: Pursuant to A.R.S. § 41-1039(E)(2)(c), the Commission is not required to obtain permission to proceed with this rulemaking.
2. Article, Part, or Section Affected (as applicable) Rulemaking Action R2-20-113 Amend
3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific): Authorizing statute: A.R.S. § 16-956(A)(7) Implementing statute: A.R.S. § 16-956(A)(1)
4. Citations to all related notices published in the Register that pertain to the current record of the proposed rule: Notice of Rulemaking Docket Opening: 32 A.A.R. 694, March 20, 2026 (in this issue); File Number: R26-34
5. The agency's contact person who can answer questions about the rulemaking: Name: Thomas Collins Title: Executive Director Address: 1802 W. Jackson St. Phoenix, AZ 85007 Telephone: (602) 364-3477 Email: ccec@azcleelections.gov Website: www.azcleelections.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:

2025 Ariz. Sess. Laws ch. 202 (57th Leg., 1st Reg. Sess.) amended A.R.S. § 16-956 to expand candidate statement pamphlet eligibility to include countywide and supervisorial candidates. This rulemaking updates the Commission's correlated administrative rule to align with the amended statute and ensure consistency between Commission rules and current law. The proposal also updates the rule to reflect the information the Commission includes in the candidate statement pamphlet, such as statement length, biographical information, and submission parameters.

The rule references A.R.S. § 16-956(A)(1) rather than restating the statutory candidate categories. This approach is consistent with Arizona's incorporation-by-reference framework under A.R.S. § 41-1028. Reproducing the statutory language in full would be cumbersome and could create confusion or inconsistency if the statute is amended. A direct citation preserves statutory primacy while ensuring the rule remains aligned with the governing law.

Using a statutory cross-reference reduces drafting and maintenance costs and improves regulatory clarity by keeping the rule focused on procedural implementation rather than duplicative statutory text. The incorporated material is fully identified by statute and subsection and is readily accessible to the public through official sources, including the Arizona Legislature's website. Consis-

tent with A.R.S. § 41-1028, the reference incorporates the statute as it exists at the time of rule adoption and does not automatically incorporate future amendments. This approach minimizes redundancy and reduces the risk of conflict between the rule and future statutory changes.

In the event of unanimous adoption, the Commission may make a rule effective immediately. A.R.S. § 16-956(A). The Commission has, in such circumstances, requested the Governor’s Regulatory Review Council allow for immediate effect.

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:

Not applicable

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

There is little to no economic, small business, or consumer impact, other than the cost to the Commission to prepare the rule package, because the rulemaking simply aligns with statute. Thus, the economic impact is minimized

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

Name: Thomas Collins
Title: Executive Director
Address: 1802 W. Jackson St.
Phoenix, AZ 85007
Telephone: (602) 364-3477
Email: ccec@azcleelections.gov
Website: www.azcleelections.gov

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

The Commission will accept written comments until April 23, 2026 at 10 a.m. Written comments may be sent to ccec@azcleelections.gov or to Citizens Clean Elections Commission, 1802 W. Jackson St., Number 129, Phoenix, AZ 85007.

The Commission will review and discuss any comments, and potentially adopt the amendment at its regular business meeting April 23, 2026 at 10 a.m. The Commission will take oral public comment at that time.

More information on Commission meeting dates, times and means of attending are available on the Commission’s website: <https://www.azcleelections.gov/commission-meetings>. A person interested in requesting an oral proceeding pursuant to A.R.S. 41-1023(C) should send that request in writing to:

Name: Thomas M. Collins
Title: Executive Director
Mailing Address: 1802 W. Jackson St.
Phoenix, AZ 85007
Telephone: (602) 364-3477
Email: ccec@azcleelections.gov

Commission meetings are held at:
Citizens Clean Elections Commission
1110 W. Washington St., Suite 250
Phoenix, AZ 85007

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:

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:

Not applicable

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:

Not applicable

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:

Not applicable

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. The full text of the rules follows:

TITLE 2. ADMINISTRATION
CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION
ARTICLE 1. GENERAL PROVISIONS

Section
R2-20-113. Candidate Statement Pamphlet

ARTICLE 1. GENERAL PROVISIONS

R2-20-113. Candidate Statement Pamphlet

- A. The Commission shall publish a candidate statement pamphlet in both the primary and general elections as required by A.R.S. § 16-956(A)(1). Commission staff shall send invitations for submission of a 200 word statement, 100 word biography, and headshot photograph to ~~every statewide and legislative candidate~~ candidates identified in A.R.S. 16-956(A)(1) who has have qualified for the ballot. Statements submitted for the primary candidate statement pamphlet shall be used for the general candidate statement pamphlet unless otherwise stated by the candidate.
- B. No change

NOTICE OF PROPOSED RULEMAKING
TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 9. DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER POLLUTION CONTROL

[R26-30]

PREAMBLE

1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:
July 1, 2025

<u>2. Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
Article 11	New Section
R18-9-1101	New Section
R18-9-1102	New Section
R18-9-1103	New Section
R18-9-1104	New Section
R18-9-1105	New Section
R18-9-1106	New Section
R18-9-1107	New Section

3. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 49-104(B)(4), 49-202(A), 49-203(A)(1)
Implementing statute: A.R.S. §§ 49-221, 49-203(A)(4)

4. Citations to all related notices published in the Register that pertain to the current record of the proposed rule:
Notice of Rulemaking Docket Opening: 31 A.A.R. 3065; Issue Date: September 26, 2025; Issue Number: 39; File Number: R25-221

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

Name: Jonathan Quinsey
Title: Legal Specialist
Division: Water Quality
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-8193
Email: quinsey.jonathan@azdeq.gov
Website: https://azdeq.gov/rulemaking/aml

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

A. Background and Purpose of this Rulemaking

This rulemaking establishes a new Article 11 in Title 18, Chapter 9 of the Arizona Administrative Code (A.A.C.) to codify the Ari-

zona Department of Environmental Quality's (ADEQ) process for investigating and remediating nonpoint source (NPS) pollution from abandoned hardrock mines that impact or threaten Arizona's surface waters. The program is being created to fulfill a twofold purpose. First, it brings ADEQ into compliance with A.R.S. § 49-203(A)(4), which requires ADEQ to establish a state NPS pollution control program by rule. Until now, Arizona has lacked rules that directly formalize such a program. Second, it implements recommendations from the Arizona Auditor General's September 2021 performance audit of ADEQ's water quality programs (Auditor General's Report). The Auditor General found that ADEQ "has not reduced the total number of impaired surface waters in the State" despite a statutory duty to remediate impaired waters.

Many of the impairments cited in the Auditor General's Report are caused by diffuse pollution sources rather than discrete discharges. At both the federal and state level, NPS pollution remains the leading cause of surface water quality impairment. The United States Environmental Protection Agency's (US EPA) National Water Quality Inventory reports, which compile quarterly quality assessment data submitted by states under Clean Water Act (CWA) §§ 305(b) and 303(d), consistently identify NPS pollution as the leading cause of surface water impairments nationwide. These issues are not new. In 1996, the US EPA published a policy/education document titled *Nonpoint Source Pollution: The Nation's Largest Water Quality Problem* (EPA 841-F-96-004).

Abandoned mine lands (AML), especially historic hardrock mines, are significant contributors of metals and sediment pollution to streams, rivers, and lakes through acid mine drainage, runoff of tailings, and other diffuse pathways. Arizona's 2024 Integrated Clean Water Act Assessment confirmed that metals from nonpoint sources are a chief cause of surface water quality issues statewide. In Arizona's draft 2026 Clean Water Act Assessment, metals pollution remained the primary impairment parameter contributing to these 303(d) listings. ADEQ's data indicate that approximately 260 miles of streams in Arizona are impaired by pollutants potentially associated with abandoned mines. There are over 44,000 known abandoned mine sites in Arizona and potentially many more yet to be documented.

These mines predate modern environmental regulations. Many AML sites also have no financially viable responsible party and are on public lands or held by small private owners with no intent to resume mining. Consequently, these sites historically have not been able to be addressed through existing programs, leaving a substantial gap in water quality protection. Recognizing this gap, ADEQ has been utilizing federal grant funds under CWA § 319 to implement voluntary remediation projects at high-priority AML sites. However, prior to this rulemaking, there has been no codified state framework guiding these remediation efforts.

This proposed program will assist ADEQ in meeting responsibilities under Arizona law at § A.R.S 49-203(A)(4) and the CWA. Under CWA § 319, states must develop management programs to control NPS pollution. By establishing clear rules and procedures for addressing AML-related NPS pollution, ADEQ aims to reduce pollutants entering Waters of the United States (WOTUS) from abandoned mines, thereby improving water quality and helping to delist impaired waters over time.

B. Overview of Proposed Rules

R18-9-1102 – Purpose and Scope (Applicability)

Section R18-9-1102 is summarized first in this preamble because it defines the purpose of Article 11 and its applicability. This program is narrowly tailored to address NPS pollution from abandoned hardrock mines that affect or pose a threat to surface waters in Arizona. The rules expressly do not apply to any other types of pollution or sites. For example, other types of NPS pollution such as agricultural runoff, urban stormwater, forestry runoff, and active mining operations with NPDES/AZPDES permits are outside the scope of this Article. Likewise, any site already subject to an active state or federal permit or remediation program under Title 49, such as groundwater aquifer protection permits, Superfund/Water Quality Assurance Revolving Fund (WQARF) sites, or ongoing mine reclamation requirements, is excluded. This exclusion avoids duplication or conflict with existing regulatory programs while directly addressing stakeholder concerns about potential overlap with ongoing efforts.

The voluntary nature of the program is also established and emphasized in R18-9-1102. *Remediation under Article 11 is not mandatory.* These regulations apply *solely* when ADEQ or a remediating person elects to use state or federal funds to address pollution caused by AML. This ensures that no new compliance burden or enforcement liability is placed on the private sector. By clearly stating that participation is voluntary and limited to remediation projects utilizing state funds and/or federal funds administered by ADEQ, R18-9-1102 provides assurance that landowners and the mining industry will not be subject to new regulatory obligations. It also clarifies that the program's intent is to facilitate cleanups of abandoned sites. This clarity in scope supports the overall program goal by focusing resources on NPS pollution sources without creating confusion or overlap with other NPS issues.

R18-9-1101 – Definitions

Section R18-9-1101 contains definitions of terms used throughout Article 11 to ensure clarity and consistent understanding. ADEQ has defined critical terms such as "Abandoned Mine," "Nonpoint Source," "Remedial Action," "Waters of the United States," and other technical or programmatic terms. For example, "Abandoned Mine" is defined to mean mining sites where operations have ceased and there is no ongoing responsible party or permit. Defining "Nonpoint Source" and "Nonpoint Source Pollution" will clarify that it refers to diffuse runoff or leaching of pollutants as opposed to a point source discharge from a pipe or conveyance. Other notable definitions include "Remediating Person" if a non-ADEQ entity chooses to fund a cleanup with state or federal funds administered by ADEQ.

The definitions ensure that the rules can be applied consistently and avoid ambiguity. Statutory terms used in the rules, such as "Waters of the United States," are defined by reference to controlling law or Arizona's incorporation of federal definitions, providing needed context given the evolving federal scope of WOTUS. By including robust definitions, R18-9-1101 supports the program's effectiveness and enforceability while preventing misinterpretation that could either chill voluntary participation or leave significant sites unaddressed due to definitional loopholes.

R18-9-1103 – Site Assessment

Once a site is identified, Section R18-9-1103 establishes the framework for a detailed site assessment. The purpose of the site

assessment is to gather all necessary information about the AML pollution and its impacts to make sure ADEQ or a remediating person is designing an effective remedy. Typically, this process can involve on-site inspections, sampling of soil, waste rock, tailings, adit drainage, nearby surface water, and mapping of contaminant pathways. This rule outlines the process that ADEQ, remediating persons, or its contractors/partners, will use to develop a Site Assessment Report documenting the nature and extent of pollutants, the geology/hydrology of the site, current and potential future impacts to the watershed, and any immediate hazards.

This section includes general requirements of a site assessment such as characterizing baseline water quality in the affected water body, measuring contaminant concentrations in mine runoff, estimating load contributions to the impaired water, and evaluating ecological or human health risks. By codifying these steps, the rules ensure each project is based on sound science and thorough understanding of site conditions. For instance, at the Hillside Mine, the assessment phase determined the volumes and contaminant levels of mine tailings and identified how an adit was transporting metals into Boulder Creek. This information was crucial to designing the remediation plan.

A thorough assessment based on “in the field” expertise ensures that remedial actions are appropriately tailored, cost-effective, and will help the site achieve related water quality goals. It addresses stakeholder concerns about efficacy – both environmental groups and funding agencies expect that projects will be chosen and designed based on evidence and will measurably improve water quality. Public stakeholders, too, benefit from this requirement. R18-9-1103 ensures that any proposed action in their community is backed by data, and the findings can be shared to illustrate the need for the project. Additionally, building the framework for an assessment into these rules creates a record for accountability. Baseline data collected can later be used to estimate the success of remediation. This section supports the overall program goal by ensuring root causes of pollution are correctly identified and understood before remediation, thereby increasing the likelihood that the remediation will reduce NPS pollutants in the long term.

R18-9-1104 – Remedial Action Plans

Section R18-9-1104 establishes a framework for ADEQ or a remediating person to develop a Remedial Action Plan (RAP) for each AML site following assessment. The RAP is intended to be the blueprint for the cleanup and pollution control measures that will be implemented. This section specifies what a RAP should include and establishes criteria for ADEQ or a remediating persons approval of the plan. Key elements of a RAP include: a summary of site conditions and contaminants, specific remediation objectives, a description of the selected remedial measures and how they will achieve the objectives, a schedule for implementation, required permits or approvals, measures for protecting worker/public safety during cleanup, and a post-remediation monitoring plan.

Formalizing elements of the RAP process ensures that each project has a clear, well-thought-out strategy before ground-disturbing activities begin. ADEQ often communicates with local communities, landowners, and other agencies on the proposed plans implemented by the agency. By having a written RAP, ADEQ or a remediating person can address concerns such as whether contaminated materials are being contained or removed in a way that will not simply shift the problem elsewhere and if potential impacts of the remediation itself have been accounted for.

In the Gibson Mine project (2023), the RAP included constructing containment for tailings and rerouting surface runoff to prevent future leaching. The plan was developed in collaboration with the U.S. Forest Service to ensure it met federal land management requirements, illustrating how a formal plan facilitates inter-agency coordination.

This section also supports Clean Water Act objectives by ensuring that remediation projects funded under Section 319 or state funds have been planned to impact pollutant load reduction goals and strategies, which is necessary for reporting outcomes to US EPA and the public. Additionally, this section inherently addresses stakeholder concerns about transparency and effectiveness. Having a reviewable plan can build trust that the project will be executed properly and achieve environmental benefits.

R18-9-1105 – Remedial Actions

Section R18-9-1105 covers the implementation phase of the remedial action. Once a RAP is developed under R18-9-1104, any remediating person, including ADEQ, proceeds to carry out the cleanup and control measures described. This rule outlines the standards to be followed during implementation.

Coordination with landowners and land management agencies is an important aspect of implementation. This section provides that a remediating person or entity must obtain written access agreements or other written permission before entering the property to conduct remediation. While in practice this rule has been unnecessary as ADEQ has worked closely with entities like the U.S. Forest Service and Bureau of Land Management when remediating mines on federal lands, the rule formalizes the importance of a proper process for gaining access to AML sites. The rules will affirm that such coordination is required, addressing stakeholder concerns about jurisdiction and land rights. ADEQ’s approach to remediation has consistently been to collaborate and partner with willing landowners. R18-9-1105 supports this by clarifying that remedial actions are carried out with consent and cooperation. This encourages owners to allow remediation without fear of punitive action.

The effectiveness of a plan can only be realized through proper execution. By setting implementation guidelines, the rule helps ensure that, for example, a planned sediment trap or channel diversion at an AML site is built to design specifications and functions as intended to stop polluted runoff. This section also implicitly underscores that remediation must be conducted in compliance with other laws – for instance, if dredged or fill material is placed in a stream during remediation, ADEQ or a remediating person will ensure any necessary Section 404 permits or Water Quality Certifications are obtained.

In sum, R18-9-1105 bridges the gap between planning and results, making the program actionable. By clearly stating how implementation occurs, it aligns with the Auditor General’s call for timely action to reduce impairments. It is not enough to study and plan – ADEQ and remediating persons must execute projects, and this rule section mandates that execution. Stakeholders from the local communities will have confidence that once a site is identified and planned, the state or a remediating person will implement the remedial action in a professional and safe manner. This contributes directly to the program’s goal of tangible water quality

improvement at AML sites.

R18-9-1106 – Remedial Action Completion

After a remedial action is completed, Section R18-9-1106 implements an evaluation to measure the effectiveness of the remediation. This is a critical feedback component of the program. The language of the rule focuses on post-action monitoring of remedial action sites to ensure project goals have been met. The data collected through monitoring, such as reductions in pollutant concentrations or loadings, can be compared to pre-project baseline data to determine if the project’s goals were met.

Conversely, if monitoring indicates the remediation only partially succeeded or new issues have arisen, the rule will promote a post-action adaptive management approach. This section addresses public and oversight concerns about how ADEQ will know the program is working. The Auditor General’s Report stressed the importance of reducing impairments. R18-9-1106 provides the mechanism to verify reductions and thus directly respond to that concern. The monitoring results will also feed into Arizona’s statewide water quality assessment reports, thereby closing the loop between this program and broader water quality management obligations. In sum, this section supports the overall program goal by ensuring that pollution reductions are achieved and documented, and it builds a record of success that can justify continued funding and possible expansion of the AML remediation program.

R18-9-1107 – Proposed General Provisions

The final section of the Article addresses any remaining provisions necessary for program administration and to address stakeholder concerns. R18-9-1107 once again emphasizes the importance of access agreements and underscores the voluntary and incentive-based nature of the program. This can help alleviate any stakeholder fears that allowing ADEQ on-site could trigger future liability. ADEQ’s intent is to encourage cooperation by making the process as collaborative as possible.

C. Conclusion

This proposed Article 11 is designed to be a radically simple but effective framework for tackling one of Arizona’s most persistent water quality challenges - pollutant runoff from abandoned mines. It takes a voluntary, non-regulatory approach to a regulatory problem, using incentives and state-led action rather than new mandates, which is why no significant economic burden is placed on private parties. By codifying the processes ADEQ has piloted in projects like Hillside and Gibson Mines, the rules provide clarity and consistency for how Arizona will reduce metal pollutant loads in impaired waters.

Each section of the rule serves the overarching goal of restoring water quality in rivers and streams impacted by historic mining, thereby protecting public health, enabling safe recreation, preserving aquatic life, and ultimately delisting waters from Arizona’s impaired waters list in accordance with state and federal water quality standards. This rulemaking is a foundational step toward addressing NPS pollution in Arizona and focuses on the most pressing category of NPS pollution in the State.

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:

ADEQ did not rely on any single scientific study to justify this rulemaking; rather, it drew on a broad base of state assessments and reports. Key references include Arizona’s 2024 and 2026 Integrated 305(b) Assessment and 303(d) Listing Report (Integrated Report), which provided data on surface water impairments, and the Arizona Auditor General Performance Audit Report 21-116 (Auditor General’s Report), which identified deficiencies in addressing impaired waters.

ADEQ also considered case studies from its own AML remediation projects as proof of concept for the rules. These documents and data are publicly available. The Integrated Report can be obtained via ADEQ’s Surface Water Monitoring & Assessment program website, and the Auditor General’s report is available on the Arizona Auditor General’s website. No other specific external study was relied upon for rule justification, and ADEQ is not relying on any proprietary or unpublished data.

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

The economic impact of this proposed rulemaking is expected to be minimal to positive, with no significant costs imposed on the regulated community. Because participation in the AML remediation program is voluntary and projects are funded through existing sources, no new fees or compliance costs will fall on businesses, property owners, or small governments. Remediation projects are often grant-funded, and ADEQ will absorb administrative costs using allocated funds. Small businesses, including small mining claim owners or ranchers owning lands with old mines will not be required to take any action or bear any expense under these rules. In fact, they may experience indirect benefits if an abandoned mine on or near their property is remediated using state funds. Those benefits may include improved land safety, reduced liability risks, and enhanced land value or usability. Consumers and the public benefit from anticipated improvements in environmental quality. This rule will result in cleaner water in streams and rivers that can enhance recreational opportunities and reduce water treatment costs for downstream communities. These benefits, while real, are diffuse and have not been monetized at this preliminary stage. However, case examples like Boulder Creek suggest significant positive outcomes. Additionally, by addressing sources of metal pollution, the program may avoid future costs associated with health impacts or more drastic cleanup measures.

The rule is not expected to have an adverse impact on small businesses. On the contrary, environmental consulting and contracting firms could see increased opportunities for work as ADEQ or remediating persons contract out site assessments, engineering design, and construction of remedial measures. This could have a modest positive impact on employment in the environmental services sector. The rules do not impose any reporting, recordkeeping, or compliance requirements on small businesses, so there is no negative impact such as hiring of compliance staff or purchase of control equipment by private entities.

In accordance with A.R.S. § 41-1055, ADEQ has designed these rules to be the least burdensome necessary to achieve the environmental objectives. Because the program relies on voluntary state-led projects, it imposes no new burden on any particular industry or property owner. The chosen approach, a cooperative remediation framework, achieves the statutory mandate in A.R.S. § 49-203(A)(4) in a way that avoids burdening small businesses or the general public. It strikes a balance between environmental protection and economic impact by using incentives and available funds rather than new regulations on the private sector.

Overall, the benefits of this rulemaking include improved water quality, compliance with state law and federal grant requirements, and progress toward sustainable management of historic mine pollution. These public benefits outweigh the minimal costs, which are largely borne by ADEQ through already-funded programs. Therefore, the economic impact is justified and considered positive. ADEQ will further detail these impacts in the full Economic, Small Business, and Consumer Impact Statement (EIS) accompanying the final rule, and that analysis will be available for review. At this preliminary stage, ADEQ anticipates that the rulemaking will not have an adverse economic impact on small businesses or consumers and will provide environmental and social benefits that justify moving forward.

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

Name: Jonathan Quinsey
Title: Legal Specialist
Division: Water Quality
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-8193
Email: quinsey.jonathan@azdeq.gov
Website: <https://azdeq.gov/rulemaking/aml>

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

Written comments about this proposed rulemaking will be accepted in person at the address provided under item #5 and #10, Monday through Friday from 8:00 a.m. to 5:00 p.m., except for state holidays. Comments will also be accepted via email at the email address provided under item #5 and #10. Mailed written comments shall be postmarked within 35 days of this published notice. ADEQ is granting a slightly extended comment period for this rulemaking, and the comment period for this rulemaking shall close on May 1, 2026 at 5:00 p.m.

An online oral proceeding is scheduled for this proposed rulemaking. A link to the hearing will be posted on the website for this rulemaking at <https://azdeq.gov/rulemaking/aml>.

Date: April 30, 2026
Time: 2:00 – 3:00 p.m.
Location: Online
Close of record: May 1, 2026 at 5:00 p.m.

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:

Not applicable

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:

Not applicable

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 direct federal law or regulation mandates or governs the specific state process established by this rule. The CWA does not require states to enact rules for abandoned mine land remediation, it provides a framework and funding incentives for states to address NPS pollution. In the absence of a directly applicable federal rule, Arizona is exercising its own authority under state law to protect water quality. Therefore, the issue of stringency relative to federal law is largely inapplicable. There is no one-to-one federal requirement that Arizona's rule could be stricter than.

These rules are consistent with federal objectives and the CWA § 319 program guidance but are an independent state initiative. Section 319 requires states to identify waters impaired or threatened by NPS pollution, assess the categories and causes of that pollution statewide, and develop and maintain a comprehensive NPS management program approved by the US EPA. The program must describe the best management practices, administrative and financial measures, and inter-agency coordination the state will use to control NPS pollution. Section 319 does not mandate new permitting or regulatory programs, but instead directs states to implement their approved programs using existing authorities, supported by federal grant funding and US EPA oversight.

To the extent one might compare this rule to federal environmental laws, the rule is not more stringent than federal law. Rather, it fills a gap left by federal regulation. Under federal law, point source discharges from mines are regulated but diffuse pollution from abandoned mines is not directly regulated by US EPA rules. Arizona's program seeks to manage that

pollution voluntarily, not through enforceable standards or limits. Moreover, A.R.S. § 49-203(A)(4) specifically authorizes this program by state law.

ADEQ has ensured the rules do not conflict with any existing federal regulations. In summary, the rules neither exceed nor contradict federal law; they implement state statutory requirements in harmony with CWA goals.

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:

Not applicable

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

Not applicable

14. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

**CHAPTER 9. DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER POLLUTION CONTROL**

ARTICLE 11. REMEDIATION OF NONPOINT SOURCE POLLUTION FROM ABANDONED MINES

Section

<u>R18-9-1101.</u>	<u>Definitions</u>
<u>R18-9-1102.</u>	<u>Applicability</u>
<u>R18-9-1103.</u>	<u>Site Assessments</u>
<u>R18-9-1104.</u>	<u>Remedial Action Plans</u>
<u>R18-9-1105.</u>	<u>Remedial Actions</u>
<u>R18-9-1106.</u>	<u>Remedial Action Completion</u>
<u>R18-9-1107.</u>	<u>Access to Abandoned Mines</u>

ARTICLE 11. REMEDIATION OF NONPOINT SOURCE POLLUTION FROM ABANDONED MINES

R18-9-1101. Definitions

1. "Abandoned Mine" means a mine where mining operations have been permanently terminated or for which no owner, operator, or other claimant of record can be located for a deserted mine site.
2. "Best Management Practices" means those methods, measures or practices to prevent or reduce pollution and includes structural and nonstructural controls and operation and maintenance procedures. Best management practices may be applied before, during, and after remediation work to reduce or eliminate the introduction of pollutants into receiving waters. Economic, institutional and technical factors shall be considered in developing best management practices.
3. "Clean Water Act" means the federal water pollution control act amendments of 1972 (P.L. 92-500; 86 Stat. 816; 33 United States Code sections 1251 through 1376), as amended.
4. "Department" means the Department of Environmental Quality.
5. "Director" means the director of environmental quality or the director's designee.
6. "Discharge" means the direct or indirect addition of any pollutant or hazardous substance to a WOTUS or WOTUS protected surface water.
7. "Hazardous" means capable of causing or significantly contributing to adverse effects on human health or the environment, including risks associated with toxicity, persistence, mobility, reactivity, or bioaccumulation.
8. "Institutional Control" means a legal or administrative tool or action taken to reduce the potential for exposure to contaminants.
9. "Nonpoint Source" means any conveyance that is not a point source from which pollutants are or may be added to WOTUS.
10. "Nonpoint Source Pollution" means pollution from a nonpoint source.
11. "Owner" means all persons or entities that currently hold fee title to property other than as security for an obligation.
12. "Point Source" means any discernible, confined and discrete conveyance, including any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants are or may be discharged to WOTUS or WOTUS protected surface water. Point source does not include return flows from irrigated agriculture.
13. "Pollutant" means fluids, contaminants, toxic wastes, toxic pollutants, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and mining, industrial, municipal and agricultural wastes or any other liquid, solid, gaseous or hazardous substances.
14. "Remediation" means the treatment or removal of contaminated environmental media.

15. “Remedial Action” means those actions that are necessary to prevent the addition of a pollutant into a WOTUS or WOTUS protected surface water.
16. “Remediating Person” means any public or private corporation, company, partnership, firm, association, or society of persons, the federal government and any of its departments or agencies, this state or any of its agencies, departments, political subdivisions, counties, towns, municipal corporations, as well as a natural person that is engaged in remediating Abandoned Mine Lands.
17. “Site” means the areal extent of contamination suspected or known to be adding pollution into a WOTUS or WOTUS protected surface water.
18. “WOTUS” means waters of the state that are also navigable waters as defined by section 502(7) of the Clean Water Act.
19. “WOTUS Protected Surface Water” means a protected surface water that is a WOTUS.

R18-9-1102. Applicability

A. This article applies to:

1. The remediation of nonpoint source pollution from abandoned hardrock mines; and
2. Any remediating person who accepts and utilizes state and/or federal funds administered by the Department to conduct a remediation project of nonpoint source pollution from abandoned hardrock mines.

B. This article does not apply to:

1. Pollution or suspected pollution from nonpoint sources, other than those mentioned in subsection (A);
2. Discharges or suspected discharges from point sources; and
3. Discharges or suspected discharges from sources currently managed under a state or federal permit or any other A.R.S. Title 49 program.

R18-9-1103. Site Assessments

A. The Department or a remediating person shall conduct a site assessment before remedial work begins. The purpose of a site assessment is to identify and quantify potential physical hazards, environmental risks, or other site conditions that could potentially affect the scope of remediation activities. The site assessment shall:

1. Establish the nature and extent of the nonpoint source pollution;
2. Identify current and potential impacts to public health and the environment;
3. Obtain and evaluate any other information necessary for identification of remedial actions.

B. The site assessment, which may be conducted in one or more phases, shall include a field assessment to evaluate the following factors:

1. Physical characteristics of the site;
2. The extent and general characteristics of the pollutants on site;
3. The extent, general characteristics, and degree of the source of the nonpoint source pollution associated with the site; and
4. Current and reasonably foreseeable impacts to WOTUS or WOTUS protected surface waters.

C. Using the data developed during the site assessment and information collected a site-specific risk evaluation may be conducted to characterize the current risks to public health and the environment from the pollution.

D. The site assessment may consist of a summary of the data and information collected with references to the supporting documentation.

R18-9-1104. Remedial Action Plans

A. Prior to engaging in remedial action pursuant to R18-9-1105, the Department or a remediating person shall prepare a remedial action plan.

B. The remedial action plan shall include the following:

1. A description of the remedial action;
2. A description of how the remedial action will achieve the remedial objectives and how accomplishment of the remedial objectives will be measured;
3. A timeline for implementation or construction of the remedial action;
4. The total estimated cost of the remedial action;
5. The expected operational life of the remedial action; and
6. A Health and Safety Plan.

R18-9-1105. Remedial Actions

A. Remedial actions shall:

1. Assure the protection of public health and welfare and the environment; and
2. To the extent practicable, provide for the control, management, and cleanup of nonpoint source pollutants in order to allow for the restoration and maintenance of the chemical, physical and biological integrity of WOTUS and WOTUS protected surface waters.

B. When selecting remedial actions, the Department or a remediating person may consider the following factors:

1. Population, environmental and welfare concerns at risk.
2. Routes of exposure.
3. Impact of the pollution on the uses of the waterbody.
4. Impact of the pollution on the aquatic and terrestrial biota.
5. Amount, concentration, hazardous properties, environmental fate, such as the ability to bioaccumulate, persistence and probability of reaching WOTUS and WOTUS protected surface waters, and the form of the substance present.

6. The technical practicality and cost-effectiveness of alternative remedial actions applicable to a site.
7. The impact on groundwater quality.
8. The availability of other appropriate federal or state remedial action and enforcement mechanisms, including other funding sources, to respond to the pollution.

C. The remedial action shall comply with any and all applicable laws and rules.

D. The remedial action shall be selected based upon best engineering, geological, or hydrogeological judgment following engineering, geological, or hydrogeological standards of practice.

E. Prior to implementing a remedial action at a site, a remediating person shall obtain the land owner's written consent.

R18-9-1106. Remedial Actions Completion

A. After project completion, the Department or a remediating person shall determine whether the objectives in the remedial action plan have been met. The determination may be made by the Department or a remediating person based upon any of the following:

1. A reduction in pollutant loading in a waterbody;
2. A reduction in the mobility or migration of pollutants;
3. A reduction in pollutants that will positively affect aquatic and terrestrial biota;
4. Reasonable and foreseeable impacts to WOTUS and WOTUS-protected surface waters;
5. The remedial action has contributed to preserving and protecting the quality of surface waters within the project area for all present and reasonably foreseeable future uses; or
6. The waterbody is meeting applicable surface water quality standards.

B. The Department or a remediating person may take additional remedial action on a previous site for any of the following reasons:

1. On discovery of new information.
2. That information submitted to the Department under subsection A was inaccurate, misleading, or incomplete.
3. The remedial action implemented did not achieve the remedial objectives.
4. The Department determines that a remedial action is necessary to respond to a release or the threat of a release of a pollutant or hazardous substance that may present a risk to the public health or the environment.

R18-9-1107. Access

Prior to initiating a site assessment or remedial action, the Department or a remediating person shall ensure that valid access agreements are in place.

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NOTICES OF FINAL RULEMAKING

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NOTICES OF FINAL RULEMAKING

An agency shall submit a Notice of Final Rulemaking to the Governor’s Regulatory Review Council (Council) or Attorney General for review within 120 days after the close of the record on a proposed rulemaking, and if applicable, supplemental proposed rulemaking, under A.R.S. § 41-1024.

The Notice of Final Rulemaking as published in this section has been filed with a certificate of approval from the Council or Attorney General.

An economic, small business and consumer impact statement is filed with this notice but not published in the *Register*.

The effective date of this notice is published in item #4 of the preamble.

Questions about the notice can be answered by the person listed in item #6 of the preamble.

The codified version of Notices of Final Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

NOTICE OF FINAL RULEMAKING
TITLE 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION

[R26-31]

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:

January 29, 2025

2. Article, Part, or Section Affected (as applicable)

R12-4-114

Rulemaking Action

Amend

3. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 17-231

Implementing statute: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-331(A), 17-332(A), and 17-371

4. The effective date of the rule:

July 1, 2026

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 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 the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

The Commission requests the rulemaking become effective on July 1, 2026. This delayed effective date will allow the Department the time needed to ensure necessary programmatic changes occur and all affected publications, licenses, applications, permits, tags, and Internet pages are revised before the rulemaking becomes effective.

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

Notice of Rulemaking Docket Opening: 31 A.A.R. 2337; Issue Date: July 11, 2025; Issue Number: 28; File Number: R25-156

Notice of Proposed Rulemaking: 31 A.A.R. 2279; Issue Date: July 11, 2025; Issue Number: 28; File Number: R25-147

6. The agency’s contact person who can answer questions about the rulemaking:

Name: Christopher Dean, Rules and Policy Administrator

Address: Arizona Game and Fish Department
5000 W. Carefree Highway
Phoenix, AZ 85086

Telephone: (623) 236-7390

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Email: CDean@azgfd.gov

Website: azgfd.gov

Please visit the AZGFD website to track the progress of this rule; view the regulatory agenda, five-year review reports, and learn about other agency rulemaking matters.

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

R12-4-114 Issuance of Nonpermit-tags and Hunt Permit-tags: The objective of the rule is to prescribe the hunt permit-tag structure, conditions under which the Commission may issue tags, application procedures, and distribution and use of hunt permit-tag and nonpermit-tags. The rule was adopted to provide the regulated community with the information necessary to apply for a hunt permit-tag, nonpermit-tag, and describes the computer draw process. The Commission proposes to amend R12-4-114 to establish a 10% limitation on all big game permits issued by way of a computer draw. Currently, subsection (E) identifies a 10% nonresident cap for the following species: antlered deer, pronghorn, bull elk, turkey, bighorn sheep, bison, and sandhill crane. The rule leaves out the following species: antlerless deer, any deer, antlerless elk, any elk, and javelina. It appears that recently, hunts lacking the nonresident cap are becoming more popular among nonresidents and are well exceeding the 10% cap. For the Department's most recent computer draws, the 2023 Fall, 2023 Pronghorn/Elk, and 2024 Spring, of the nonresident allocation for hunts that do not have a nonresident cap there were 37 elk hunts and 41 javelina hunts that exceeded the standard 10% nonresident allocation. Of those, 36 elk hunts and 15 javelina hunts had either of the following: 1) resident applicants exceeded the permits available for the hunt or 2) there were no unissued permits left after all 3 passes of the draw. The criteria indicates that those hunts likely would have offered additional opportunity to resident applicants if there was a 10% nonresident cap in place.

8. 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:

Not applicable

9. 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

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

The rulemaking proposes to ensure compliance with the 10% limitation established under A.R.S. § 17-332 as they apply to big game permits issued by way of a computer draw.

The Commission anticipates the rulemaking will most significantly affect persons regulated by the rule, both resident and nonresident, and the Department.

The Commission anticipates specifically limiting the number of big game tags made available to nonresidents will have a non-quantifiable impact on hunter satisfaction, both resident and nonresident. Resident hunters will appreciate the additional opportunities made available to them and nonresident hunters will be dissatisfied with the limited number of nonresident big game tags.

The Commission anticipates the rulemaking will impact the Department because this change will reduce the number of nonresident permit-tags issued through the computer draw, and therefore reduce revenue generated from the sale of those permits. However, because nonresidents are still required to purchase a license in order to apply for the computer draw, the loss of revenue would be limited to the sale of the additional nonresident permit-tags.

The Commission anticipates the rulemaking will not impose increased monetary or regulatory costs on other state agencies and political subdivisions of this State.

The Commission anticipates the rulemaking may impact individuals and businesses, both large and small; however, the Commission has determined that the impact will not be significant enough to negatively impact business revenues or payroll expenditures.

The Commission anticipates the rulemaking will not significantly affect a person's ability to practice an activity, including guiding hunters, or have a significant impact on a person's income, revenue, or employment in this state related to that activity. Because the Department does not track the number of guides who provide guide services or the number of nonresidents they may provide these services to, it is not possible to quantify the impact.

The Commission anticipates the rulemaking will not impact public or private employment.

The Commission anticipates the rulemaking will have an insignificant impact on State revenues and the general fund due to fewer nonresidents traveling to Arizona to hunt. However, this amount is not quantifiable because of the variables: how long is the nonresident staying in Arizona, how did they travel, are they staying in a camper or purchasing lodging, etc.

The Commission has determined that there are no alternative methods of achieving the objectives of the rulemaking and that the benefits of the rulemaking outweigh the costs.

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

Not applicable

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

During the rulemaking process to further encourage public participation in the rulemaking process, the Department issued press releases and published information regarding the proposed rulemaking. The Notice of Proposed Rulemaking was published in the *Arizona Administrative Register* on July 11, 2025; the official public comment period began July 11, 2025 and ended on August

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10, 2025, see Notice of Proposed Rulemaking: 31 A.A.R. 2280, July 11, 2025.

The proposed rulemaking was an agenda item at the September 2025 Commission Meeting; members of the public and stakeholders were given the opportunity to address the Commission in response to the rulemakings.

In addition to the above, at the December 2025 Commission meetings, under the Call to the Public agenda item, the public could comment on the proposed rule packages and numerous persons did afford themselves the opportunity to do so.

During the formally noticed September, 2025 Commission meeting, the Commission formally accepted additional oral comments in person, by telephone, and from public stakeholders who wished to comment about the proposed rules virtually from any of the six Game and Fish regional offices.

It is important to note, to further encourage public participation in the rulemaking process, the Department issued press releases, a licensed dealer bulletin, and published information regarding the proposed changes.

It is important to note, all comments submitted in response to the proposed rulemaking were also provided to the Commission and the Governor's Regulatory Review Council for their consideration.

The following comments were received in response to the Notice of Proposed Rulemaking, see Notice of Proposed Rulemaking: 31 A.A.R. 2279, July, 2025:

Public Comment from June 7, 2025: Arizona Citizens should be given priority in the hunting permit drawing process. I have not been drawn in 8 (EIGHT) consecutive YEARS when applying for Archery only hunts. Having points didn't make a difference, applying in areas with 600+ permits each time, didn't make a difference. Citizens, like myself, shouldn't be skunked repeatedly. If someone is drawn 3 years in a row, moving them back in the drawing cycle for the next year to two would be understandable. I was 62 years old the last time I was drawn. Being a taxpaying citizen of Arizona and supporting AZGFD by purchasing hunting licenses and applying for the draw repeatedly, should make a difference. However right now, it doesn't

Agency Response: This proposal already supports the residents of the State of Arizona. All tags are available to State of Arizona residents, and the 10% non-resident limit is the upper limit for non-residential draw recipients, and is not indicative that 10% of tags will be issued to non-residents.

Public Comment from July 11, 2025: Will any of the amendments recommend fee increases?

Agency Response: There is no increase of any fees in the proposed rulemaking.

Public Comment from July 11, 2025: I just wish they could make the drawing for big games more fair, like people like me only get drawn for a big game once or twice in my lifetime and other people get drawn several times, something is wrong with the drawing for big game

Agency Response: The current draw system is the fairest method of distributing limited hunting opportunities across all interested participants.

Public Comment from July 12, 2025: Hello! I am in support of all proposed rule changes. They all seem reasonable and improvements.

Agency Response: Thank you for your support.

Public Comment from July 14, 2025: Dear AZGFD There is a fundamental issue with the current unit quota allocation system for deer hunting. It has become increasingly clear that certain outside groups are submitting false reports of tag fulfillment in an effort to prematurely close hunting units. While I personally support the idea of a quota system, its enforcement must be accompanied by a requirement for proof of harvest. This would help prevent manipulation and ensure the system remains fair and accurate. As a lifelong archery hunter, it's frustrating that I've been unable to participate in recent years due to these early unit closures. The speed at which some units are being closed simply doesn't add up, and it's evident that changes need to be made to restore integrity and accessibility to the process.

Agency Response: This rulemaking does not relate to the over the counter archery tags. If someone has specific information of a third party submitting false reports, it should be provided to law enforcement.

Public Comment from July 16, 2025: I was wondering if there is any talk or discussion regarding a bonus point purchase period separate from the draw? I know some other states have a short time period after their draw that you can purchase bonus points only. I thought I heard something about AZ implementing it but I haven't been able to find any information.

Agency Response: This rulemaking does not relate to a bonus point purchase period.

Public Comment from July 17, 2025: ND allows only one Elk, Moose, or Bighorn tag per lifetime. Many AZ hunters seem to get a tag every year while others never get one. I propose a 3 year pause after a successful tag is obtained to spread success more abundantly. There is great resistance from those who get tags regularly, still this would be a fair rule for all.

Agency Response: Bighorn and Bison are already a once in a lifetime harvest. Internal department research indicates that a three year delay would not make a substantial difference in draw results due to the more limited opportunity in Arizona. This is the fairest system in Arizona for providing an equal opportunity to all hunters.

Public Comment from July 30, 2025: I would like to add my 2 cents to the rule making process for R12-4-114. I do understand your reasoning for pulling crossbows from archery hunting seasons. However, this may put older, very physical and active members of the hunting community who cannot physically pull a bow of legal poundage because of shoulder replacement surgery out of archery only hunting seasons. Archery hunting is the really only true hunting which puts game and hunter on a level playing field, but actually wild game advantage, the way it should be. Yes, I have archery hunted big game for 58 years in Colorado, and AZ since I became a citizen of AZ in 2001. (now 78) I only want to use a firearm, a shotgun, when hunting birds. which our ances-

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tors were mostly the only ones to get birds with arrows, etc. I also understand why this rule change is needed, because there is no feasible testing to determine if an individual is “gaming” the system. (An unethical DR. is just as real as an unethical hunter). Now my proposal would be to add an age compensator to the CHAMP regulations which allow the crossbow to be used during archery seasons by qualified individuals. I would favor a 75-year-old or older Arizona resident as the compensator. Why? Most hunters over 75 and with limited strengths want to hunt with firearms. Easier to carry than a crossbow, the long shots are possible, and you can ride around in a side-by-side as driver or hunter without walking crawling or being quiet, camouflaged or sneaky. A hunter not wanting to use a firearm (for lots of reasons you all understand), to ride around and hunt unethically, and to continue challenging themselves to outsmarting that wild animal needs to be able to have that opportunity under a fair chase, using a capable weapon they can handle, a crossbow. This addition I think would let you rewrite the repeal of R12-4-216 without creating a loophole like the crossbow and technology did when rule making tried to give deserving hunters their chance to pursue their idea of hunt and sport in the American way. Thanks for hearing me out.

Agency Response: This rulemaking is unrelated to the rulemaking amending crossbow permits.

13. 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:

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 included in this notice does not require the issuance of a regulatory permit, license, or agency authorization.

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 included in this notice is based on state law and federal law is not directly applicable to the rules.

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

Not applicable

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

Not applicable

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

Not applicable

16. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Section

R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-114. Issuance of Nonpermit-tags and Hunt Permit-tags

- A. The Department provides numbered tags for sale to the public. The Department shall ensure each tag:
1. Includes a transportation and shipping permit as prescribed under A.R.S. §§ 17-332 and 17-371, and
 2. Clearly identifies the wildlife for which the tag is valid.
- B. If the Commission establishes a big game season for which a hunt number is not assigned, the Department or its authorized agent, or both, shall sell nonpermit-tags.
1. A person purchasing a nonpermit-tag shall provide all of the following information to a Department office or license dealer at the time of purchase; the applicant’s:
 - a. Name,
 - b. Mailing address, and
 - c. Department identification number.
 2. An applicant shall not obtain nonpermit-tags in excess of the bag limit established by Commission Order when it established the season for which the nonpermit-tags are valid.
- C. If the number of hunt permits for a species in a particular hunt area must be limited, a Commission Order establishes a hunt number for that hunt area and a hunt permit-tag is required to take the species in that hunt area.
1. A person applying for a hunt permit-tag shall submit an application as described under R12-4-104.
 2. The Department shall determine whether a hunt permit-tag will be issued to an applicant as follows:
 - a. The Department shall reserve a maximum of 20% of the hunt permit-tags for each hunt number, except as established under subsection (C)(2)(b), for bear, deer, elk, javelina, pronghorn, Sandhill crane, and turkey and reserve a maximum of 20% of the hunt permit-tags for all hunt numbers combined statewide for bighorn sheep and bison to issue to persons who have bonus points and shall issue the hunt permit-tags as established under subsection (C)(2)(c).

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- b. For bear, deer, elk, javelina, pronghorn, Sandhill crane, and turkey, the Department shall reserve one hunt permit-tag for any hunt number with fewer than five, but more than one, hunt permit-tags and shall issue the tag as established under subsection (C)(2)(c).
c. The Department shall issue the reserved hunt permit-tags for hunt numbers that eligible applicants designate as their first or second choices.
D. A person may purchase hunt permit-tags equal to the bag limit for a genus.
E. The Department shall make available to nonresidents:
F. The Commission may, at a public meeting, increase the number of hunt permit-tags issued to nonresidents in a computer draw when necessary to meet management objectives.
G. The Department shall not issue under subsection (C)(2)(c), more than half of the hunt permit-tags made available to nonresidents under subsection (E).
H. A nonresident cap established under this Section applies only to hunt permit-tags issued by computer draw under subsections (C)(2)(c) and (d).

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TITLE 17. TRANSPORTATION

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

[R26-32]

PREAMBLE

- 1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the Governor on: November 21, 2025
2. Article, Part, or Section Affected (as applicable) R17-4-351 Rulemaking Action Amend
3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific): Authorizing statute: A.R.S. §§ 28-366 and 28-7045 Implementing statute: A.R.S. §§ 28-2151 and 28-2209
4. The effective date of the rule: May 2, 2026

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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 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 the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

Not applicable

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

Notice of Rulemaking Docket Opening: 31 A.A.R. 1974; Issue Date: June 20, 2025; Issue Number: 25; File Number: R25-125
Notice of Proposed Rulemaking: 31 A.A.R. 2663; Issue Date: August 15, 2025; Issue Number: 33; File Number: R25-182

6. The agency’s contact person who can answer questions about the rulemaking:

Name: John Lindley
Title: Senior Rules Analyst
Division: Office of Law and Policy, Government Relations and Rules
Address: Arizona Department of Transportation
206 S. 17th Ave., Mail Drop 180A
Phoenix, AZ 85007
Telephone: (480) 267-6543
Email: jlindley@azdot.gov
Website: To track the progress of this rule and any other agency rulemaking matters, please visit our ADOT website at: <https://azdot.gov/about/government-relations>.

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

The Arizona Department of Transportation (ADOT) engages in this rulemaking to implement Laws 2024, Ch. 208, § 6, which now allows the Department to offer customized commercial fleet name or logo license plates for use on qualifying commercial fleet vehicles. This rulemaking amends existing rule R17-4-351 to establish the new fees that must be paid to the Department by an owner or operator of a commercial vehicle fleet who seeks to participate in a voluntary program that will allow the owner or operator to display their unique company name or logo on the license plates of all qualifying commercial fleet vehicles, in lieu of using standard fleet license plates. As authorized under A.R.S. § 28-2209, for the initial design, production, and implementation of each type of uniquely designed commercial fleet license plate the Department intends to establish a one-time fee of \$4,000 for a company “name” plate, and a one-time fee of \$5,000 for a company “logo” plate. The Department also intends to establish a new substitution fee of \$5 to be charged to an owner or operator of a commercial vehicle fleet seeking to exchange a vehicle’s currently issued license plate with a new commercial fleet name or logo plate.

The Department’s primary purpose for initiating this rulemaking was to create the new fees required under A.R.S. § 28-2209 to be set by rule before the new license plates authorized by the legislature can be issued. However, after publication of its Notice of Proposed Rulemaking, the Department was informed in comments received from the Arizona Trucking Association’s President and CEO (see item 12), that the primary purpose of the implementing legislation was to address industry concerns regarding:

- Fleet security and theft deterrence,
- Enhanced law enforcement identification capabilities, and
- Reduction in commercial plate theft.

On behalf of Arizona’s commercial trucking industry, the Arizona Trucking Association’s President and CEO testified to the House Transportation & Infrastructure Committee on 2/7/2024 for HB2414, that these plates would, “prevent our license plates from being stolen in other jurisdictions and used for criminal activity.” Although this type of criminal behavior would be difficult to quantify, the Department would like to clarify that we understand the industry’s concerns about stolen vehicles and license plates and acknowledge that this is the reason why the industry supported the creation of these types of license plates.

Combating vehicle or license plate theft has always been a function of Arizona’s law enforcement agencies and ADOT plays a role in those efforts. These new commercial fleet name and logo license plates will make it easier for law enforcement agencies to identify license plates that may not match the vehicle, which could indicate that either the plate or the vehicle may be stolen. Although the higher purposes for producing these commercial fleet name and logo license plates are fleet security, theft deterrence, and enhanced law enforcement identification capability, each owner or operator of a commercial vehicle fleet who chooses to purchase these custom plates may also experience the benefit of additional business name or logo recognition.

8. 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.

9. 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

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

This rulemaking amends one rule under Arizona Administrative Code Title 17, Chapter 4, Article 3, relative to vehicle registration requirements applicable to owners or operators of commercial vehicle fleets who seek to display a unique company name or logo on qualifying commercial fleet vehicle license plates, in lieu of using standard fleet license plates.

Laws 2024, Ch. 208, § 6, permits ADOT to charge the owner or operator of a commercial vehicle fleet with more than 25 commercial vehicles a fee in an amount to be determined by the Department for the initial design and administration of a new commercial vehicle fleet license plate that displays each applicant's unique company name or logo and allows ADOT to establish design guidelines to help streamline the approval process and minimize the costs.

The plates will be made available in one of two different plate styles depending on the size of the fleet. The owner or operator of a participating fleet with more than 25 commercial vehicles may apply for plates that display the name of the fleet across the bottom. However, the owner or operator of a participating fleet with more than 100 commercial vehicles may instead choose to use plates that display the fleet's approved logo in a standard location on each plate.

The owners or operators of each commercial vehicle fleet will have the choice of selecting a standard fleet license plate, or after payment to the Department of the required one-time fee and completion of the initial design and administration process, a new custom license plate that will be manufactured with each unique company name or logo, as applicable.

On payment to the Department of a one-time fee of \$4,000 for the initial application, design, and implementation of a commercial vehicle fleet "name" license plate, or on payment to the Department of a one-time fee of \$5,000 for the initial application, design, and implementation of a commercial vehicle fleet "logo" license plate, the Department will make these plates available for placement on any of the applicant's qualifying commercial fleet vehicles.

In addition to this fee and all other existing statutorily prescribed fees generally due to the Department at the time of commercial vehicle fleet registration, if the fleet owner or operator requests to exchange an existing standard fleet license plate for a new custom company name or logo license plate, the fleet owner or operator must also pay to the Department a plate substitution fee of \$5 per vehicle (as authorized under A.R.S. § 28-2209) and any applicable postage fees. In comparison, Texas charges a one-time license plate manufacturing fee of \$8 for each custom company name or logo plate or set of plates. For a newly registered vehicle that doesn't already have an assigned license plate, the Department will not charge the \$5 substitution fee and will issue the commercial fleet name or logo plate as applicable. The legislation also establishes a new fund to consist of the monies collected and administered by ADOT for the implementation of these commercial vehicle fleet license plates. Monies deposited into the fund are continuously appropriated and are exempt from lapsing.

In order to reduce the cost of implementing the commercial fleet "name" plate, the Department will need to prohibit the use of unique features for the name of a company and instead prescribe the font, color, size and other attributes for the design of the name plate. The company will only have a choice in what the name to display will be. This will reduce the amount of time it will take to coordinate each new commercial name plate, and because of the standardization of the appearance of the name at the bottom of the license plate, the Department will not need the additional outside reviews and approvals (American Association of Motor Vehicle Administrators, law enforcement, etc.) for the name-only plates, reducing the cost of the development.

The economic impact of this rulemaking is not readily quantifiable, but is anticipated to be de minimis. The Department believes that this rulemaking fulfills an objective related to economic development or economic expansion in this state by: helping to facilitate fleet security, theft deterrence, and enhanced law enforcement identification capability for participating commercial vehicle fleet owners and operators; and offering the Arizona business community a new option for promoting and gaining additional name or logo recognition.

The Department anticipates that each fleet "name" license plate will cost the Department at least \$4,000 to implement, and each fleet "logo" license plate design will cost the Department \$5,000 to implement. The costs include labor for about ten different ADOT employees to: coordinate and implement each unique fleet name or logo plate requested; facilitate all anticipated coordination between the Department and each stakeholder for design work and review; design and develop appropriate prototypes; perform all necessary reviews and approvals; complete readability reviews with various law enforcement agencies; and program the Department's systems to include the new plates. The Department anticipates that each unique fleet "logo" plate design will require about 57.75 hours of total work, at an average total cost per hour of \$84 (all-in cost for salaries, benefits, etc.). The Department anticipates that each unique fleet "name" plate design will require about 48 hours of total work, at an average total cost per hour of \$84 (all-in cost for salaries, benefits, etc.). Since the Department anticipates that all costs associated with implementing and administering this program, as prescribed in this rulemaking, will be absorbed by the fleet owners and operators who choose to voluntarily participate in the program, the Department can implement this rulemaking using existing employee resources. No new full-time equivalent (FTE) positions will be required.

Possible stakeholders for this rule may include all owners or operators of commercial vehicle fleets that choose to apply for commercial vehicle fleet name or logo license plates, the Arizona Trucking Association, the Greater Phoenix Chamber of Commerce, U-Haul, and the Arizona Department of Public Safety.

Although, the Department's primary purpose for initiating this rulemaking is to create the new fees required under A.R.S. § 28-2209 to be set by rule before the new license plates authorized by the legislature can be issued, after publication of its Notice of Proposed Rulemaking, the Department was informed in comments received from the Arizona Trucking Association's President and CEO (see item 12), that the primary purpose of the implementing legislation was to address industry concerns regarding:

- Fleet security and theft deterrence,
- Enhanced law enforcement identification capability, and
- Reduction in commercial plate theft.

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The Arizona Trucking Association has communicated to the Department an urgency to make these plates available to the public as soon as possible. This rulemaking will inform the public of the availability of the new commercial vehicle fleet license plate options available to a resident or nonresident engaged in operating one or more fleets of commercial vehicles in this state and another jurisdiction when registering and licensing their vehicles for operation in this state.

The Department anticipates that this rulemaking will not increase any existing costs or burdens on stakeholders subject to the rule except for the initial one-time investment of \$4,000 per company name, or \$5,000 per company logo. The \$5 per vehicle plate substitution fee would only be due to the Department if the owners or operators of qualifying fleet vehicles voluntarily choose to exchange their existing standard fleet license plates with the new custom fleet name or logo license plates. However, the owners and operators of these commercial vehicle fleets may experience moderate benefits from the additional fleet security, theft deterrence, enhanced law enforcement identification capability, advertising exposure, and recognition that these commercial vehicle fleet name or logo license plates might provide.

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

After publication of its Notice of Proposed Rulemaking, the Department received several comments from the Arizona Trucking Association (see item 12). One of those comments read, “The legislation was designed to address fleet security and theft prevention. Commercial motor vehicle license plates are frequently stolen by criminals for use in illegal activities. Custom fleet plates with company names or logos serve as a theft deterrent and security measure, making stolen plates easily identifiable and less valuable to criminals.” Additionally, the ATA suggested that the proposed one-time fee of \$5,000 for the initial design, production, and implementation of both the fleet name and the fleet logo license plates would place an unreasonable financial burden on smaller fleets, contradict the legislature’s clear intent to provide affordable options for smaller operators, and create a barrier to entry that defeats the security purpose for many fleet operators.

After further discussions with the ATA, the Department agreed to review and change its plate development process analysis. The initial fee analysis was completed with the idea that a company would be able to have its name displayed on a license plate in a way that was unique to the company and that complied with license plate standards. This would have allowed the company to potentially choose a unique font, color scheme and size of text. However, in order to reduce the cost of implementing the commercial fleet name plate, ADOT will need to prohibit the use of unique features for the name of a company and instead prescribe the font, color, size and other attributes for the design of the name plate. The allowance of unique features for the name would have required additional review and back and forth conversations with each company to finalize and approve the design and would have needed a license plate standards review by the American Association of Motor Vehicle Administrators (AAMVA) and assorted law enforcement agencies. Therefore, the Department has agreed that the initially proposed fee of \$5,000 for the initial design, production, and implementation of the commercial fleet “name” plate can be reduced to \$4,000. The initially proposed fee of \$5,000 for the initial design, production, and implementation of the commercial fleet “logo” plate will remain the same.

In cooperation with the Arizona Trucking Association (ATA), and as a result of the comments the Department received from the ATA and members of the Governor’s Regulatory Review Council, the Department made the following clarifications to the rulemaking Preamble, and R17-4-351(A) of the proposed rule, before filing this Notice of Final Rulemaking with the Council:

- a. Under item 7 above, the Department’s justification and reason why this rule should be amended, was adjusted to clarify that the primary purposes for implementing these new commercial fleet name and logo license plates under Laws 2024, Ch. 208, § 6, are fleet security, theft deterrence, and enhanced law enforcement identification capability;
- b. Under item 10 above, the preliminary summary of the economic, small business, and consumer impact was adjusted to acknowledge the fleet security, theft deterrence, and enhanced law enforcement identification benefits that an owner or operator of a commercial vehicle fleet may experience if purchasing these new fleet name or logo license plates;
- c. Under item 10 above, the preliminary summary of the economic, small business, and consumer impact was adjusted to clarify that when ordering the commercial fleet “name” plates, the fleet owner or operator will only be able to choose what the name to display will read. This will reduce the amount of time it will take to coordinate each new commercial fleet name plate, and because of the standardization of the appearance of the name at the bottom of the plate, the Department will not need to send the fleet name plates to AAMVA and assorted law enforcement agencies for additional review, which will reduce the cost of plate development; and
- d. Under R17-4-351(A) of the proposed rule, after receiving extensive feedback from the ATA and members of the Governors Regulatory Review Council, the Department has changed the language in the final rulemaking to reflect a new lower fee of \$4,000 for the initial design, production, and implementation of commercial fleet “name” license plates.

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

The agency received the following stakeholder comments:

Company/Individual	Comments	ADOT Response
Arizona Trucking Association Tony Bradley, President and CEO 7500 W Madison Street, Tolleson, AZ 85353 602-850-6000 tbradley@aztrucking.com	EXECUTIVE SUMMARY The Arizona Trucking Association (ATA) respectfully submits these comments on the Arizona Department of Transportation’s (ADOT) Notice of Proposed Rulemaking regarding commercial vehicle fleet license plates. While we support ADOT’s implementation of Laws 2024, Ch. 208, § 6, we have significant concerns regarding the Department’s mischaracterization of the legislation’s purpose and the proposed fee structure that fails to distinguish	Regarding the Department’s Statement of Purpose and Preliminary Economic, Small Business, and Consumer Impact Statement: The Department (ADOT) appreciates the Arizona Trucking Association’s (ATA) time and attention in providing its thorough review and important feedback on this

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<p>between different plate types as required by statute.</p> <p>BACKGROUND AND LEGISLATIVE INTENT As the primary proponent of the authorizing legislation, the Arizona Trucking Association wishes to correct several fundamental misunderstandings in ADOT's proposed rule and economic impact analysis.</p> <p>The True Purpose: Fleet Security, Not Promotion ADOT's Mischaracterization: The Department's justification repeatedly emphasizes "promotion," "advertising exposure," and "economic development" as the primary purposes of this legislation. This characterization appears to be pure conjecture, unsupported by any legislative testimony, committee records, bill analysis, or documented intent from the legislative process.</p> <p>Actual Legislative Intent: The legislation was designed to address fleet security and theft prevention. Commercial motor vehicle license plates are frequently stolen by criminals for use in illegal activities. Custom fleet plates with company names or logos serve as a theft deterrent and security measure, making stolen plates easily identifiable and less valuable to criminals.</p> <p>This mischaracterization of purpose is not merely academic—it fundamentally undermines the cost-benefit analysis and fails to recognize the public safety benefits of the program.</p> <p>MAJOR CONCERNS WITH PROPOSED RULE</p> <p>1. Failure to Implement Tiered Fee Structure Statutory Requirement: Laws 2024, Ch. 208, § 6 establishes two distinct categories of fleet plates:</p> <ul style="list-style-type: none"> • Small Fleet Option (25+ vehicles): Text-only company name at the bottom of a standard plate • Large Fleet Option (100+ vehicles): Full logo design capability <p>ADOT's Error: The proposed rule imposes the same \$5,000 fee regardless of plate type, treating simple text addition as equivalent to full custom design work.</p> <p>Economic Impact: This approach:</p> <ul style="list-style-type: none"> • Places an unreasonable financial burden on smaller fleets • Contradicts the legislature's clear intent to provide affordable options for smaller operators • Creates a barrier to entry that defeats the security purpose for many fleet operators <p>2. Unjustified Cost Analysis ADOT's Claim: The Department estimates 57.75 hours of work costing \$4,857.50 for all plate types, regardless of complexity.</p> <p>Critical Flaw: ADOT's own detailed cost breakdown demonstrates that many process steps would be substantially different between text-only and logo plates:</p> <p>Steps That Would Be Identical for Both Plate Types:</p> <ul style="list-style-type: none"> • AAMVA verification process (\$245 + 0.5 hours) • System updates and testing (25+ hours)¹ • Policy updates and training materials (8+ hours)² • Leadership reviews (1.8 hours) <p>Steps That Would Be Dramatically Different:</p> <p><i>Logo Design Plates (Current Estimate):</i></p> <ul style="list-style-type: none"> • Initial meetings and application processing (2 hours) • Logo artwork review and coordination (1 hour) • Digital prototype creation and review (0.75 hours) • Physical prototype creation and review (1 hour) • Law enforcement readability review (1 hour) <p><i>Text-Only Plates (Realistic Estimate):</i></p> <ul style="list-style-type: none"> • Initial meetings and application processing (1 hour) • Text specification review (0.1 hours - standardized text placement) 	<p>rulemaking. We value our continued partnership with the ATA and are grateful for the dialogue.</p> <p>ADOT agrees that "promotion," and "advertising exposure" are not the primary purposes of this legislation. Those are simply two of several benefits that a commercial vehicle fleet owner or operator may experience if the fleet owner or operator chooses the option to purchase and use fleet name or logo license plates in lieu of the standard fleet license plates, which may help to support economic development in this state.</p> <p>Since the Department's initial purpose for initiating this rulemaking was to set the fees required by the legislature to be established by rule, the preliminary statements did not specifically include or acknowledge industry concerns about fleet security and theft prevention.</p> <p>The Department understands that these are the primary reasons that the industry supported the implementing legislation and has corrected the issue in its Notice of Final Rulemaking to acknowledge the fleet security, theft deterrence, and enhanced law enforcement identification benefits that an owner or operator of a commercial vehicle fleet may experience if purchasing these new fleet name or logo license plates.</p> <p>The Department has adjusted the narratives in the Preamble and the preliminary economic, small business, and consumer impact statement to acknowledge and emphasize that the primary purpose of the underlying legislation is to address industry concerns regarding fleet security and theft prevention and to focus more on the public safety benefits of the program. The Department's comprehensive economic, small business, and consumer impact statement contains all the additional information requested by the ATA regarding the intent of the legislature when passing <u>Laws 2024, Ch. 208, § 6</u>, and the additional anticipated benefits that these commercial fleet name or logo plates may provide.</p> <p>Regarding the Department's Processes and Cost Analysis: The Department respectfully disagrees with the ATA's assumptions regarding current ADOT systems, processes, and resources necessary to administer these types of special license plates.</p> <p>Additionally, the Department respectfully disagrees with the ATA's assumption that the costs for implementing these plates are only associated with the effort it takes to create a new design. ADOT has a culture of continuous process improvement. The Department routinely implements new types of license plates and has fine-tuned the implementation process over the years. Each legislative session there are several new special plates that are approved by the legislature. During the 2025 legislative session, the legislature approved a minimum of 13 new special plates. All steps required by the Department and improved over the years are necessary for developing and implementing every new type of license plate.</p>
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	<ul style="list-style-type: none"> • No digital prototype needed (existing template modification) • Minimal physical prototype review (0.25 hours - verify text placement) • Simplified law enforcement review (0.25 hours - text readability is straightforward) <p>Economic Reality: ADOT's cost analysis proves that text-only plates would require approximately 15-20 fewer hours of work, representing a cost difference of \$1,000-1,500 per plate. <u>However, we believe the actual cost differential would be even greater through reasonable process improvements.</u></p> <p>Process Streamlining Opportunities: Unlike logo plates that require unique custom design work for each fleet, text-only plates could utilize standardized procedures and templates, significantly reducing administrative costs through:</p> <ul style="list-style-type: none"> • Standardized text placement and formatting templates • Streamlined approval processes for text-only applications • Reduced prototype development time through replicable design elements • Economies of scale as multiple fleets use similar text-based designs <p>The duplicable nature of text-only plate processes would create administrative efficiencies unavailable for unique logo designs, further widening the actual cost gap between the two plate types. Charging identical fees for services with demonstrably different costs—and ignoring obvious efficiency opportunities—violates the cost-based fee requirement in A.R.S. § 28-2209.</p> <p>3. Irrelevant Comparative Analysis</p> <p>ADOT's Misleading Comparison: The Department cites Texas, which charges \$8 per plate, as if this supports their fee structure.</p> <p>Legal Problem: This comparison is irrelevant and misleading. Arizona law requires fees to be based on actual costs of design and administration, not market rates or what other states charge.</p> <p>A.R.S. § 28-2209 authorizes ADOT to determine fees “in an amount to be determined by the Department” for the actual costs of “initial design and administration.” Citing other states’ fees suggests ADOT is setting fees based on external benchmarks rather than Arizona’s actual costs, which exceeds their statutory authority.</p> <p>PROPOSED CORRECTIONS</p> <p>1. Implement Tiered Fee Structure</p> <p>The rule should establish differentiated fees that reflect actual costs:</p> <p>Text-Only Plates (25+ vehicle fleets):</p> <ul style="list-style-type: none"> • Initial setup fee: \$3,500-4,000 (reflects actual reduced costs per ADOT's own analysis) • Per-plate substitution fee: \$5 (as proposed) <p>Logo Design Plates (100+ vehicle fleets):</p> <ul style="list-style-type: none"> • Initial design and setup fee: \$4,857.50 (per ADOT's cost analysis) • Per-plate substitution fee: \$5 (as proposed) <p>2. Correct the Statement of Purpose</p> <p>The rule’s preamble should accurately reflect the legislation's primary purpose:</p> <ul style="list-style-type: none"> • Fleet security and theft deterrence • Enhanced law enforcement identification capabilities • Reduction in commercial plate theft <p>3. Revise Economic Impact Analysis</p> <p>The economic impact statement should:</p> <ul style="list-style-type: none"> • Acknowledge security benefits and crime reduction value 	<p>The design is developed by the organization, and then ADOT works with the requesting organization, law enforcement, and the producers of the actual plates to finalize the design so that it meets readability and other license plate standards. ADOT must also program its systems and update policies, procedures, training manuals, webpages, and other materials, which all must be addressed as part of the implementation process for each new type of license plate offered. Since some steps may take less time than others, depending on the type of new license plate requested, ADOT used a conservative approach when compiling the estimated cost analysis for this rulemaking and assumed only the minimum amount of time it would take to complete each step and accommodated for the time differences that may take place between each different type of license plate to be implemented.</p> <p>Participation in this program is purely voluntary, and the prescribed one-time fees reflect the actual costs required for designing, administering, and maintaining commercial vehicle fleet license plates capable of displaying unique graphics specific to each commercial vehicle fleet owner or operator.</p> <p>Regarding a Tiered Fee Structure:</p> <p>A.R.S. § 28-2209 does not prescribe a tiered fee structure, however, the statute does allow the Department to streamline the approval process and minimize the costs. The Department's initial fee analysis was completed with the idea that a company would be able to have its name displayed on a license plate in a way that was unique to the company (unique font, color scheme, size of text, etc.) and in compliance with existing license plate standards. However, after receiving this feedback, and other comments from owners and operators of small fleets and members of the Governor's Regulatory Review Council, ADOT will prescribe the font, color, size and other attributes for the design of the fleet “name-only” plate and disallow the option of using unique features for the name of a company. The company will only need to choose the name to display. This will reduce the amount of time it will take to coordinate each new commercial fleet name plate, and because of the standardization of the appearance of the name at the bottom of the plate, the Department will not need to subject the name plates to multiple outside reviews (American Association of Motor Vehicle Administrators, law enforcement, etc.), which will reduce the cost of development to \$4,000.</p> <p>Regarding engagement with stakeholders:</p> <p>The Department welcomes and appreciates all public comments received in response to any of its existing rules or rulemaking efforts, values all relationships with the Arizona business community, and looks forward to working again with the Arizona Trucking Association.</p>
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Arizona Administrative Register
NOTICES OF FINAL RULEMAKING

	<ul style="list-style-type: none"> • Provide differentiated cost analysis for each plate type • Consider the economic impact of commercial vehicle theft on Arizona businesses <p>SPECIFIC RULE LANGUAGE RECOMMENDATIONS</p> <p>Recommended Amendment to R17-4-351(A): “A commercial vehicle fleet owner or operator who seeks to display a commercial vehicle fleet name or logo on certain fleet vehicles as provided under A.R.S. § 28-2209, may apply to the Department for the initial design and administration of a commercial vehicle fleet name or logo license plate. The Department shall charge and collect:</p> <ol style="list-style-type: none"> 1. For fleets of 25 or more commercial vehicles seeking text-only company name plates: a one-time fee of \$2000 for initial setup and administration; 2. For fleets of 100 or more commercial vehicles seeking logo design plates: a one-time fee of \$4,857.50 for initial design and administration; <p>Such fees are in addition to all other applicable vehicle registration fees prescribed by statute and this Chapter.”</p> <p>LEGAL AND POLICY CONSIDERATIONS</p> <p>1. Compliance with Legislative Intent The proposed rule as written fails to implement the legislature’s clear intent to provide differentiated options at appropriate price points. This could constitute an ultra vires action by the Department.</p> <p>2. Due Process and Equal Protection Imposing identical fees for substantially different services may raise constitutional concerns regarding equal treatment under the law.</p> <p>3. Public Safety Impact The Department’s failure to recognize and properly implement the security purpose of this legislation undermines public safety objectives and law enforcement capabilities.</p> <p>CONCLUSION The Arizona Trucking Association believes that the proposed rule does not accurately reflect the legislative intent or needs of Arizona’s commercial vehicle fleets. Additionally, we believe ADOT’s justification that the costs associated with the design and administration of two distinctly different commercial license plates are identical simply defies reality. We strongly urge ADOT to:</p> <ol style="list-style-type: none"> 1. Amend the current proposed rule to accurately reflect legislative intent 2. Implement a tiered fee structure that differentiates between text-only and logo design plates 3. Correct the statement of purpose to emphasize fleet security rather than promotion 	
	<ol style="list-style-type: none"> 4. Conduct a proper economic impact analysis that considers both plate types and security benefits 5. Engage with stakeholders before finalizing any revised rule <p>We appreciate the Department’s efforts to implement this important legislation but believe the current approach fails to serve the interests of Arizona’s commercial fleet operators and the broader public safety objectives the legislation was designed to address.</p> <p>We respectfully request that ADOT work with the Arizona Trucking Association and other stakeholders to develop a rule that properly implements the legislature’s intent while serving the legitimate security needs of Arizona’s commercial transportation industry.</p> <p style="text-align: center;">NOTES:</p> <p>¹ It is ATA’s belief that the “system updates and testing” and “policy updates and training materials” hours and costs could be significantly reduced by the standardization of the text only plate.</p> <p>² <i>Id.</i></p>	

NOTICES OF FINAL RULEMAKING

13. 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 ADOT 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:

The new commercial fleet name and logo license plates issued by the Department under this rule are considered regulatory licenses that authorize certain commercial fleet vehicles to be operated on Arizona roadways once the Department receives all applicable fleet vehicle registration fees prescribed by statute. These plates are specifically authorized by statute and are considered “general permits” as defined under A.R.S. § 41-1037, since the activities and practices authorized by each type of license plate are the same for all owners and operators of qualifying commercial fleet vehicles throughout the state.

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:

There are no federal laws applicable to the subject matter of this 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 analysis was submitted to the Department.

14. 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.

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

Not applicable

16. The full text of the rule 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~~ Commercial Vehicle Fleet Name or Logo License Plate; Fees

ARTICLE 3. VEHICLE REGISTRATION

R17-4-351. ~~Special License Plate; Definition~~ Commercial Vehicle Fleet Name or Logo License Plate; Fees

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

A. A commercial vehicle fleet owner or operator who seeks to display a commercial vehicle fleet name or logo on certain fleet vehicles as provided under A.R.S. § 28-2209, may apply to the Department for the initial design and administration of a commercial vehicle fleet name or logo license plate. The Department shall charge and collect a one-time fee on initial application to the Department for a commercial vehicle fleet name or logo license plate in addition to all other applicable vehicle registration fees prescribed by statute and this Chapter;

- 1. A \$4,000 fee for the initial design and administration of a commercial vehicle fleet name license plate; or
- 2. A \$5,000 fee for the initial design and administration of a commercial vehicle fleet logo license plate.

B. A commercial vehicle fleet owner or operator who seeks to exchange a currently registered standard fleet vehicle license plate with a commercial fleet name or logo license plate shall pay to the Department a plate substitution fee of \$5 per exchanged plate.

C. The Department shall charge and collect from a commercial vehicle fleet owner or operator the current applicable postage rate of the U.S. Postal Service, as provided under A.R.S. § 28-2151 and A.A.C. R17-1-204, for each commercial vehicle fleet name or logo license plate mailed to the fleet owner or operator.

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NOTICES OF EXEMPT RULEMAKING

An agency shall prepare and file a Notice of Exempt Rulemaking to be published in the *Register* when exempt from all of the requirements outlined in the rulemaking process as specified in Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10, otherwise known as the Arizona Administrative Procedure Act (APA). Agencies prepare these notices under A.R.S. § 41-1097.01.

An agency's exemption is either written in law - under the APA, or by the Arizona State Legislature in statute, or under a referendum or initiative passed into law by Arizona voters; or a court has determined that an agency, board, or commission is exempt from the rulemaking process.

Exempt rulemakings, as published, are promulgated with no special conditions or restrictions; no public input; no public hearing; and no filing of a Proposed Exempt Rulemaking.

The authority authorizing the exemption is provided under item #3 of the preamble.

The effective date of this notice is published in item #4 of the preamble.

Questions about the notice can be answered by the person listed in item #6 of the preamble.

The codified version of Notices of Exempt Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

NOTICE OF EXEMPT RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 36. DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT

[R26-33]

PREAMBLE

- 1. Permission to proceed with this exempt rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
February 3, 2026

2. <u>Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
Article 5	New Article
R4-36-501	New Section
R4-36-502	New Section
R4-36-503	New Section
R4-36-504	New Section
R4-36-505	New Section

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

Authorizing statute: A.R.S. § 37-1302(A)(2)

Implementing statute: A.R.S. §§ 30-901 et seq., 37-1311(K), and 40-1301 et seq.

Statute or session law authorizing the exemption: Laws 2025, Chapter 167, § 4

- 4. The effective date of the rule:**

February 18, 2026 (*immediately upon filing with the Office of the Secretary of State*)

These rules are effective immediately to comply with statutory requirements requiring the Department of Forestry and Fire Management to review and approve wildfire mitigation plans pursuant to A.R.S. § 37-1311.

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

Not applicable

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

Name: Thomas Torres, Director
Address: Department of Forestry and Fire Management
1110 W. Washington St., Suite 500
Phoenix, AZ 85007
Telephone: 480-487-1313
Fax: 602-771-1421
Email: ttorres@dffm.az.gov
Website: dffm.az.gov

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

The Department needs to adopt these rules to ensure the public is aware of how the State Forester may process wildfire mitigation plans consistent with A.R.S. § 37-1311.

8. 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:

Not applicable

9. 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

10. A summary of the economic, small business, and consumer impact, if applicable to the exemption:

Not applicable

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

Not applicable

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:

Not applicable

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:

Not applicable

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:

Not applicable

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:

Not applicable

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

Not applicable

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 exempt rulemaking packages:

Not applicable

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 36. DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT

Arizona Administrative Register
NOTICES OF EXEMPT RULEMAKING
ARTICLE 5. WILDFIRE MITIGATION PLANS

Section	
<u>R4-36-501.</u>	<u>Definitions</u>
<u>R4-36-502.</u>	<u>Submission of Wildfire Mitigation Plans</u>
<u>R4-36-503.</u>	<u>Review of Wildfire Mitigation Plans</u>
<u>R4-36-504.</u>	<u>Approval or Denial of Wildfire Mitigation Plans</u>
<u>R4-36-505.</u>	<u>Annual Wildfire Mitigation Plan Compliance Statements</u>

ARTICLE 5. WILDFIRE MITIGATION PLANS

R4-36-501. Definitions

- A.** The definitions in A.R.S. §§ 30-901, 37-1311, and 40-1301 apply to this Article.
- B.** Unless otherwise specified, in this Article:
- “Administrative approval” means approval by operation of law when the State Forester does not request additional information or modification within the statutory review period.
 - “State Forester” means the same as in A.R.S. § 37-1302 or the State Forester’s designated representative.

R4-36-502. Submission of Wildfire Mitigation Plans

- A.** By May 1, 2026, and every two years thereafter, a public power entity or electric utility shall, unless opting out as permitted under A.R.S. §§ 30-903(E) or 40-1303(C) submit a Wildfire Mitigation Plan through the State Forester’s electronic portal according to A.R.S. §§ 30-903, 37-1311, and 40-1303 that includes the following:
- The legal name and mailing address of the public power entity or electric utility and the legal name and mailing address of:
 - Its owner, if it is a sole proprietorship, municipal corporation, or political subdivision; or
 - Each partner, if it is a partnership; or
 - The President and Secretary, if it is a corporation;
 - The name, phone number, mailing address, and email address of the individual authorized by the public power entity or the electric utility to submit the Wildfire Mitigation Plan and respond to inquiries on behalf of the public power entity or electric utility;
 - The actual number of customers the public power entity or electric utility serves within the service area as of the date the public power entity or electric utility submits the Wildfire Mitigation Plan;
 - The territory in which the public power entity or electric utility has been granted a Certificate of Convenience and Necessity and is authorized by the Arizona Corporation Commission to provide electric service;
 - The elements required by A.R.S. § 37-1311(H);
 - Documentation of governing body adoption, if required under A.R.S. § 30-903; and
 - Any materials the public power entity or electric utility incorporated by reference as permitted by A.R.S. § 37-1311(I).
- B.** Within 60 days of the date a public power entity or electric utility submits a Wildfire Mitigation Plan, the public Power entity or electric utility shall submit the Wildfire Mitigation Plan fee as determined by the State Forester.

R4-36-503. Review of Wildfire Mitigation Plans

- A.** The State Forester may request by written notice additional information or modifications to the Wildfire Mitigation Plan within 120 days after receiving a Wildfire Mitigation Plan submitted under R4-36-502.
- B.** The public power entity or electric utility shall provide any additional information or modifications through the State Forester’s portal within 90 days of the State Forester’s notice pursuant to subsection (A).

R4-36-504. Approval or Denial of Wildfire Mitigation Plans

- A.** The State Forester shall approve a Wildfire Mitigation Plan within 120 days after receiving a Wildfire Mitigation Plan submitted under R4-36-502 unless the State Forester requests additional information or modifications under R4-36-503(A).
- B.** The State Forester shall approve, deny, or request additional information or modifications to a Wildfire Mitigation Plan within 60 days after the public power entity or electric utility submits the additional information or modifications requested under R4-36-503(A).
- C.** The State Forester may deny the Wildfire Mitigation Plan if the Wildfire Mitigation Plan does not meet the requirements of this Article and A.R.S. § 37-1311.
- D.** The State Forester shall notify the public power entity or electric utility of the State Forester’s approval or denial in writing.

R4-36-505. Annual Wildfire Mitigation Plan Compliance Statements

- By March 1 of every year in which the public power entity or electric utility is not required to submit a Wildfire Mitigation Plan according to this Article, a public power entity or electric utility that has a current Wildfire Mitigation Plan approved by the State Forester shall submit a compliance statement that includes:
- A review of performance metrics that compares proposed and completed mitigation activities such as inspection and monitoring; installation and repair of protective equipment and infrastructure; and vegetation management;
 - Identification of the Wildfire Mitigation Plan objectives;
 - Explanation of material deviations between proposed and completed mitigation activities; and
 - Proposed adjustments for the next year.

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NOTICES OF RULEMAKING DOCKET OPENING

The APA requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under [A.R.S. § 41-1021](#).

A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same *Register* issue.

If a Notice of Proposed Rulemaking is not published in this *Register* that corresponds with a published docket in this week's issue, it simply

means the agency has not filed the notice for consideration and public review.

An agency has one year from the publishing of this notice to propose a rule; after one year the docket expires.

Questions about the notice can be answered by the person listed in item #5.

Refer to item #6 for information on how to comment on this notice.

NOTICE OF RULEMAKING DOCKET OPENING

CITIZENS CLEAN ELECTIONS COMMISSION

[R26-34]

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:

Pursuant to A.R.S. § 41-1039(E)(2)(c), the Commission is not required to obtain permission to proceed with this rulemaking.

2. Title and its heading:

2, Administration

Chapter and its heading:

20, Citizens Clean Elections Commission

Article and its heading:

1, General Provisions

Section number:

R2-20-113

3. The subject matter of the proposed rule:

The Commission is amending its rule to align with recent statutory changes to A.R.S. § 16-956 and to clarify candidate statement pamphlet procedures, ensuring the rule is clear, concise, consistent with governing law, and transparent to the public.

4. A citation to all published notices relating to the current proceeding:

Notice of Proposed Rulemaking: 32 A.A.R. 669, March 20, 2026 (*in this issue*); File Number: R26-29

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

Name: Tom Collins
Title: Executive Director
Address: 1802 W. Jackson St.
Phoenix, AZ 85007
Telephone: (602) 364-3477
Email: ceec@azcleanelections.gov
Website: www.azcleanelections.gov

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

The Commission will accept written comments until April 23, 2026 at 10 a.m. Written comments may be sent to ceec@azcleanelections.gov or to Citizens Clean Elections Commission, 1802 W. Jackson St., Number 129, Phoenix, AZ 85007.

NOTICES OF RULEMAKING DOCKET OPENING

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

The Commission could adopt a final rule beginning April 20, 2026.

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NOTICES OF AGENCY GUIDANCE DOCUMENT

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NOTICES OF AGENCY GUIDANCE DOCUMENT

Summaries and Location of Documents

Guidance documents are agency guidelines written to give broad advice on procedure instead of precise requirements and standards.

Agencies are required to inform the public about their guidance documents by preparing and filing a Notice of Agency Guidance Document with the Office under [A.R.S. § 41-1013\(B\)\(12\)](#).

This section of the *Register* also includes notices of summaries to any revisions to guidance documents.

Publication of these notices includes the guidance document name, a summary of the guidance document and information where a person may view the document in its entirety.

NOTICE OF AGENCY GUIDANCE DOCUMENT

A.R.S. § 41-1013(B)(12)

ARIZONA DEPARTMENT OF HEALTH SERVICES

[M26-13]

1. Document title and number:

GD-117-PHS-EDC: Guidance for Clinical Laboratory Submission of Isolates or Specimens

2. Is this a new guidance document or revision:

The guidance document is a revised document based on rules in 9 A.A.C. 6, Article 2, that went into effect on June 2, 2025.

3. Date published and effective date (if different from the date published):

Effective date: March 1, 2026

Date published: March 2026

4. Document summary:

This guidance document provides updated guidance to clinical laboratories and the public about the submission of isolates or specimens under A.A.C. R9-6-204 and Table 2.3 to the Arizona Department of Health Services after a clinical laboratory obtains a positive test result for specified organisms.

5. Contact information:

Name: Eric Thomas
Title: Chief
Division: Bureau of Infectious Disease Services
Address: 150 N. 18th Ave., Suite 300
Phoenix, AZ 85007-3248
Telephone: (602) 542-1588
Fax: (602) 364-3199
Email: Eric.Thomas@azdhs.gov
or
Name: Stacie Gravito, Office Chief
Title: Chief
Division: Office of Administrative Counsel and Rules
Address: 150 N. 18th Ave., Suite 540
Phoenix, AZ 85007

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Telephone: (602) 542-1020
Fax: (602) 364-1150
Email: ACR@azdhs.gov

6. An electronic copy of the complete document can be viewed at:

Website: <https://www.azdhs.gov/policy-intergovernmental-affairs/administrative-counsel-rules/rules/index.php#guidance-edc>

7. A paper copy of the complete document can be obtained at:

Physical Address: Arizona Department of Health Services, Bureau of Infectious Disease Services, 150 N. 18th Ave., Suite 300, Phoenix, AZ 85007

Copy or other fees: 25 cents per page. Payment is accepted in cash or money order made payable to the Arizona Department of Health Services.

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2026 REGISTER INDEXES

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

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

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

CORRECTIONS

C = Corrections to Published Rules

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Issue 18, Friday, May 1, 2026	Issue 44, Friday, October 30, 2026.....
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Issue 21, Friday, May 22, 2026	Issue 47, Friday, November 20, 2026.....
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RULEMAKING ACTIVITY INDEX

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Other legal notices required to be published under the Administrative Procedure Act, such as Rulemaking Docket Openings, are included in this Index by volume page number. Notices of Agency Ombudsman, Substantive Policy Statements, Proposed Delegation Agreements, and other applicable public records as required by law are also listed in this Index by volume page number.

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RULES EFFECTIVE DATES CALENDAR

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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 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 notice’s Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	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		

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

July		August		September		October		November		December	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	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

Arizona Administrative Register
REGISTER PUBLISHING DEADLINES

REGISTER PUBLISHING DEADLINES

The Secretary of State’s Office publishes the *Register* weekly. There is a three-week delay between the deadline date to file a notice and the *Register* date in which the notice is published. The weekly deadline dates (*first column*) and issue dates (*second column*) are provided. Governor Regulatory Review 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 Friday, 5:00 p.m. <i>(*earlier date due to holiday)</i>	<i>Register</i> Publication Date	Oral Proceeding may be scheduled on or after <i>(*later date due to holiday)</i>
December 12, 2026	January 2, 2026	February 2, 2026
December 19, 2025	January 9, 2026	February 9, 2026
December 26, 2025	January 16, 2026	*February 17, 2026
January 2, 2026	January 23, 2026	February 23, 2026
January 9, 2026	January 30, 2026	March 2, 2026
January 16, 2026	February 6, 2026	March 9, 2026
January 23, 2026	February 13, 2026	March 16, 2026
January 30, 2026	February 20, 2026	March 23, 2026
February 6, 2026	February 27, 2026	March 30, 2026
February 13, 2026	March 6, 2026	April 6, 2026
February 20, 2026	March 13, 2026	April 13, 2026
February 27, 2026	March 20, 2026	April 20, 2026
March 6, 2026	March 27, 2026	April 27, 2026
March 13, 2026	April 3, 2026	May 4, 2026
March 20, 2026	April 10, 2026	May 11, 2026
March 27, 2026	April 17, 2026	May 18, 2026
April 3, 2026	April 24, 2026	*May 26, 2026
April 10, 2026	May 1, 2026	June 1, 2026
April 17, 2026	May 8, 2026	June 8, 2026
April 24, 2026	May 15, 2026	June 15, 2026
May 1, 2026	May 22, 2026	June 22, 2026
May 8, 2026	May 29, 2026	June 29, 2026
May 15, 2026	June 5, 2026	July 6, 2026
May 22, 2026	June 12, 2026	July 13, 2026
May 29, 2026	June 19, 2026	July 20, 2026
June 5, 2026	June 26, 2026	July 27, 2026
June 12, 2026	July 3, 2026	August 3, 2026

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

Volume 32

Issue 12

March 20, 2026

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

MEETING DATES ARE SUBJECT TO CHANGE

These deadlines apply to all Five-Year Review Reports and any rulemaking notice submitted for review to the Governor’s Regulatory Review Council (Council). The Office publishes these deadlines under A.R.S. [41-1013\(B\)\(15\)](#).

Council meetings and *Register* deadlines do not correlate.

All rulemaking notices submitted for review 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 305, Phoenix, AZ 85007.

For more information, call (602) 542-2058 or visit <https://grrc.az.gov>.

[M25-79]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> January 20, 2026	<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> February 24, 2026	<i>Tuesday</i> March 3, 2026
<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> March 31, 2026	<i>Tuesday</i> April 7, 2026
<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> April 28, 2026	<i>Tuesday</i> May 5, 2026
<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> May 19, 2026	Wednesday May 27, 2026	<i>Tuesday</i> June 2, 2026
<i>Tuesday</i> May 19, 2026	<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> June 30, 2026	<i>Tuesday</i> July 7, 2026
<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> July 28, 2026	<i>Tuesday</i> August 4, 2026
<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> August 25, 2026	<i>Tuesday</i> September 1, 2026
<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> September 29, 2026	<i>Tuesday</i> October 6, 2026
<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> October 27, 2026	<i>Tuesday</i> November 3, 2026
<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> November 24, 2026	<i>Tuesday</i> December 1, 2026
<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> December 29, 2026	<i>Tuesday</i> January 5, 2027
<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> January 19, 2027	<i>Tuesday</i> January 26, 2027	<i>Tuesday</i> February 2, 2027

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

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES
GOVERNOR'S REGULATORY REVIEW COUNCIL
NOTICE OF ACTION TAKEN AT THE MARCH 3, 2026 MEETING

[M26-14]

A. CONSENT AGENDA ITEMS:

Rulemakings

- 1. GAME AND FISH COMMISSION**
Title 12, Chapter 4, Article 1

Amend: R12-4-114

One-Year Review Reports

- 2. ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS**
Title 4, Chapter 17, Article 4, R4-17-402

Five-Year Review Report

- 3. DEPARTMENT OF CHILD SAFETY**
Title 21, Chapter 9, Articles 1 and 2
- 4. DEPARTMENT OF CHILD SAFETY**
Title 21, Chapter 1, Article 4
- 5. DEPARTMENT OF REVENUE**
Title 15, Chapter 5, Articles 1 and 4
- 6. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS**
Title 20, Chapter 4, Articles 12-17
- 7. DEPARTMENT OF HEALTH SERVICES**
Title 9, Chapter 14, Article 1
- 8. DEPARTMENT OF HEALTH SERVICES**
Title 9, Chapter 14, Article 6
- 9. DEPARTMENT OF HEALTH SERVICES**
Title 9, Chapter 14, Article 7
- 10. DEPARTMENT OF LIQUOR LICENSES AND CONTROL**
Title 19, Chapter 1, Articles 1-8
- 11. NAVIGABLE STREAM ADJUDICATION COMMISSION**
Title 12, Chapter 17, Article 1

COUNCIL ACTION: CONSENT AGENDA APPROVED

B. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON RULEMAKINGS:

- 1. ARIZONA DEPARTMENT OF TRANSPORTATION**
Title 17, Chapter 4, Article 3

Amend: R17-4-351

COUNCIL ACTION: APPROVED WITH CHANGES TO RULE R17-4-351 PURSUANT TO COUNCIL RULE R1-6-204

- 2. CITIZENS CLEAN ELECTIONS COMMISSION**
Title 2, Chapter 20, Articles 1 and 7

Amend: R2-20-106

New Section: R2-20-706

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

COUNCIL ACTION: APPROVED WITH IMMEDIATE EFFECTIVE DATE PURSUANT TO A.R.S. § 41-1032(A)
C. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON FIVE-YEAR REVIEW REPORTS:

1. **DEPARTMENT OF HEALTH SERVICES**
Title 9, Chapter 18, Articles 1, 2, 3 and 4

COUNCIL ACTION: APPROVED

2. **DEPARTMENT OF ADMINISTRATION**
Title 2, Chapter 10, Article 3

COUNCIL ACTION: APPROVED

D. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON FIVE-YEAR REVIEW REPORT RESCHEDULE REQUEST FROM THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD FOR TITLE 13, CHAPTER 4, ARTICLES 1-2

COUNCIL ACTION: COUNCIL VOTED TO APPROVE FIVE-YEAR RESCHEDULE REQUEST TO SUBMIT DEPARTMENT FIVE-YEAR REVIEW REPORT WITH NEW DUE DATE OF JANUARY 31, 2031.