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Arizona Administrative REGISTER

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Arizona Administrative Register

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August 7, 2026

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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), and 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 Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.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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ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

ADMINISTRATIVE CODE
The *Arizona Administrative Code* is available online at www.azsos.gov.

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

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The Office of the Secretary of State is an equal opportunity employer.

Participate in Rulemaking

Review Published Notices

Those interested in participating in the rulemaking process should 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

Stakeholders can attend an 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

Authority

An agency is given the authority to promulgate a rule under the APA, statute passed by the Legislature, or ballot proposition, which is passed by the voters.

An agency may be given certain exemptions to the APA or portions thereof.

Information about the exemptions are provided in the Preamble of the rulemaking.

Permission to Proceed

Before moving forward with any notice, an agency first receives permission from the governor's office to proceed with a rulemaking.

The governor's office provides the agency a written response to proceed that is filed with the notice.

Stakeholder and Public Notification

The agency opens a docket. It is filed as a Notice of Rulemaking Docket Opening for publication in the *Register*.

The notice includes agency contact information along with its intentions to make, amend, repeal, or renumber, a rule and its justification to perform the rulemaking action. Often an agency will file the docket with the proposed rulemaking.

An agency may decide not to proceed and not file final rule with G.R.R.C. within one year after proposed rule is published. A.R.S. § 41-1021(A)(4)

Agency Proposes Rules, Public Reviews Proposal

The agency files a Notice of Proposed Rulemaking and the notice is published in the *Register*.

The public is given the opportunity to comment on the proposed rules. The agency opens the comment period to last at least 30 days. Written comments are accepted informally.

The notice *may* contain information about oral proceedings.

A proceeding is held no sooner than 30 days after the notice is published.

If no proceeding is scheduled, the agency provides information on how a person may request to speak to the agency in person at an oral proceeding.

Oral Proceeding

A person requests an agency to conduct an oral proceeding based on the information provided in its Notice of Proposed Rulemaking.

The agency prepares a Notice of Oral Proceeding on Proposed Rulemaking, schedules one or more proceeding, and files the notice for publication in the *Register*.

When it occurs, an agency extends the public comment period.

Close of Record

After evaluating public comments and conducting an internal review of the rule, an agency:

1. Determines whether the rulemaking requires a substantial change. When an agency decides to make substantial changes to a proposed rule, it continues the process as outlined under the APA. The agency obtains permission to proceed as stated under #2 of this timeline. The agency prepares a Notice of Supplemental Proposed Rulemaking with the changes and files it for publication in the *Register*. Comments are once again solicited and reviewed by the agency.
2. Prepares and submits for review a Notice of Final Rulemaking for review and approval by G.R.R.C. or Attorney General. The Notice of Final Rulemaking must be submitted for review within 120 days after the close of record; or
3. Terminates the rulemaking. The agency may decide to terminate its docket and files a notice for publication in the *Register* notifying stakeholders of the termination. Refer to A.R.S. § 41-1021(A)(2).

Time Frame for Approval or Disapproval of the Notice

G.R.R.C. has 90 days to review and approve or return the rule package, in whole or in part; A.G. has 60 days.

The Approved Rule is Published in *Register* and Codified in the Code

After approval by G.R.R.C. or A.G., the rule becomes effective 60 days after filing the notice with the Office of the Secretary of State, unless otherwise indicated in the Preamble of the notice.

The Notice of Final Rulemaking is published in the *Register* and codified in the *Arizona Administrative Code*.

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 Reuters. 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.

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The Administrative Procedure Act (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 of the preamble 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 17. TRANSPORTATION

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

File Number: R26-129

PREAMBLE

1. **Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
October 6, 2025

2. Article, Part, or Section Affected (as applicable)	Rulemaking Action
Article 6	Amend
R17-5-601	Amend
R17-5-602	Amend
R17-5-603	Amend
R17-5-604	Amend
R17-5-605	Amend
R17-5-606	Amend
R17-5-607	Amend
R17-5-608	Repeal
R17-5-609	Amend
R17-5-610	Amend
R17-5-611	Amend
R17-5-612	Amend
R17-5-613	Amend
R17-5-614	Amend
R17-5-615	Amend
R17-5-616	Amend
R17-5-617	Amend
R17-5-618	Amend
R17-5-619	Amend
R17-5-620	Amend
R17-5-621	Amend
R17-5-622	Amend
R17-5-623	Renumber
R17-5-623	New Section
R17-5-623	Amend
R17-5-624	New Section
R17-5-624	Amend
Article 7	Repeal

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R17-5-701
R17-5-702
R17-5-706

Repeal
Repeal
Renumber

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, 28-1461, 28-1462, and 28-1465

Implementing statute: A.R.S. §§ 28-1301, 28-1461 through 28-1469

4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rules:

Notice of Rulemaking Docket Opening: 32 A.A.R. 1382; Issue Date: June 19, 2026; Issue Number: 25; File Number: R26-89

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

Name: John Lindley

Title: Senior Rules Analyst

Division: Internal and External Relations

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>.

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

Although these rules are generally clear, concise, and understandable, the Arizona Department of Transportation (ADOT) believes that the following minor technical corrections, updates, and other amendments should be made to provide additional regulatory relief for all Certified Ignition Interlock Device (CIID) manufacturers, installers, and users located throughout the state. This rulemaking:

- Addresses issues identified by ADOT's internal audit team to improve the operating efficiency of the Department's CIID program, facilitate the transmission of records to and from the Department in a timely manner, and reduce instances of improper reporting;
- Allows the use of new technologies, such as GPS, accelerometers, or other methods to significantly reduce the number of unverifiable missed rolling retest violations currently being reported to the Department by ensuring that each device can determine that a vehicle is actually being operated before initiating a rolling retest;
- Clarifies manufacturer and Ignition Interlock Service Provider (IISP) responsibilities, including the procedures that must be used when submitting various items to the Department for consideration;
- Clarifies that an independent laboratory used by a manufacturer to test an ignition interlock device must be ISO/IEC 17025 accredited or the Department cannot accept its certified report;
- Clarifies the procedures a manufacturer or IISP shall follow to ensure continuity of service to program participants if an IISP or service center goes out of business or otherwise discontinues services provided on behalf of a manufacturer;
- Clarifies the process used by ADOT to assess civil penalties against a manufacturer who remains out of compliance or fails to correct a deficiency identified by the Department;
- Clarifies the temporary and permanent lockout processes to include when an action may trigger a lockout condition and that a test failure may trigger a violation or an extension of the participant's CIID requirement period;
- Creates a new requirement for a manufacturer to conduct, and make available to the Department upon request, a criminal records check and a driver license record check on its IISP within 30 days before submitting to the Department an application for authorization of an IISP contract and once per year thereafter;
- Makes minor adjustments to existing terms needed for clarification and consistency purposes;
- Rearranges several Sections to provide a more logical order for the rules;

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- Removes outdated language and some definitions that only repeat statute (e.g. certified ignition interlock device, circumvent, ignition interlock service provider, manufacturer, rolling retest, tampering, technician, etc.);
- Updates the rules to reflect the Department's current implementing statutes and system requirements; and
- Updates the rules to ensure consistency with the rulemaking format and style requirements of the Arizona Administrative Procedure Act and the Office of the Secretary of State.

The anticipated rule amendments will ensure compliance with the Department's internal audit recommendations for the rules affecting all CIID manufacturers, service providers, service centers, and technicians, and complete the Department's stated course of action in its most recent five-year review report on the rules as approved by the Governor's Regulatory Review Council on June 3, 2025.

The Department intends to amend these rules by the end of this calendar year to bring the Department into substantial compliance with the findings and recommendations made by the ADOT Office of Audit and Analysis during its routine Ignition Interlock Performance Audit, completed October 17, 2023. This rulemaking better defines and clarifies that a contracted manufacturer has only 10 days to validate all alleged CIID violations and electronically submit to the Department any acceptable corroborating evidence to support the reported violation(s) or the manufacturer will be subject to the civil penalties prescribed under A.R.S. § 28-1465 for improper reporting. Additionally, these rule amendments clarify how the civil penalties authorized under A.R.S. § 28-1465 will be imposed against a CIID manufacturer who fails to properly report ignition interlock data to ADOT as prescribed by the Department's implementing statutes, rules, and guidelines.

Between February 1, 2024, and February 1, 2025, the ADOT CIID Program Compliance Unit conducted 281 inspections of authorized CIID service centers and found 249 in compliance with the Department's statutes and rules. However 32, about 11% of all inspected CIID service centers, were found to be non-compliant. As of February 13, 2025, 31 of the 32 non-compliant companies had come into compliance. In calendar year 2025, the ADOT CIID Program Compliance Unit conducted 159 inspections of authorized CIID service centers and found 148 in compliance with the Department's statutes and rules, while 11 (about 7%) of the CIID service centers were found to be non-compliant, which reflects a slight year-over-year improvement of about 4%.

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

The agency did not review or rely on any study for this rulemaking.

- 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:**

External stakeholders for these rules include all CIID program participants, manufacturers, service providers, the general public, Mothers Against Drunk Driving, Arizona Law Enforcement Officers, Arizona Law Firms, and Courts. Internal stakeholders include ADOT, the Department of Public Safety, and the Governor's Office of Highway Safety.

The anticipated benefits provided by this rulemaking have the greatest effect on the group of approximately 23,847 drivers who are required by the Department to install a CIID on their vehicle following a DUI conviction. The clarifications proposed in this rulemaking are expected to result in more accurate reporting of individual CIID activity, which should benefit all CIID users. The Department believes that making these program changes and further clarifying the rolling retest reporting requirements will benefit all CIID program participants, manufacturers, service providers, and the general public in terms of protecting the public safety and will greatly outweigh the costs involved with implementing the rules.

At the end of FY 2025, ADOT maintained 7,565,594 driver and non-operating identification license records. Of those, 23,847 Arizona drivers had a statutorily imposed requirement to install and maintain a CIID on their vehicle for a specific period after receiving a court conviction for any variety of alcohol related violations. At that same time, the Administrative Office of the Courts reported to the Governor's Office of Highway Safety that there were 48,612 charges filed in FY 2025 for violations that included either A.R.S. § 28-1381 (driving under the influence), A.R.S. § 28-1382 (driving under extreme influence), or both, and ADOT reported that 15,310 CIIDs were in use in this state pursuant to an order to be installed under A.R.S. §§ 28-1381, 28-1382, and 28-1383.

ADOT currently contracts with eight ignition interlock device manufacturers and six Ignition Interlock Service Providers (IISPs) that collectively provide CIID services to participants at a total of 310 service centers located throughout all 15 counties of this state. Most of the manufacturers are large national or multinational corporations that design, construct,

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and produce a device that, following Department certification, can be offered for installation in Arizona by an ADOT-authorized IISP.

Many requirements of ignition interlock device manufacturers and their IISPs are statutory, but the Department recognizes that these manufacturers and their IISPs have made significant investments in Arizona. The Department will carefully consider all economic impacts of this rulemaking on the CIID manufacturers and IISPs who have chosen to contract, locate, rent, or purchase property, and operate, equip, and staff service centers to provide these statutorily prescribed services in all counties of this state. However, the Department believes that the anticipated rule amendments are reasonable, long overdue, and critical to the continued success of its CIID program.

This rulemaking adds the "ISO/IEC 17025" accreditation requirement to the definition of "Independent laboratory", which should have no economic impact since all certified ignition interlock devices currently being offered by manufacturers for installation in Arizona already use the "ISO/IEC 17025" accreditation standard.

Other than the obvious negative economic impact that strict enforcement of the civil penalty statutes and rules may present for a CIID manufacturer who is continuously unable to remain in compliance with the Department's implementing statutes, rules, and guidelines, ADOT anticipates that all manufacturers and their IISPs will experience some increased costs associated with retraining personnel to understand the serious consequences the Department, CIID participants, manufacturers, and IISPs may experience if CIID information is improperly reported to the Department. This rulemaking may also increase costs to manufacturers for updating device software, firmware, or parts needed to comply with a new device functionality requirement that will be imposed by the rules to ensure that a vehicle is actually being operated before a CIID requests a rolling retest. The Department anticipates that this change will significantly reduce the excessive reports of missed rolling retest violations currently being reported to the Department when a device initiates a rolling retest and the CIID participant is not even in or operating the vehicle at that time.

Therefore, ADOT anticipates a moderate (\$10,000 to \$59,999) economic impact on all existing CIID manufacturers that can implement this new CIID functionality under current rule without having to resubmit existing devices to the Department for recertification. Under R17-5-603(J) of the current rule (R17-5-609(C) of the proposed rule), an ignition interlock device manufacturer with a device already certified by the Department may maintain that device model by updating the software or firmware, or replacing, substituting, or repairing a required part, if the update does not modify the design or operational concept of the device.

However, ADOT anticipates a substantial (\$60,000 or more) economic impact on any existing manufacturer who chooses to use other methods to accomplish the same objective, which may involve redesigning or remanufacturing a device; obtaining, shipping, or manufacturing parts; having the device retested by an independent laboratory; and reapplying to the Department for certification of the new device.

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

Name: John Lindley
Title: Senior Rules Analyst
Division: Internal and External Relations
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>.

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 on the proposed rulemaking should be directed to the person listed under item #5. All comments must be received by 5:00 p.m., on close of public record. The Department has scheduled the following oral proceeding for public comments:

Date: September 9, 2026
Time: 1:00 p.m.
Google Meet: Video call link: <https://meet.google.com/spg-kgmt-jwy>
Or dial: (US) +1 567-252-8032 PIN: 773 093 374#

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Nature: Oral Proceeding/Public Hearing

Close of public record: September 9, 2026

This oral proceeding/public hearing will be held virtually. Virtual access will be provided through Google Meet. Persons may access the meeting via the phone number or web address provided above. It is not necessary to have a Google account to participate in the meeting when joining from a web browser on a computer or laptop. Any changes to the meeting information will be posted at least 24 hours in advance of the oral proceeding/public hearing on ADOT's website at <https://azdot.gov/about/government-relations>. If you have any questions regarding this meeting, please contact the person listed under item 5.

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

De acuerdo con el Título VI de la Ley de Derechos Civiles de 1964, la Ley de Estadounidenses con Discapacidades (ADA por sus siglas en inglés) y otras normas y leyes antidiscriminatorias, el Departamento de Transporte de Arizona (ADOT) no discrimina por motivos de raza, color, origen nacional, sexo, edad o discapacidad. Las personas que requieran asistencia (dentro de lo razonable) ya sea por el idioma o discapacidad deben ponerse en contacto con la Oficina de Derechos Civiles de ADOT al (602) 712-8946 o civilrightsoffice@azdot.gov. Las solicitudes deben hacerse lo antes posible para asegurar que el Estado tenga la oportunidad de hacer los arreglos necesarios.

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

There are no other matters prescribed by statute applicable to ADOT or to this 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:

A.R.S. § 28-1468 authorizes the Director of the Department to issue an authorization for an ignition interlock service provider (IISP). Additionally, the Department is required under A.R.S. § 28-1462 and these rules to certify each manufacturer's ignition interlock device model before it can be offered by an ADOT-authorized IISP for installation in Arizona. However, the Department believes that the authorizations and certifications provided under these rules are general permits since the activities or practices in the class are substantially similar in nature for all ignition interlock service providers and manufacturers to perform authorized activities.

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 rules are not more stringent than federal law as there are no corresponding federal laws that directly regulate ignition interlock device manufacturers and installers other than what the U.S. Consumer Product Safety Commission would generally require of any product manufacturer.

The rules in 17 A.A.C. 5, Article 6, incorporate by reference the 2013 National Highway Traffic Safety Administration (NHTSA) Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDs) and the 2015 NHTSA technical corrections to those specifications.

In accordance with 23 U.S.C. 405(d), Highway Safety Programs, Arizona may be eligible to apply for federal grants, from time to time, which are awarded to states that adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving motor vehicles while under the influence of alcohol, drugs, or the combination of alcohol and drugs or that enact alcohol ignition interlock laws if the state's highway safety program meets the requirements of 23 U.S.C. Chapter 4, and all of the applicable federal and state laws as outlined in the State of Arizona Highway Safety Plan for FY 2024 - 2026.

Arizona is an ignition interlock state for the purpose of application for, and receipt of, federal highway safety grant funding administered through the U.S. Department of Transportation's National Highway Traffic Safety Administration, and the Arizona Governor's Office Highway Safety. These rules are in direct support of Arizona's efforts to curb the number of driving under the influence (DUI) offenses by helping to reduce recidivism rates for those individuals who have qualified for reinstatement of their Arizona driver license privileges after serving a statutorily prescribed suspension or revocation period for a previous conviction under Arizona's strict DUI laws.

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:

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The Department did not receive a business competitiveness analysis.

- 13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
R17-5-604(C)(3)(a) incorporates by reference the 2013 National Highway Traffic Safety Administration (NHTSA) Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDs) and the 2015 NHTSA technical corrections to those specifications.

- 14. The full text of the rules follows:**

TITLE 17. TRANSPORTATION

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

**ARTICLE 6. IGNITION INTERLOCK DEVICE MANUFACTURERS, AND
IGNITION INTERLOCK SERVICE PROVIDERS, AND TECHNICIANS**

Section	
R17-5-601.	Definitions
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R17-5-603.	<u>Certified Ignition Interlock</u> Device Requirements, Technical Specifications, and Standards for Setup and Calibration
R17-5-604.	Ignition Interlock Device Certification ; Application Requirements <u>for Ignition Interlock Device Certification</u>
R17-5-605.	Application Processing; Time Frames; Exception
R17-5-606.	Application Completeness; Denial of Ignition Interlock Device Certification; Hearing
R17-5-607.	Cancellation of Device Certification; Hearing
R17-5-608.	Modification of a Certified Ignition Interlock Device Model <u>Repealed</u>
R17-5-609.	HSP and Manufacturer, <u>Ignition Interlock Service Provider (IISP), and Technician</u> Responsibilities
R17-5-610.	Reporting; Reportable Activity; <u>Notice</u>
R17-5-611.	Emergency Assistance; Continuity of Service to Persons <u>Participants</u>
R17-5-612.	Records Retention; Submission of Copies and Quarterly Reports
R17-5-613.	Inspections and Complaints
R17-5-614.	Ignition Interlock Device Installation Fee; Financial Records
R17-5-615.	Rolling Retest; Missed Rolling Retest; Extension of Ignition Interlock Period
R17-5-616.	Civil Penalties; Hearing
R17-5-617.	Cease and Desist
R17-5-618.	Service Centers; Mobile Services
R17-5-619.	Application; IISP Implementation Plan
R17-5-620.	Authorization Time Frame; Ignition Interlock Service Provider
R17-5-621.	Service Center Application
R17-5-622.	Technician Application <u>and Qualifications</u>
R17-5-706 R17-5-623 .	Calibration Check; Requirements
R17-5-623 R17-5-624 .	Termination of Authorization <u>IISP Contract</u> ; Notification

ARTICLE 7. IGNITION INTERLOCK DEVICE TECHNICIANS REPEALED

Section	
R17-5-701.	Definitions <u>Repealed</u>
R17-5-702.	Records Check; Technician Qualifications; HSP Self-Certification of Technician <u>Repealed</u>
R17-5-706.	Calibration Check; Requirements <u>Renumbered</u>

**ARTICLE 6. IGNITION INTERLOCK DEVICE MANUFACTURERS, AND
IGNITION INTERLOCK SERVICE PROVIDERS, AND TECHNICIANS**

R17-5-601. Definitions

In addition to the definitions provided under A.R.S. §§ 28-101, 28-1301, and 41-1072, in this Article, unless the context otherwise requires, the following terms apply:

"Alcohol concentration" means the weight amount of alcohol contained in a unit volume of breath or air, measured in grams of ethanol/210 liters of breath or air and expressed as grams/210 liters.

"Alveolar breath sample" means the last portion of a prolonged, uninterrupted exhalation from which breath alcohol concentrations can be determined.

"Anticircumvention feature" means any feature or circuitry incorporated into the ignition interlock device that is designed to prevent human activity that would cause the device not to operate as intended.

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“Authorization” means the permission granted by the Department to an IISP, which then allows the IISP to contract with the Department under A.R.S. § 28-1468 and act as the official representative of a CIID manufacturer in this state.

“Authorization agreement” or “agreement” means an agreement authorized by the Director that an IISP enters into with the Department to provide ignition interlock services under A.R.S. § 28-1468.

“Breath alcohol test” means analysis of a sample of the person’s a participant’s expired alveolar deep-lung breath to determine alcohol concentration.

“Bump starting” means a method of starting a motor vehicle with an internal combustion engine by engaging the manual transmission while the vehicle is in motion.

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

“Calibration” means the testing, adjustment, or systematic standardization of an ignition interlock device to determine and verify its accuracy.

“Cancellation” means the termination of a manufacturer’s ignition interlock device certification for ignition interlock device installation.

“Certification” means a status granted by the Department under this Article, which permits a ~~certified~~ an ignition interlock device manufacturer to offer ~~an a certified~~ ignition interlock device for installation in this state.

“Certified ignition interlock device,” “CIID,” or “device” means a device that is based on alcohol-specific electrochemical fuel sensor technology that meets the NHTSA specifications; that connects a breath analyzer to a motor vehicle’s ignition system; that is constantly available to monitor the alcohol concentration in the breath of any person attempting to start the motor vehicle by using its ignition system; that deters starting the vehicle by use of its ignition system unless the person attempting to start the motor vehicle provides an appropriate breath sample for the device; and determines whether the alcohol concentration in the person’s breath is below a preset level.

“Certified ignition interlock device period” means the period of time a participant is ordered to maintain a functioning CIID in a vehicle pursuant to A.R.S. Title 28, Chapter 4.

“CIID” means “Certified ignition interlock device,” which has the same meaning as prescribed under A.R.S. § 28-1301.

“Circumvent” or “circumvention” means an attempted or successful bypass of the proper functioning of a certified ignition interlock device and includes all of the following:

- The bump start of a motor vehicle with a certified ignition interlock device;
- The introduction of a false sample other than a deep-lung breath sample from the person driving the motor vehicle;
- The introduction of an intentionally contaminated or a filtered breath sample;
- The intentional disruption or blocking of a digital image identification device;
- The continued operation of the motor vehicle after the certified ignition interlock device detects breath alcohol exceeding the presumptive limit prescribed in A.R.S. § 28-1381(G)(3) or, if the person is under 21 years of age, any attempt to operate the motor vehicle with any spirituous liquor in the person’s body;
- Operating a motor vehicle without a properly functioning certified ignition interlock device and;
- When a person, who is required to maintain a functioning certified ignition interlock device is starting or operating the motor vehicle, permits another individual to breathe into the certified ignition interlock device for the purpose of providing a breath alcohol sample to start the motor vehicle or for the rolling retest.

“Confirmatory test” means an additional breath alcohol test requested by a CIID as a follow up when a breath sample provided by a participant registers over the set point.

“Contract” means the agreement entered into by the Department and an IISP authorized by the Director under A.R.S. § 28-1468, which allows the IISP to provide ignition interlock services in this state on behalf of a CIID manufacturer.

“Corrective action” means an action specified in or reasonably implied from Title 28, Chapter 4, Arizona Revised Statutes, that the Department takes may initiate in relation to a person’s participant’s driving privilege and the usage or discontinuation of usage of a CIID.

“Customer number” means the system-generated, or other distinguishing number, assigned by the Department to each person conducting business with the Department. The customer number of a private individual is generally the person’s driver license or non-operating identification license number.

“Data logger” means the electronic record of all ignition interlock device activity during the period when the device is installed.

“Data storage system” means a computerized recording of all events monitored by an ignition interlock device, which may be reproduced in the form of specific reports.

“Defective ignition interlock device” means an ignition interlock device that:

1. Does not meet the NHTSA specifications;
2. Does not pass calibration tests; or
3. Does not meet the accuracy and device standards prescribed in these rules.

“Drive cycle” means either the period of time and distance traveled from when a motor vehicle is initially turned switched on to the next time the ignition vehicle is turned next switched off, or the period of time from when an initial breath alcohol test is performed and failed, to the time a breath alcohol test is successfully taken and the ignition is turned off.

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“Early recall” means that a ~~person’s participant’s~~ certified ignition interlock device recorded one tampering or circumvention event, any ignition interlock ~~device~~ malfunction, or any four valid reportable violations ~~within a continuous 90-day period, that requires a person that have occurred before the participant’s next regularly scheduled calibration check and will require the participant~~ to return to a service center within 72 hours.

“Emergency bypass” means ~~an event that permits a vehicle equipped with an ignition interlock device to be started without requiring successful completion of a required breath alcohol test.~~

“Emergency override” means ~~the process implemented by a manufacturer for use during a substantial emergency event, as defined and prescribed under A.R.S. § 28-1464, where a manufacturer may allow a vehicle equipped with a CIID to be started without requiring the successful completion of a breath alcohol test.~~

“Emergency situation” means a circumstance in which ~~the person~~ a participant informs the IISP or HSP ~~certified its technician that the person’s participant’s~~ vehicle needs to be moved to comply with the law, or the ~~person participant~~ has a valid and urgent need to operate the vehicle.

“Established place of business” means a commercial business location that is:

Approved by the Department;

Located in Arizona;

Not used as a residence; and

Where an IISP or its agent or subcontractor provides authorized ignition interlock services.

“False sample” means any sample other than the unaltered, undiluted, or unfiltered ~~alveolar deep-lung~~ breath sample coming from the ~~person participant~~.

“Filtered breath sample” means any mechanism by which there is an attempt to remove alcohol from the human breath sample.

“Free restart” means a function of a CIID that will allow a ~~person participant~~ to restart the vehicle, under the conditions provided in R17-5-615, without completing another breath alcohol test.

“FTP” means file transfer protocol, the exchange of files over any network that supports electronic data interchange reporting that is transmitted through the Internet and prescribed by the Department.

“Global positioning system” means the ability of a wireless certified ignition interlock device to identify and transmit its geographic location through the operation of the device.

“IEC” means the International Electrotechnical Commission.

“Ignition interlock device installation fee” means the fee required in A.R.S. § 28-1462, and established by the Department in R17-5-614, that is paid by a person to an IISP when a CIID is installed on, or transferred to a ~~person’s participant’s~~ vehicle.

“Ignition interlock period” means ~~the period in which a person is required to use a CHD that is installed on a vehicle.~~

“Ignition interlock service provider” or “HSP” means ~~a person who is an authorized representative of a manufacturer and who is under contract with the Department to install or oversee the installation of ignition interlock devices by the provider’s authorized agents or subcontractors and to provide services to the public related to ignition interlock devices.~~

“IISP” means “ignition interlock service provider,” which has the same meaning as prescribed under A.R.S. § 28-1301.

“Improper reporting” means any of the following:

~~Failure of a manufacturer to report any violations to the Department within 24 hours as required in R17-5-610(D)(1), or failure to send a person’s ignition interlock reporting records, including records relating to a violation, to the Department as required in R17-5-612(C);~~

~~Failure of a manufacturer to submit to the Department valid and substantiated proof or evidence of a reportable activity related to a violation, including a summary report and relevant data loggers as required in R17-5-610(D)(2), within 10 days after the Department’s request;~~

~~Failure of a manufacturer to electronically send each Certified Ignition Interlock Summarized Reporting Record to the Department within 24 hours, after performing a calibration check, that results in the Department mailing a driver license suspension to a person;~~

~~Failure of a manufacturer to electronically send a Certified Ignition Interlock Device Summarized Reporting Record to the Department within 24 hours after installing a CHD;~~

~~Electronic reporting by a manufacturer to the Department, of data that is an exact duplicate of a single violation that occurs on a particular day and time and is reported multiple times;~~

~~Knowingly reporting a violation that occurs when a participant’s vehicle has high or low voltage;~~

~~Reporting an incident that occurs when a person has a free restart test to start the person’s vehicle;~~

~~Reporting an incident that occurs in which a manufacturer downloads data from the device during a calibration check and tampers with the data or a CHD;~~

~~Failure of a manufacturer to validate any person’s ignition interlock period extension within 10 days; or~~

~~Reporting an incident that occurs after the person’s vehicle is turned off.~~

“Improper reporting” has the same meaning as prescribed under R17-5-610(F).

“Independent laboratory” means a an ISO/IEC 17025 accredited testing facility, not owned or operated by a manufacturer, that can test an ignition interlock device according to the Model Specifications for Breath Alcohol Ignition Interlock Devices (BAI-

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IDs), NHTSA, published at 78 FR 26862 to 26866, May 8, 2013, with the NHTSA technical corrections published at 80 FR 16720 to 16723, March 30, 2015.

“Lockout override” means a method of overriding a lockout condition indicated by a CIID by unlocking the device so that a participant can perform a breath alcohol test and return to the service center for servicing and inspection.

“Manufacturer” means a person or an organization that is located in the United States, that is responsible for the design, construction, and production of an ignition interlock device and that is certified by the Department to offer ignition interlock devices for installation in motor vehicles in this state.

“ISO” means the International Standardization Organization.

“Material modification” means a change to a CIID model that affects alters the functionality performance of the device with respect to a conformance test required under NHTSA specifications.

“Missed rolling retest” means the person refused or participant, while operating the motor vehicle, failed to provide a valid and substantiated an adequate breath sample while operating the motor vehicle, that is sufficient for analysis in response to a requested rolling retest within the time period prescribed in R17-5-615(E) under R17-5-615(G).

“Mobile services” means ignition interlock services provided by an IISP or its agents or subcontractors at a publicly accessible location other than the IISP’s service center, that meet the requirements of R17-5-618.

“NHTSA” means the United States Department of Transportation’s National Highway Traffic Safety Administration.

“NHTSA specifications” means the specifications for breath alcohol ignition interlock devices published at 78 FR 26862 to 26866, May 8, 2013, with the NHTSA technical corrections published at 80 FR 16720 to 16723, March 30, 2015.

“Occurrence” means one or more instances of the same exact improperly reported error recorded on the same day of a calendar month.

“Operating the vehicle” means the vehicle is in motion or the vehicle is on and the person is in the driver’s seat.

“Participant” means a person who is ordered by an Arizona court or the Department to equip each motor vehicle operated by the person with a functioning CIID, and who becomes a customer of an IISP for installation and servicing of the CIID.

“Permanent lock-out lockout” means a feature of the CIID in which a motor vehicle will not start until the CIID is reset by an IISP or an HSP-certified its technician.

“Person” means a person who is ordered by an Arizona court or the Department to equip each motor vehicle operated by the person with a functioning CHD, and who becomes a customer of an IISP for installation and servicing of the CHD.

“Positive result” means a test result indicating that the alcohol concentration meets or exceeds the set point value.

“Principal place of business” means the administrative headquarters of a manufacturer or an IISP that is located in Arizona, is zoned for commercial use, and is not used as a residence.

“Purge” means any mechanism that cleanses or removes a previous breath or reference sample from the device and specifically removes residual alcohol.

“Real-time” or “real-time reporting” means the instant transmission of unfiltered ignition interlock violations as defined in R17-5-604 under this Section, and digital images and data as prescribed in under R17-5-610, including digital images, to the manufacturer’s website for viewing by the Department without delay, as electronic or digital service permits.

“Reference sample device” means a device containing a sample of known alcohol concentration.

“Reference value sample” means an alcohol reference solution prepared and tested in a laboratory with a reference value and used to perform an accuracy check of the calibration of a CIID.

“Reporting system guidelines” means the most recent edition of the Department’s instructions for electronic reporting to be used by all CIID manufacturers when transmitting any required reportable activity to the Department electronically, including the process of reviewing, validating, and correcting all data transmission errors or rejected records indicated by the Department’s electronic reporting system after the transmission of any data to or from the Department.

“Retest set point” has the same meaning as set point.

“Rolling retest” means a breath alcohol test that is required of a person at random intervals after the motor vehicle is started and that is in addition to the initial test required to start the motor vehicle.

“Rolling retest timer” means the internal ignition interlock device timer or other mechanism responsible for ensuring that a rolling retest is requested within a required time interval.

“Series of occurrences” means one or more additional occurrences within the same calendar month.

“Service center” means an established place of business approved by the Department from which an IISP or its agents or subcontractors provide ignition interlock services to persons from one or more counties participants.

“Set point” means an alcohol concentration of 0.020 g/210 liters of breath.

“Tampering” means an overt or conscious attempt to physically disable or otherwise disconnect the CHD from its power source that allows the operator to start the engine without taking and passing the requisite breath test.

“Technician” means a person who is certified and properly trained by an ignition interlock service provider to install, inspect, calibrate, service or remove certified ignition interlock devices.

“Temporary lock-out lockout” means a feature of the CIID which will not allow a motor vehicle to start for five minutes after a breath alcohol test result indicating an alcohol concentration above the set point.

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“Vehicle identification number” or “VIN” means the unique code, including serial number, used by an automobile manufacturer to identify a specific motor vehicle ~~has the same meaning as prescribed under A.R.S. § 13-4701.~~

“Violation” (when referencing in reference to acts or omissions on the part of a person participant in the ignition interlock program) includes, but is not limited to, any of the following reportable activities performed by a person which a manufacturer shall promptly report to the Department participant:

Circumventing the CIID, as defined in ~~R17-5-604~~ under A.R.S. § 28-1301 and prohibited under A.R.S. § 28-1464;

Tampering with the CIID, as defined in ~~under~~ A.R.S. § 28-1301 and prohibited under A.R.S. § 28-1464;

Failing to provide proof of compliance or inspection of the CIID ~~as required under A.R.S. § 28-1461(E)(4)~~ A.R.S. § 28-1461;

Attempting to operate the vehicle with an alcohol concentration of 0.08 or more, as ~~prescribed in A.R.S. § 28-1461(E)(5)~~ prohibited under A.R.S. § 28-1461, if the person participant is at least 21 years of age;

Attempting to operate the vehicle with an alcohol concentration value in excess of the set point, ~~as prohibited under A.R.S. § 28-1461~~, if the person participant is under 21 years of age;

Refusing or failing to provide ~~Failing to properly perform~~ any set of three consecutive valid and substantiated breath samples in response to a requested rolling retest within an 18-minute time frame during a person’s drive cycle ~~rolling retests that occur during a drive cycle, as prescribed under A.R.S. § 28-1461; and~~

Disconnecting or removing a CIID, except:

On repair of the vehicle, if the person participant provided to the IISP, technician, or service center advance notice of the repair and the anticipated completion date; or

On moving the device from one motor vehicle to another motor vehicle if replacement of the device is accomplished within 72 hours of device removal.

“Violation reset” means the unplanned servicing and inspection of a CIID ~~and the downloading of information from its data storage system~~ by an IISP as a result of an early recall that requires the manufacturer to unlock the device.

R17-5-602. Certification of a Manufacturer’s Ignition Interlock Device ~~Manufacturer Certification; Expiration of Certification; Cancellation of Certification; Notice~~

- A. An ignition interlock device manufacturer shall obtain ignition interlock device certification by the Department under this Article before offering, ~~for installation under Arizona law~~, a new ignition interlock device model ~~and before making material modifications to an existing ignition interlock device model for implementation and installation under Arizona law~~ or a materially modified ignition interlock device model previously certified by the Department.
- B. Ignition interlock device certification by an ignition interlock device manufacturer shall occur prior to the IISP signing an authorization agreement with the Department. Before providing a new ignition interlock device or a previously certified but materially modified ignition interlock device model for installation in a motor vehicle under an order of an Arizona court or the Department, a manufacturer shall:
 1. Submit to the Department a completed application form with the information required under R17-5-604, and
 2. Obtain from the Department certification of the new or materially modified ignition interlock device model.
- C. After meeting all requirements under R17-5-604, and receiving Department certification for a new ignition interlock device model and meeting all the requirements under R17-5-604 under this Section, the ignition interlock device manufacturer is effectively certified by the Department to offer the certified ignition interlock device model for installation under Arizona law.
- D. An ignition interlock device manufacturer shall submit a new application to the Department under R17-5-604 for the certification of each new ignition interlock device model the manufacturer intends to offer for installation. The Department’s certification of a materially modified ignition interlock device model does not affect the original certification of the unmodified model.
- E. ~~Manufacturer~~ A manufacturer’s ignition interlock device certification, once issued by the Department under this Article, shall automatically expire if:
 1. The manufacturer no longer ~~services~~ or provides at least one currently the certified ignition interlock device model for installation under Arizona law; and
 2. The manufacturer has no pending application for certification of a new or materially modified device on file with the Department under R17-5-604 for the certification of a device under R17-5-604;
 3. The manufacturer, within one year after certification is granted by the Department, has not contracted with an IISP that is currently contracted with the Department to install the CIID; or
 4. The manufacturer voluntarily chooses to no longer conduct business in this state and ensures successful completion of its IISP transition plan.
- F. ~~Manufacturer certification of an ignition interlock device that was previously approved by the Department under this Article shall automatically expire within one year after the certification is granted if the manufacturer has not contracted with an IISP currently contracted with the Department to install the CHD~~ A manufacturer whose ignition interlock device certification automatically expires as prescribed under subsection (E), may immediately reapply to the Department by meeting all requirements prescribed under this Article, and completing a new application for the certification of a device as prescribed under R17-5-604.
- G. After the one-year cancellation period in subsection (F) ends, a manufacturer may reapply to the Department for certification by completing a new application for the certification of a device and meeting all certification requirements under this Article.
- H. If the Department determines that a manufacturer fails to properly report ignition interlock information and data to the Department in the manner prescribed in these rules, the Department may immediately provide written notice to the manufacturer with the following information:
 1. The name of the person and the date of the improper reporting; and

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- 2. The manufacturer shall send the required record or report to the Department within ten business days, if applicable.
- ~~I.~~ If the manufacturer fails to remedy the issues identified in the notice within ten business days, the Department may cancel the manufacturer device certification.
- ~~J.~~ If a manufacturer's certification expires as a result of subsections (E)(1) and (E)(2), the manufacturer may reapply for certification by submitting a new application to the Department for the certification of a device under R17-5-604.
- ~~K.~~ A manufacturer shall only appoint one HSP that is contracted with the Department and serves as an authorized representative of the manufacturer to provide ignition interlock services to the public.
- ~~L.~~ A manufacturer shall notify the Department within 24 hours if an HSP is no longer authorized by a manufacturer to install its CHD.

R17-5-603. Certified Ignition Interlock Device Requirements, Technical Specifications, and Standards for Setup and Calibration

- ~~A.~~ The accuracy of the CHD shall be determined by analysis of an external standard generated by a reference sample device.
- ~~B.~~ A device shall have a demonstrable feature designed to assure that a breath sample measured is essentially alveolar.
- ~~C.~~ A test of alcohol-free samples shall not yield a positive result. Endogenously produced substances capable of being present in the breath shall not yield or significantly contribute to a positive result.
- ~~D.~~ All devices shall meet the setpoint requirements of R17-5-601 and the following requirements:
 - 1. Be calibrated to have an accuracy within plus or minus 0.005 g/210L of the reference value;
 - 2. Be calibrated using a known reference value between .020 g/210L and .050 g/210L; and
 - 3. Be accompanied by a Certificate of Analysis (COA).
- ~~A.~~ A CIID shall:
 - 1. Have a demonstrable feature designed to assure that a breath sample measured is a continuous and uninterrupted flow of breath of at least 1.2 liters in volume; and
 - 2. Maintain the setpoint value defined under R17-5-601 when measuring the concentration by weight of alcohol in a participant's breath.
- ~~B.~~ A CIID shall be calibrated:
 - 1. Using a reference sample, which shall be accompanied by a Certificate of Analysis (COA) and register a value of between 0.020 g/210L and 0.050 g/210L; and
 - 2. Demonstrate an accuracy reading of within plus or minus 0.005 g/210L of the reference sample value.
- ~~C.~~ A test of alcohol-free samples shall not yield a positive result. Endogenously produced substances capable of being present in the breath shall not yield or significantly contribute to a positive result.
- ~~D.~~ A CIID shall be designed with, and its installation in a vehicle shall include, anticircumvention and anti-tampering features that are difficult to bypass, other security protections, and enable the detection of visual, physical, or electronic evidence of any interference with the installation or function of the CIID in a vehicle, including the preservation of any evidence. The preservation of any evidence shall include, but is not limited to:
 - 1. Anomalous events in the data memory that indicate attempts at tampering;
 - 2. Bypassing the breath sampling requirements of a device electronically;
 - 3. Circumventing by attempting to use a false or filtered breath sample; or
 - 4. Disturbing any wires, special seals, or connections related to the installation of the CIID in a vehicle.
- ~~E.~~ A device shall be designed so that anticircumvention features will be difficult to bypass.
 - 1. Anticircumvention provisions on the device shall include, but are not limited to, prevention or preservation of any evidence of circumvention by attempting to use a false or filtered breath sample or electronically bypassing the breath sampling requirements of a device.
 - 2. A device shall use special seals or other methods that reveal attempts to bypass lawful device operation.
- ~~E.~~ A CIID shall have global positioning system capability.
- ~~F.~~ A CHD shall have global positioning system capability, and the manufacturer shall electronically and wirelessly download in real-time from the device and transmit daily to the Department, a person's ignition interlock activity in an FTP batch file. A CIID shall be capable of electronically and wirelessly uploading, to the device manufacturer in real-time, all device activity and usage information required for subsequent transmission by the manufacturer to the Department in an FTP batch file.
- ~~G.~~ A CIID shall have the necessary programming to identify each drive cycle and be able to report and send data and violations to the Department as required under this Article.
- ~~I-H.~~ A device CIID shall:
 - 1. Automatically purge Purge alcohol or otherwise reset automatically before allowing analysis;
 - 2. Have a data storage system with the capacity to sufficiently record and maintain a record of the person's a participant's daily driving activities that occur between each regularly scheduled calibration check referenced under R17-5-610 and R17-5-706. An HSP shall download and transmit R17-5-623, including any digital images taken by the CIID during a person's calibration check, during each rolling retest, and each time a person with the ignition interlock requirement or another individual starts the motor vehicle. A manufacturer shall make these digital images available to the Department on request;
 - 3. Use the most current version of the manufacturer's software and firmware to ensure compliance with this Article and any other applicable rule or statute. The manufacturer's software and firmware shall:
 - a. Require device settings and operational features to that include, but are not limited to, sample delivery requirements, the set point, free restart, rolling retest requirements, violation settings, and temporary and permanent lock-outs lockouts; and
 - b. Prohibit modification of the device settings or operational features by a service center; or an HSP-certified its technician unless the Department approves the modification under subsection (J): R17-5-609(C);
 - 4. Record all emergency bypasses overrides in its data storage system;

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5. Provide a visual reminder ~~on the device~~ that a calibration check must be performed on the ~~person's CIID~~ device at least once every 90 days, with prominent device notifications during each ~~77-day to 90-day interval within a person's participant's certified ignition interlock device period, of the following indicating:~~
 - a. The device needs service; and
 - b. The time remaining until a permanent lock-out occurs. lockout will occur;
 6. Notify a person that failure to get the calibration check, including calibration and data download, by the end of each 90-day period will cause the vehicle to be in a permanent lock-out mode, and shall record the event in the data storage system.
 - 7-6. ~~On~~ Emit a unique cue, either auditory, visual, or both, on recording a violation of A.R.S. Title 28, Chapter 4, Article 5 for one instance of tampering or circumvention, any ignition interlock device malfunction, or any four valid reportable violations ~~within a continuous 90-day period that occur before the participant's next regularly scheduled calibration check, emit a unique cue, either auditory, visual, or both, to warn a person participant that an early recall is initiated, requiring the person participant to return to the IISP in within 72 hours for a violation reset;~~
 - 8-7. Enter into a permanent lock-out ~~lockout~~ if a ~~person participant~~ does not return to the IISP for a violation reset within 72 hours after an early recall occurs;
 - 9-8. ~~When Operate as follows when~~ a violation results in a permanent lock-out ~~lockout~~ mode, the device shall:
 - a. Immobilize the ~~person's participant's~~ vehicle;
 - b. Uniquely record the event in the data storage system; and
 - c. Require a violation reset by the IISP: at a service center for servicing and inspection; and
 - d. Offer a permanent lockout override process, as applicable, under the following conditions:
 - i. The activation of a permanent lockout override shall not render the CIID or any attached components inactive. The device must operate in the same manner as prescribed under this Article and any other applicable rule or statute; and
 - ii. Each permanent lockout override shall be uniquely identified and recorded in the data storage system.
 - 10-9. Enter into a temporary lock-out ~~lockout~~ mode for five minutes when the device detects during the initial breath alcohol test that a ~~person's participant's~~ breath alcohol concentration is at or above the set point;
 - 11-10. ~~After the five-minute temporary lock-out, the device shall allow~~ Allow a confirmatory test and subsequent breath alcohol tests after the five-minute temporary lockout with no further lock-out lockout as long as each subsequent test produces a valid and substantiated breath test of the participant's breath alcohol concentration results in a reading below the set point value;
 11. Require the performance of rolling retests as prescribed under R17-5-615; and
 12. ~~Have security protections and the capability to provide visual evidence of any actual or attempted tampering, alteration or bypass of the device, or circumvention. Verify or otherwise ensure that a participant's vehicle is being operated before requesting a rolling retest on or after January 1, 2029.~~
 - ~~J.~~ No modification shall be made to the design or operational concept of a device model after the Department has certified the device for installation under Arizona law, except that:
 - 1- A software or firmware update required to maintain a device model is permissible if the update does not modify the design or operational concept of the device.
 - 2- Replacement, substitution, or repair of a part required to maintain a device model is permissible if the part does not modify the design or operational concept of the device.
 - 3- If a manufacturer determines that an existing Department-certified ignition interlock device model requires any modification, the manufacturer shall immediately notify the Department.
 - ~~G-I.~~ A CIID shall be equipped with a camera, which shall; ~~not distract or impede the driver in any manner from safe and legal operation of the vehicle, shall record all ignition interlock activity of the person, and shall provide any visual evidence of actual or attempted tampering, alteration, bypass, or circumvention, and report this information directly to the manufacturer.~~
 1. Record all ignition interlock activity of the person;
 2. Report all recorded information directly to the manufacturer; and
 3. Not distract or impede the driver in any manner from safe and legal operation of the vehicle.
 - ~~H-J.~~ ~~The~~ A CIID camera shall be able to record and store visual evidence of each person providing a breath alcohol test, and shall meet the following requirements:
 1. At device installation, the camera shall take a reference picture of the person, which shall be kept on file;
 2. A clear digital image shall be taken for each event, including initial vehicle start, all rolling retests, and whenever a violation is recorded;
 3. Each digital image shall be a wide-angle view of the front cabin of the vehicle, ~~including the passenger side;~~ to ensure the camera can clearly capture the entire face of the person ~~and any passengers;~~ and
 4. The camera shall produce a digital image of the person in all lighting conditions, including brightness, darkness, and low light conditions.
- R17-5-604. Ignition Interlock Device Certification; Application Requirements for Ignition Interlock Device Certification**
- A. A manufacturer shall offer for installation in this state only an ignition interlock device model that is certified by the Department under this Section R17-5-602.
 - B. To certify an ignition interlock device model, a manufacturer shall submit to the Department a properly completed application form that provides:
 1. The manufacturer's name;
 2. The address of the manufacturer's principal place of business in this state and telephone number;
 3. The manufacturer's status as a sole proprietorship, partnership, limited liability company, or corporation;
 4. The name of the sole proprietor or of each partner, officer, director, manager, member, agent, or 20% or more stockholder;

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5. The name and model number of the ignition interlock device and the name under which the ignition interlock device will be marketed; ~~and~~
 6. The manufacturer's electronic mail address;
 7. The following statements, signed by the manufacturer:
 - a. A statement that all information provided on the application form, including all information provided on any attachment to the application form, is complete, true, and correct;
 - b. A statement that the manufacturer agrees to indemnify and hold harmless the state of Arizona and ~~any department, division, agency, officer, employee, or agent of the state of Arizona~~ its departments, agencies, boards, commissions, officers, officials, agents, and employees from ~~any and~~ all liability for:
 - i. Damage to property or injury to people arising, directly or indirectly, out of any act or omission by the manufacturer or the manufacturer's authorized IISP relating to the installation and operation of ~~the a certified~~ ignition interlock device; ~~and~~
 - ii. All court costs, costs of claim processing, costs of investigations, expenses of litigation, and reasonable attorneys' fees;
 - c. A statement that the manufacturer agrees to comply with all requirements under this Article; and
 - d. A statement that the manufacturer agrees to immediately notify the Department of any change to the information provided on the application form; ~~and~~
 8. Any other documentation required by the Department.
- C. A manufacturer shall submit the following additional items with the application form:
1. A document that provides a detailed description of the ignition interlock device and a digital image, drawing, or other graphic depiction of the device;
 2. A document that contains the complete technical specifications for the accuracy, reliability, security, data collection, recording, and tamper detection capabilities of the ignition interlock device;
 3. An independent ~~laboratory's~~ laboratory report for each device model that:
 - a. Presents supporting data to demonstrate that the ignition interlock device meets or exceeds the test results required by the Model Specifications For Breath Alcohol Ignition Interlock Devices (BAIIDs), NHTSA, published at 78 FR 26862 to 26866, May 8, 2013, with the NHTSA technical corrections published at 80 FR 16720 to 16723, March 30, 2015. The NHTSA specifications and technical corrections are incorporated by reference and are on file with the Department at 206 S. 17th Avenue, Phoenix, AZ 85007, and the NHTSA Office of Research and Technology, 1200 New Jersey Avenue SE, Washington, D.C. 20590. This incorporation by reference contains no future editions or amendments;
 - b. Provides the ~~independent laboratory's~~ name, address, and telephone number of the independent laboratory; and
 - c. Provides the name and model number of the ignition interlock device tested;
 4. A ~~laboratory~~ certification form, signed by an authorized representative of the independent laboratory that prepared the report required under subsection (C)(3), that states all of the following:
 - a. The independent laboratory is not owned or operated by a manufacturer and no other conflict of interest exists;
 - b. The independent laboratory tested the ignition interlock device in accordance with the Model Specifications For Breath Alcohol Ignition Interlock Devices (BAIIDs), NHTSA, published at 78 FR 26862 to 26866, May 8, 2013 with the NHTSA technical corrections published at 80 FR 16720 to 16723, March 30, 2015;
 - c. The independent laboratory confirms that the ignition interlock device meets or exceeds the test results required under the Model Specifications For Breath Alcohol Ignition Interlock Devices (BAIIDs), NHTSA, published at 78 FR 26862 to 26866, May 8, 2013, with the NHTSA technical corrections published at 80 FR 16720 to 16723, March 30, 2015;
 - d. The independent laboratory used properly maintained equipment and trained personnel to test the ignition interlock device; ~~and~~
 - e. The independent laboratory presented accurate test results to the Department;
 5. A certificate of insurance, issued by an insurance company authorized to transact business in Arizona, specifying:
 - a. A product liability policy with a current effective date;
 - b. The name and model number of the ignition interlock device model covered by the policy;
 - c. Policy coverage of \$1,000,000 and \$3,000,000 in the aggregate;
 - d. The manufacturer as the insured and the state of Arizona as an additional insured;
 - e. Product liability coverage for defects in manufacture, materials, design, calibration, installation, and operation of the ignition interlock device; and
 - f. The insurance company shall notify the ~~Department's Risk Management, Insurance and Indemnification Section~~ Department in writing at least 30 days before canceling the product liability policy;
 6. ~~A statement that the ignition interlock device has a camera, includes a global positioning system, and provides real-time reporting. A letter or notification from the manufacturer stating that the device meets all of the requirements, technical specifications, and standards for setup and calibration as prescribed under R17-5-603, and the Department's technical specifications and system guidelines for electronic reporting as prescribed under R17-5-610 and R17-5-615;~~
 7. A copy of the warning label to be placed on each installed CIID, as prescribed under A.R.S. § 28-1462 and R17-5-609, to detect tampering; and
 8. A copy of the manufacturer's official documentation of corporate status indicating that the business is active.
- D. ~~For any installation of a certified ignition interlock device or any replacement of a device on a person's motor vehicle with another device, an HSP or an HSP-certified technician shall install only a certified ignition interlock device that meets the additional requirements in this Article, and meets or exceeds the test results required by the Model Specifications for Breath Alcohol Ignition Interlock~~

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Devices (BAIDs), NHTSA, published at 78 FR 26862 to 26866, May 8, 2013, with the NHTSA technical corrections published at 80 FR 16720 to 16723, March 30, 2015.

- ~~E. A person whose CHD was installed prior to July 1, 2018, that does not meet all the requirements of subsection (D) shall return to the person's HSP by October 1, 2020 to exchange the CHD for a CHD that meets all the requirements of subsection (D).~~

R17-5-605. Application Processing; Time Frames; Exception

- A. The Department shall process an application for ignition interlock device certification only if an applicant meets all applicable application requirements.
- B. The Department shall, within 10 days of receiving an application for certification, provide notice to the applicant that the application is either complete or incomplete.
1. The date of receipt is the date the Department receives the application.
 2. If an application is incomplete, the notice shall specifically identify what required information is missing.
- C. An applicant with an incomplete application shall provide all missing information to the Department within 15 days of the date indicated on the notice provided by the Department under subsection (B).
- ~~2.1. The Department may deny certification of an ignition interlock device if the applicant fails to provide the required information within 15 days of the date indicated on the notice.~~
- ~~4.2. After receiving all of the required information, the Department shall notify the applicant that the application is complete.~~
- D. Except as provided under subsection (F), the Department shall render a decision on an application for certification of an ignition interlock device within 30 days of the date indicated on the notice acknowledging receipt of a complete application provided to the applicant under ~~subsections subsection (B) or (C)(1) (C)(2).~~
- E. For the purpose of A.R.S. § 41-1073, the Department establishes the following time frames for processing an application for certification of an ignition interlock device:
1. Administrative completeness review time frame: 10 days.
 2. Substantive review time frame: 30 days.
 3. Overall time frame: 40 days.
- F. Established time frames may be suspended by the Department under A.R.S. § 41-1074 for certification of an ignition interlock device until the Department receives all external agency approvals required for certifying a new ignition interlock device model from the Department of Public Safety.

R17-5-606. Application Completeness; Denial of Ignition Interlock Device Certification; Hearing

- A. An application for certification of an ignition interlock device model is complete when the Department receives:
1. From the manufacturer, a properly prepared application form;
 2. From the manufacturer, all additional items required under ~~R17-5-604(C) R17-5-604; and~~
 3. From the Department of Public Safety, under A.R.S. § 28-1462, written confirmation or disapproval of the independent ~~laboratory's laboratory~~ report verifying that the ignition interlock device meets or exceeds the NHTSA specifications ~~in R17-5-604(C); and as prescribed under R17-5-604.~~
 4. ~~From the manufacturer, a letter or notification that the device meets the following standards:~~
 - a. ~~The anticircumvention features in R17-5-603(E);~~
 - b. ~~The data storage capacity requirement in R17-5-603(I)(2); and~~
 - c. ~~The constant communication requirement in R17-5-610(O).~~
- B. The Director shall deny an application for certification of an ignition interlock device model if all requirements of subsection (A) are not met, or on ~~finding any of the following:~~ receiving a report of disapproval from an independent laboratory or the Department of Public Safety.
1. ~~The design, material, or workmanship is defective, causing the ignition interlock device model to fail to function as intended;~~
 2. ~~The manufacturer's product liability insurance coverage is terminated or canceled;~~
 3. ~~The manufacturer no longer offers the ignition interlock device model for installation under Arizona law;~~
 4. ~~The manufacturer or the independent laboratory provided false or inaccurate information to the Department relating to the performance of the ignition interlock device model; and~~
 5. ~~The components, design, or installation and operating instructions have undergone a modification that causes the ignition interlock device model to be out of compliance with the NHTSA specifications in R17-5-604(C), the requirements in this Article; or~~
 6. ~~The Department receives a report of device disapproval from an independent laboratory or other external reviewer.~~
- C. The Department shall mail to the manufacturer, written notification of the certification or denial of certification of an ignition interlock device model. A notice denying certification of an ignition interlock device model shall specify the basis for the denial and indicate that the applicant may, within 15 days of the date on the notice, request a hearing on the Director's decision to deny certification by filing a written request with the Department's Executive Hearing Office as prescribed under 17 A.A.C. 1, Article 5.
- D. If a manufacturer timely requests a hearing on the Director's decision to deny certification of an ignition interlock device model, the Department's Executive Hearing Office shall conduct the hearing as provided under A.R.S. Title 41, Chapter 6, Article 6, and 17 A.A.C. 1, Article 5.

R17-5-607. Cancellation of Device Certification; Hearing

- A. The Director, as outlined under this Section and R17-5-616, ~~shall~~ may cancel an ignition interlock device model certification and remove the device from its list of CIID's on finding any of the following:
1. The design, material, or workmanship contains a defect that causes the ignition interlock device model to fail to function as intended;

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2. ~~The manufacturer's product liability insurance coverage is terminated or canceled~~ manufacturer fails to submit to the Department proof of current product liability insurance within 30 days of a cancellation or termination of coverage;
 3. ~~The manufacturer no longer offers the ignition interlock device model for installation under Arizona law;~~
 4. ~~3. The manufacturer or independent laboratory provided false or inaccurate information to the Department relating to the performance of the ignition interlock device model;~~
 5. ~~4. The components, design, or installation and operating instructions have undergone a modification that causes the ignition interlock device model to be out of compliance with the NHTSA specifications in R17-5-604(C) as prescribed under R17-5-604;~~
 6. ~~The manufacturer instructs the Department to cancel its certification of the ignition interlock device model;~~
 7. ~~5. The manufacturer, the IISP, or the device does not comply with this Article or any other applicable rule or statute; or~~
 8. ~~If the manufacturer has not contracted with an IISP authorized by the Department within one year after the device model certification-~~
 6. The manufacturer, after recently operating with a contracted IISP, has been determined to be operating without a contracted IISP for more than 90 days.
- B.** The Department may cancel a manufacturer's device certification if the manufacturer is found by the department to be responsible for:
1. Failing to correct within 30 days, or otherwise in accordance with the manufacturer's approved action or implementation plan, any issue identified by the Department as indicated in a notice of deficiency provided by the Department to the manufacturer under R17-5-610;
 2. Accumulating more than three series of occurrences of improper reporting, as outlined under R17-5-610, within 12 months; or
 3. Failing to pay any civil penalties assessed by the Department under R17-5-616.
- B.C.** The Department, on finding any of the conditions described under subsection (A), or on finding that the manufacturer failed to timely remedy the issues identified in the notice of deficiency provided by the Department under R17-5-602(H) R17-5-610, shall mail to the manufacturer a notice and order of cancellation of certification for the specific ignition interlock device model. The notice and order of cancellation shall:
1. Specify the basis for the action;
 2. Specify the date when the one-year decertification begins and ends; and
 3. State that the manufacturer may, within 15 days after receipt of a notice and order of manufacturer device model cancellation, file a written request for a hearing with the Department's Executive Hearing Office as prescribed under 17 A.A.C. 1, Article 5, to show cause as to why the ignition interlock device certification should not be cancelled canceled.
- C.D.** If a hearing to show cause is timely requested, the Department's Executive Hearing Office shall conduct the hearing as prescribed under A.R.S. Title 41, Chapter 6, Article 6, and 17 A.A.C. 1, Article 5. The request for a hearing stays the summary cancellation of manufacturer device model certification.
- D.E.** Within 10 days after a hearing, the hearing officer administrative law judge shall issue to the manufacturer a written decision, which shall:
1. Provide findings of fact and conclusions of law; and
 2. Grant or cancel the certification.
- E.F.** If the hearing officer administrative law judge affirms the manufacturer device model cancellation, the manufacturer may seek judicial review under A.R.S. Title 12, Chapter 7, Article 6, within 35 days of the date when a copy of the decision sought to be reviewed is served upon the party affected unless the court grants a stay while the appeal is pending.
- F.G.** Within 60 days after the effective date of an order of cancellation, the manufacturer shall, at the manufacturer's own expense, ensure the removal of all ignition interlock devices that are not certified and facilitate the replacement of each device with a CIID.
- G.H.** The manufacturer of a previously decertified an ignition interlock device model previously decertified as prescribed under this Section may reapply to the Department as prescribed under R17-5-604 for certification of another an ignition interlock device model under R17-5-604 after the one-year device decertification period ends. For recertification of a previously decertified ignition interlock device model a new application and independent laboratory certification form are required.
- H.I.** After cancellation, the Department shall notify the IISP and the IISP shall notify each of the affected HSP-certified technicians that each of them is prohibited from installing they shall not install the ignition interlock device for which the device certification was cancelled canceled.
- I.J.** Cancellation of a manufacturer's device model certification prohibits the manufacturer from performing its duties with respect to the device model that has been cancelled canceled and making the device model available for installation in the state for a period of one year from the latest of the following dates when:
1. The Department cancels a manufacturer's device model certification, or
 2. The Department's Executive Hearing Office cancels the manufacturer's device model certification.
- R17-5-608. Modification of a Certified Ignition Interlock Device Model Repealed**
- A.** ~~A manufacturer shall notify the Department in writing at least 10 days before a material modification is made to a certified ignition interlock device model.~~
- B.** ~~Before providing a previously certified but materially modified ignition interlock device model for installation in a motor vehicle under an order of an Arizona court or the Department, a manufacturer shall:~~
1. ~~Submit to the Department a completed application form with the information required under R17-5-604(B) and all additional items required under R17-5-604(C), and~~
 2. ~~Obtain certification of the materially modified ignition interlock device from the Department.~~

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- ~~C.~~ The Department's certification of a materially modified ignition interlock device model does not affect the original certification of the unmodified model.

R17-5-609. HSP and Manufacturer, Ignition Interlock Service Provider (IISP), and Technician Responsibilities

- ~~A.~~ A manufacturer shall obtain Department certification of its ignition interlock device model, as provided under R17-5-602, prior to the manufacturer's IISP signing an authorization agreement with the Department.
- ~~M.B.~~ A manufacturer shall notify the Department within 10 days of a change of changing the address of its principal place of business in this state.
- C. An HSP shall certify each technician by providing adequate training and oversight for the technician to perform one of the activities at a service center, which are installation, inspection, calibration, service, or removal of a CIID. No modification shall be made to the design or operational concept of an ignition interlock device model after the Department has certified the device for installation under Arizona law, except that:
1. A software or firmware update required to maintain a certified ignition interlock device model is permissible if the update does not materially modify the design or operational concept of the device.
 2. Replacement, substitution, or repair of a part required to maintain a certified ignition interlock device model is permissible if the part does not materially modify the design or operational concept of the device.
 3. If a manufacturer determines that an existing certified ignition interlock device model requires material modification, the manufacturer shall immediately notify the Department.
- ~~N.D.~~ A manufacturer or an HSP shall provide a warning label, for each CIID installed, which shall have an orange background and shall include the following:
1. Be a minimum size of two inches by one inch;
 2. Be printed in a minimum of nine-point font;
 3. Be printed in Arial font, or a font of substantially similar size and legibility; and
 4. Contain the words in black lettering: "Warning! Any person tampering with, circumventing, or otherwise misusing this Ignition Interlock Device, is guilty of a Class 1 misdemeanor."
- ~~R.E.~~ The manufacturer is responsible for overseeing any agents or subcontractors, including vendors and distributors, as well as overseeing the manufacturer's IISP to ensure adherence to all performance standards.
- ~~J.F.~~ An HSP shall submit to the Department a list of the HSP-certified technicians, subcontractors, or agents, and service centers at the beginning of the contract with the Department, within 5 business days of making a change to the list previously provided, and on a monthly basis as requested by the Department. A manufacturer shall conduct, and make available to the Department upon request, a criminal records check and a driver license record check on its IISP within 30 days before submitting to the Department an application for authorization of an IISP contract and once per year thereafter.
- ~~F.G.~~ An HSP shall inform a person that a compliance check on a CIID is required 30 days and 60 days after installation of the device, which shall be done electronically. A manufacturer shall only appoint one IISP that is contracted with the Department and serves as an authorized representative of the manufacturer to provide ignition interlock services to the public.
- H. A manufacturer, or the manufacturer's appointed designee, shall notify the Department within 24 hours if an IISP is no longer authorized by the manufacturer to install its CIID.
- I. A manufacturer, on initial installation or when replacing any device already installed on a participant's motor vehicle, shall ensure that its IISP or technician installs only a certified ignition interlock device that meets the requirements in this Article, and meets or exceeds the test results required by the Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDs), NHTSA, published at 78 FR 26862 to 26866, May 8, 2013, with the NHTSA technical corrections published at 80 FR 16720 to 16723, March 30, 2015.
- J. A manufacturer shall develop written procedures for the installation and removal of a CIID and the IISP shall ensure that each technician is operating in full compliance with those written procedures.
- ~~O.K.~~ A manufacturer shall ensure that the IISP or the HSP-certified its technician affixes conspicuously and maintains on each installed CIID the warning label described under subsection (~~N~~)(D), which may be affixed to the device or to the device's cord.
- L. A manufacturer shall develop and an IISP shall provide to each person participant a reference and problem solving guide at the time of installation that shall include information on the following:
1. Operating a motor vehicle equipped with the CIID;
 2. Cleaning and caring for the CIID;
 3. Identifying and addressing any vehicle malfunctions or repairs that may affect the CIID; and
 4. How to properly take a valid and substantiated breath alcohol test to include both the startup test and the rolling retest; and
 5. Functionality of any other operational features available to the CIID participant, as applicable.
- ~~K.M.~~ An A manufacturer and its IISP shall comply with the provisions of this Article and A.R.S. Title 28, Chapter 4, Article 5.
- N. If the Director enters into a contract with an IISP as prescribed under A.R.S. § 28-1468, an IISP shall conduct annually, a criminal records check and a driver license record check on all employees, agents, or subcontractors listed on the IISP's application, beginning within 30 days prior to each individual's start date.
- O. An IISP shall certify each technician by providing adequate training and oversight for the technician to perform one or more of the activities authorized to be performed at a service center, which shall include installation, inspection, calibration, service, or removal of a CIID, and indicating all approved activities on each training certificate issued by the IISP to its technicians.
- P. A manufacturer shall develop written instructions for the installation and removal of an ignition interlock device from a motor vehicle. An IISP shall submit to the Department a list of its technicians, subcontractors, agents, and service centers:
1. At the beginning of the contract with the Department;
 2. Within five days of making a change to the list previously provided; and

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3. On a monthly basis.
- ~~E.~~ While a person maintains a functioning CHD in a vehicle under A.R.S. Title 28, Chapter 4, Article 5, the ignition interlock manufacturer shall electronically provide to the Department and transmit daily to the Department the information and reports prescribed in R17-5-610 and R17-5-615.
- ~~A-Q.~~ An IISP shall refer a person participant only to the IISP's certified technician.
- ~~B-R.~~ An IISP shall provide, to the Department and to each person participant, with a toll-free telephone number to call to obtain for use in obtaining the names, and phone numbers of the HSP's certified technicians, the HSP service center locations, and hours of operation for the each IISP service centers center location.
- ~~S.~~ An IISP shall download and transmit to the manufacturer, in real time and during a participant's calibration check, any digital images taken by the CIID during each rolling retest, and each time a person starts the motor vehicle. A manufacturer shall make these digital images available to the Department on request.
- ~~H-T.~~ An IISP shall ensure that the manufacturer reports to the Department electronically under R17-5-610 if any evidence of tampering is discovered, and the manufacturer shall submit valid and substantiated proof or validated evidence of a any reportable activity as requested by the Department. An IISP shall keep visual evidence of a person's participant's tampering or circumvention for a minimum of three years after the termination of the person's participant's required certified ignition interlock device period.
- ~~D-U.~~ An IISP shall provide ensure that each technician provides, to every person participant and any other persons who may be operating a the motor vehicle equipped with a CHD, and any other persons who will operate the motor vehicle, adequate training on how to operate the motor vehicle once equipped with a CIID. An IISP or its technician shall instruct the person provide instruction on all of the following:
1. How to use the system;
 2. How to provide a properly delivered deep-lung breath sample;
 - ~~2-3.~~ How to obtain service for the CIID;
 - ~~3-4.~~ How to find answers to any additional questions;
 4. How the alcohol retest feature works;
 5. How drinking alcohol before performing a breath alcohol test may result in a reading of sensitive or fail test failure, possible violation, or an extension of the participant's certified ignition interlock device period under A.R.S. § 28-1461;
 6. How the CIID shall not be removed, except by an IISP or HSP-certified its technician, and what will happen if the device is removed prior to the end of the participant's CIID requirement period;
 7. How noncompliance with a regularly scheduled calibration check for a person with a limited or restricted driving privilege shall result in suspension of the person's participant's driving privilege under A.R.S. § 28-1463 until proof of compliance is submitted to the Department under A.R.S. § 28-1461, and the duration of the person's participant's certified ignition interlock device requirement shall be extended under A.R.S. § 28-1461;
 8. What the penalties are for circumvention of the CIID;
 9. What the penalties are for tampering with, or misusing the CIID;
 - ~~10.~~ What will happen after failing a start-up breath alcohol test;
 - ~~11-10.~~ What will happen after a person participant has a validated set of three consecutive valid and substantiated missed rolling retests within an 18-minute time frame during a drive cycle; and that a person participant shall not avoid compliance with the rolling retest requirement by turning off a motor vehicle's ignition or by keeping the motor vehicle in operation while the vehicle is parked, and leaving the vehicle when a rolling retest is requested;
 - ~~12-11.~~ What events or actions will result in a temporary or permanent lock-out lockout of the CIID as prescribed under R17-5-603; and
 12. What would result in an early recall as prescribed under R17-5-603.
 - ~~13.~~ How to provide a properly delivered alveolar breath sample.
- ~~E-V.~~ An HSP A technician shall have each person participant sign a document stating that the HSP technician has instructed the person participant regarding each topic contained in subsections ~~(D)(L)~~ and ~~(L)(U)~~, and the participant has received the manufacturer's written instructions for operation of the CIID.
- ~~G-W.~~ An HSP A technician shall inform each person participant to bring the vehicle to a service center for a calibration check within every 77 to 90-day period at least once every 90 days until the person participant is eligible for device removal.
- ~~X.~~ A technician shall:
1. Maintain the confidentiality of any personal information, driver license information, or ignition interlock data or reports relating to a participant;
 2. Ensure that a participant does not observe the technician's actions relating to installation and removal of a CIID;
 3. Comply with the ignition interlock rules in this Article, and Arizona Revised Statutes Title 28, Chapter 4, Article 5; and
 4. Conduct installation, service, calibration, inspection, or removal of an ignition interlock device from a motor vehicle in accordance with industry standards.
- ~~H-Y.~~ An HSP A technician shall, check each CHD for evidence of tampering at least once every 90 days or more frequently if needed. This anticircumvention check shall be conducted at each person's calibration check at a service center as required under R17-5-706: after device installation, and after any early recall is initiated:
1. Perform a calibration check of the CIID at the IISP's service center as required under R17-5-623;
 2. Perform a physical inspection of the CIID, to include documenting any evidence of tampering or circumvention, while the device is still attached to the vehicle;
 3. Perform any retraining needed for the participant to understand the early recall process.

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- Z.** A technician is prohibited from using the global positioning system capabilities of a CIID to track the location of a participant and shall not release location information gathered by the CIID.

R17-5-610. Reporting; Reportable Activity; Notice

- A.** A person participant shall have installed in a motor vehicle, only an ignition interlock device certified by the Department under R17-5-604 R17-5-602.
- B.** A manufacturer shall develop and the HSP shall ensure that each HSP-certified technician complies with the HSP's written procedures for the installation of a CHD use the Department's electronic reporting system, as outlined in the most recent edition of the Department's reporting system guidelines, to transmit daily all information and reports prescribed under this Section and R17-5-615 while a participant maintains a functioning CIID in a vehicle under A.R.S. Title 28, Chapter 4, Article 5.
- C.** Certified ignition interlock device installation verification: A manufacturer shall electronically transmit a Certified Ignition Interlock Device Summarized Reporting Record to the Department within 24 hours of device installation, calibration, violation, or removal. The electronic Certified Ignition Interlock Device Summarized Reporting Record shall contain all information required to be reported to the Department as outlined in the most recent edition of the Department's reporting system guidelines.
1. A manufacturer shall electronically transmit a Certified Ignition Interlock Device Summarized Reporting Record to the Department within 24 hours of the device installation.
 2. The electronic Certified Ignition Interlock Device Summarized Reporting Record for installation verification shall contain all of the following information:
 - a. Department-assigned service center number;
 - b. Person's full name (first, middle, last and suffix);
 - c. Date of birth;
 - d. Driver license or customer number;
 - e. Report date;
 - f. Install date;
 - g. Report type;
 - h. Technician identification number;
 - i. A unique identification number for the CHD;
 - j. The last six digits of the vehicle identification number that matches the vehicle information on the data logger; and
 - k. Whether the Department, a court, or an out-of-state entity requires a person to have a CHD.
- D.** Certified ignition interlock device calibration check:
1. A manufacturer shall electronically transmit a Certified Ignition Interlock Device Summarized Reporting Record to the Department within 24 hours after performing a calibration check on an installed CHD.
 2. A manufacturer shall submit to the Department the following valid and substantiated proof or evidence of a reportable activity related to a violation, as prescribed in subsection (F), within 10 days by electronic means, which shall include:
 - a. A summary report stating why the data logger or any other evidence confirms the occurrence of a violation, including any digital images of the person; and
 - b. A data logger that shows at least 12 hours of data before and after the violation.
 3. A manufacturer may submit to the Department the following additional valid and substantiated proof or evidence of a reportable activity related to a violation, as prescribed in subsection (F), if available, within 10 days by electronic means, which may include:
 - a. Video recordings;
 - b. Written statements; and
 - c. Any other evidence relevant to a violation.
 4. The electronic Certified Ignition Interlock Device Summarized Reporting Record for the calibration check shall contain all of the following information:
 - a. Department-assigned service center number;
 - b. Person's full name (first, middle, last and suffix);
 - c. Date of birth;
 - d. Driver license or customer number;
 - e. Report date;
 - f. Install date;
 - g. Report type;
 - h. Missed rolling retest count, dates, and times;
 - i. Technician identification number;
 - j. Alcohol concentration violation count, dates, time, and alcohol concentration;
 - k. Tampering violation count, dates, and time;
 - l. Circumvention count, dates, and time;
 - m. Device download date;
 - n. Device download time;
 - o. Bypass code indication, date, and time;
 - p. A unique identification number for the CHD;
 - q. The last six digits of the vehicle identification number that matches the vehicle information on the data logger; and
 - r. Whether the Department, a court, or an out-of-state entity requires a person to have a CHD.
- E.** Certified ignition interlock device removal report:

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1. When a certified ignition interlock device is removed, a manufacturer shall electronically transmit a Certified Ignition Interlock Device Summarized Reporting Record to the Department within 24 hours.
2. The electronic Certified Ignition Interlock Device Summarized Reporting Record for removal of a device shall indicate the condition of noncompliance and contain all of the following information:
 - a. Department-assigned service center number;
 - b. Person's full name (first, middle, last and suffix);
 - c. Date of birth;
 - d. Driver license or customer number;
 - e. Report date;
 - f. Install date;
 - g. Removal date;
 - h. Report type;
 - i. Technician identification number;
 - j. A unique identification number for the CIID;
 - k. The last six digits of the vehicle identification number that matches the vehicle information on the data logger;
 - l. Whether the Department, a court, or an out-of-state entity requires a person to have a CIID;
 - m. Missed rolling retest count, dates, and times;
 - n. Device download date; and
 - o. Device download time.

F.D. Reportable ~~Unless otherwise required by statute, reportable~~ activity for a person's noncompliance with these rules and participant who violates a provision of this Article or A.R.S. Title 28, Chapter 4, Article 5, shall be limited to ~~valid and substantiated~~ validated instances by a person of any of the following ~~transmitted electronically and wirelessly by the manufacturer to the Department in real-time within 24 hours when committed by the participant:~~

1. Tampering with a CIID as defined in under A.R.S. § 28-1301;
2. ~~Refusing or failing~~ Failing to provide any set of three consecutive valid and substantiated breath samples in response to a requested rolling retest ~~within an 18-minute time frame during a person's drive cycle;~~
3. Failing to provide proof of compliance or inspection of the CIID as required under A.R.S. § 28-1461(E)(4) A.R.S. § 28-1461;
4. Attempting to operate the vehicle with an alcohol concentration of 0.08 or more as ~~prescribed in A.R.S. § 28-1461(E)(5)~~ prohibited under A.R.S. § 28-1461 if the ~~person~~ participant is at least 21 years of age;
5. Attempting to operate the vehicle with an alcohol concentration in excess of the set point if the ~~person~~ participant is under 21 years of age;
6. Circumvention of a CIID as defined in ~~R17-5-601~~ under A.R.S. § 28-1301; or
7. Disconnecting or removing a CIID, except:
 - a. On repair of the vehicle, if the ~~person~~ participant provided to the IISP, technician, or service center advance notice of the repair and the anticipated completion date; or
 - b. On moving the device from one motor vehicle to another motor vehicle if replacement of the device is accomplished within 72 hours of device removal.

G. ~~A person shall not avoid compliance with the rolling retest requirement by turning off a motor vehicle's ignition or by keeping the motor vehicle operating while the vehicle is parked, and leaving the vehicle when a rolling retest is requested. A missed rolling retest is reportable activity for a person's noncompliance under subsection (F).~~

E. On finding any violation, as defined under R17-5-601, a manufacturer shall validate and electronically submit to the Department, within 10 days, the following additional evidence of a reportable activity related to a violation as prescribed under subsection (D), as applicable and requested by the Department, which may include:

1. A summary report stating why the data logger or any other evidence confirms the violation, including any digital images of the participant;
2. A data logger that shows at least 12 hours of data before and after the violation;
3. Video recordings;
4. Written statements; and
5. Any other evidence relevant to a violation.

H.F. ~~A manufacturer shall screen review and validate each person's participant's data loggers to ensure that there is no improper proper reporting. For the purpose of this Article, improper reporting may include any of the following:~~

1. Failure of a manufacturer to electronically send a Certified Ignition Interlock Device Summarized Reporting Record to the Department within 24 hours after installing a CIID;
2. Failure of a manufacturer to electronically send a Certified Ignition Interlock Summarized Reporting Record to the Department within 24 hours after performing a calibration check which results in the Department mailing to the participant a notice of driver license suspension;
3. Failure of a manufacturer to report to the Department within 24 hours any violations, as defined under R17-5-601, or failure to send a participant's ignition interlock reporting records, including records relating to a violation, to the Department as required under this Section;
4. Failure of a manufacturer to validate any participant's certified ignition interlock device period extension within 10 days as required under this Section;
5. Failure of a manufacturer to submit to the Department validated evidence of any reportable activity related to a violation, including a summarized report and relevant data loggers as required under this Section, within 10 days after receiving a Department request;

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6. Failure of a manufacturer to invalidate a violation that occurred due to a device or vehicle malfunction;
 7. Failure of a manufacturer to invalidate a violation that occurred when the participant was allowed a free restart of the vehicle;
 8. Failure of a manufacturer to invalidate a violation that occurred in which the manufacturer downloaded data from the device during a calibration check and unintentionally corrupted, compromised, or altered the data or the CIID; or
 9. Failure of a manufacturer to invalidate a violation that occurred after the participant's vehicle was turned off, unless the participant turned off the vehicle to avoid a rolling retest already in progress or the violation is for tampering with the device while the vehicle is turned off.
- ~~I.~~ A manufacturer shall ensure that a CIID has the necessary programming to identify each person's ignition interlock period and each drive cycle to report and send data and violations to the Department as required by these rules.
- ~~J.G.~~ A manufacturer shall review within 10 days all reports sent by the Department and returned to the manufacturer for verification of accurate reporting. If a manufacturer finds that the reported information does not indicate valid and substantiated evidence of a violation, the manufacturer shall immediately contact the Department to correct the person's participant's record before corrective action is initiated against a person the participant as a result of misreported ignition interlock data. Not reporting according to the most recent edition of the Department's reporting system guidelines or failing to research any returned reject reports within 10 days may subject the manufacturer to the civil penalties prescribed under R17-5-616 for improper reporting under this Article.
- ~~K.H.~~ A manufacturer shall immediately contact the Department if the manufacturer finds that the information reported information to the Department indicates:
1. An obvious instance of mechanical failure of a CIID;
 2. ~~Obvious errors~~ An obvious error in the recorded CIID data that cannot be attributed to a person's participant's actions;
 3. ~~Obvious errors~~ An obvious error in the transmission of CIID data to the Department, including a misreported instances instance of tampering; or
 4. ~~Submission~~ An erroneous submission of a violation or an extension of a person's participant's certified ignition interlock device period or a violation to the Department when a person the participant was not in the vehicle to take the rolling retests or the vehicle was not being operated at the time a rolling retest was requested.
- ~~L.I.~~ A manufacturer shall ensure that a CIID electronically and wirelessly uploads data in real-time to the manufacturer's website, that is maintained by the manufacturer, and the manufacturer shall submit all required information and reports in a daily FTP file to the Department.
- ~~M.J.~~ In cases where no electronic or digital service exists, the manufacturer shall store the data and send the data as soon as electronic or digital service is available.
- ~~N.K.~~ A manufacturer shall include the date of the last upload on the person's participant's account on the manufacturer's website.
- ~~O.L.~~ A CIID shall have constant communication between the manufacturer's server and relay unit while the device is in use, if cellular service is available, or as soon as electronic or digital reception permits.
- ~~P.M.~~ All data, including digital images, shall be available to the Department for viewing on the manufacturer's website within five minutes after the data is recorded on the device, or as soon as electronic or digital reception permits.
- ~~N.~~ A manufacturer shall notify the Department within 24 hours of discovering any reports not being properly transmitted through the FTP file.
- ~~O.~~ If the Department determines that a manufacturer fails to properly report ignition interlock information and data to the Department in the manner prescribed under this Article, the Department may immediately provide to the manufacturer a written notice of deficiency with the following information:
1. The name of the participant and the date of the improper reporting; and
 2. The manufacturer shall send to the Department the required record, report, or action plan within 10 days, as applicable.
- ~~P.~~ If a manufacturer fails to correct or provide an action plan to correct any issue identified in the notice of deficiency within 10 days, the Department may initiate a process to assess civil penalties against the manufacturer as prescribed under R17-5-616.
- R17-5-611. Emergency Assistance; Continuity of Service to Persons Participants**
- ~~A.~~ For events occurring outside of normal business hours, an An IISP shall provide to each person participant a 24-hour emergency toll-free phone number answered by a live person at all times, to provide assistance in the event a CIID fails to operate properly or a vehicle experiences a problem relating to the installation, operation, or failure of a CIID.
1. ~~During normal business hours, if~~ If the IISP or its technician receives a call for emergency assistance, and determines that a vehicle is experiencing a problem relating to the installation, operation, or failure of a CIID, an the IISP or a its technician shall respond to the call within 24 hours of the initial contact and shall be available either to:
 - a. Provide telephonically, the technical information required for the person participant to resolve the issue; or
 - b. Provide or arrange for appropriate towing or roadside assistance services if unable to resolve the issue telephonically.
 2. After receiving a person's participant's call for emergency or other assistance, the IISP, technician, or manufacturer, as appropriate, shall either: replace or repair the CIID within 24 hours to make it functional.
 - a. ~~Make the CIID functional, if possible, within 24 hours, or~~
 - b. ~~Replace or repair the CIID within 48 hours of the initial contact.~~
- ~~B.~~ A manufacturer shall notify the Department within 24 hours of being without an IISP and shall replace the IISP within 90 days.
- ~~B.C.~~ An IISP shall ensure uninterrupted service to a person participant for the duration of the person's participant's certified ignition interlock device period, which shall include facilitating the replacement of a technician, subcontractor, or an employee or agent who goes out of business, is removed, or a technician whose certification is cancelled canceled by the IISP.
1. If a manufacturer terminates the IISP's authorization, the manufacturer shall obtain each person's participant's records from the IISP and retain the records according to R17-5-612.

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2. At the end or termination of an ignition interlock service authorization agreement, the manufacturer shall provide the Department with electronic access to each ~~person's~~ participant's ignition interlock records for three years.
 3. If a manufacturer authorizes a new IISP, the manufacturer shall notify each ~~person~~ participant affected by the authorization of the new IISP at least 30 days before the authorization becomes effective.
 4. If a manufacturer does not authorize a new IISP, the manufacturer at no cost to the ~~person~~ participant, shall:
 - a. Provide written notification to all ~~persons~~ participants who are affected by the loss of an IISP or lack of service in an area, at least 30 days before the IISP discontinues service. The written notification shall inform the ~~person~~ participant of the manufacturer's responsibility to facilitate removal and replacement of the CIID and shall provide the instructions necessary for the ~~person~~ participant to successfully exchange the device;
 - b. Remove the device from the vehicle of each affected ~~person~~ participant; and
 - c. Facilitate the replacement of each device through a another manufacturer with an IISP that can provide service.
 5. ~~A manufacturer shall notify the Department within 24 hours of replacing its IISP.~~
 6. ~~An IISP shall submit to the Department an updated list of the IISP's certified technicians within 5 business days after making a change to the list provided to the Department under R17-5-609(J).~~
- ~~C.D.~~ Except in an emergency situation, a manufacturer, an IISP, or ~~an IISP's certified a~~ technician shall not remove another manufacturer's CIID without the express permission of that manufacturer.
1. If in an emergency situation a manufacturer, an IISP, or ~~the IISP's certified a~~ technician removes another manufacturer's CIID, that manufacturer, IISP, or ~~the IISP's certified~~ technician shall return the device to the original manufacturer within 72 hours of the emergency removal; and
 2. The original manufacturer, on receipt of the device, shall provide to the Department an electronic report of the device removal under R17-5-610, ~~which shall include the transmission of all data stored in its data storage system.~~
- ~~D.~~ In accordance with the IISP's implementation plan, an IISP shall facilitate the replacement of the IISP's service center if the service center goes out of business or the service center is closed, and the IISP does not have a service center in the county. An IISP shall notify the Department within 72 hours of replacing a service center location in a county.
1. If a service center closes and is replaced, the manufacturer shall make all reasonable efforts to obtain from the service center being replaced, all the individual ignition interlock records and data required to be retained under R17-5-612. The records shall be provided to, and maintained by the IISP.
 2. If an out-of-business or closed service center is not replaced, the manufacturer shall retain the records and data as required under R17-5-612, and shall provide the Department with electronic access to the records and data:
 - a. The manufacturer shall facilitate removal of all installed CIID's no longer serviced by the out-of-business or closed service center, and shall bear the cost of replacing each device with a serviceable CIID chosen by the person, even if the replacement device must be provided through an alternate manufacturer.
 - b. The manufacturer shall, within 30 days, make a reasonable effort to notify its customers of the change of service center or replacement of a device.
 3. If the manufacturer cannot comply with subsection (D)(1) or subsection (D)(2), the IISP shall:
 - a. Notify its customers and the Department that service will be terminated; and
 - b. Remove each device at no cost to the customer.
- R17-5-612. Records Retention; Submission of Copies and Quarterly Reports**
- A. ~~During For~~ the duration of the ignition interlock service authorization agreement ~~an IISP contract, an IISP a~~ manufacturer shall retain each ~~person's~~ participant's ignition interlock activity records in an electronic format, including a secure database, or a paper format for three years from the date of removal. The retained records shall consist of every document relating to installation, operation, and removal of the CIID. The ~~HSP~~ manufacturer shall maintain all daily ignition interlock activity records of each ~~person~~ participant in the device's data storage system, or in a secure database at a commercial business location in this state, that the Department may access during posted business hours. An IISP shall inform the Department where all individual ignition interlock activity records are located.
 - B. Prior to the end or termination of an ~~ignition interlock service authorization agreement~~ IISP contract, the manufacturer shall obtain ~~all~~ person's ~~the~~ ignition interlock records of all affected participants and provide the Department with electronic access to the records for three years.
 - C. A manufacturer shall provide copies of each ~~person's~~ participant's ignition interlock records to the Department within 10 days after Department personnel request copies of records, including records relating to installation and operation of the CIID.
 - D. A manufacturer shall electronically send to the Department, by the 10th day of January, April, July, and October, a quarterly report containing the following information for the previous three calendar months:
 1. The number of CIID's the IISP currently has in service;
 2. The number of CIID's installed since the previous quarterly report;
 3. The number of CIID's removed by the IISP since the previous quarterly report; and
 4. Other information required by the Department.
 - E. An IISP shall maintain, and make available to the Department during normal business hours, the ignition interlock records of all ~~persons~~ participants served by the IISP, records relating to the ~~authorization agreement~~ IISP contract, and employee background check information ~~at a commercial business location in this state of the manufacturer or the IISP during normal business hours.~~
- R17-5-613. Inspections and Complaints**
- A. The Department shall investigate any complaint that is related to a CIID or an IISP.

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- B. An IISP and a manufacturer shall permit and fully cooperate with periodic on-site inspections of the IISP's service centers and principal places of business of the manufacturer at any time during normal business hours by an authorized representative of the Department, ~~where records relating to the authorization agreement and individual ignition interlock device records are maintained.~~
- C. The Department shall conduct ~~on-site~~ inspections of a manufacturer, or a service center under the provisions of A.R.S. § 41-1009. The inspection shall include an examination of ignition interlock activity, records and verification of an adequate supply of devices, mouthpieces, and other equipment required to meet the needs of participants, including the warning labels that meet the requirements of A.R.S. § 28-1462 and R17-5-609.

R17-5-614. Ignition Interlock Device Installation Fee; Financial Records

- A. An IISP shall collect an ignition interlock device installation fee of twenty dollars from each participant for each CIID that is installed in, or transferred to a motor vehicle by an IISP.
- B. ~~An HSP~~ A manufacturer shall electronically remit the collected ignition interlock device installation fees paid by all persons participants to the Department on a monthly basis through a payment account created by the HSP manufacturer, as determined by the Department, by transferring the collected fees paid during the previous calendar month to the Department by the ~~tenth~~ 10th day of the following calendar month.
- C. An IISP shall not charge a person participant an installation fee to replace a ~~defective~~ an ignition interlock device that malfunctions while installed in the participant's vehicle or presents an error message that requires early service.
- D. An IISP shall post the amount of the ignition interlock device installation fee and the statutory authority for the ignition interlock device installation fee required by A.R.S. § 28-1462 on the IISP's website, that is available to all persons participants with an ignition interlock device requirement, and in a visible location at each of the IISP's service centers.
- E. An IISP must clearly post the amount of all other fees charged to a person participant for ignition interlock device services.
- F. An IISP shall maintain the financial records of the ignition interlock device installation fee collection and transfer to the Department, at an IISP's established place of business, or in a secure database, for three years from the date of the fee transfer. The Department may review the financial records of an IISP during normal business hours, to ensure compliance with the collection and transfer of the ignition interlock device installation fee to the Department.

R17-5-615. Rolling Retest; Missed Rolling Retests; ~~Extension of Ignition Interlock Period~~

- ~~B.A.~~ A CIID shall have the capability to require a rolling retest and meet the requirements of a rolling retest as prescribed under this Section. A person, while operating the vehicle, shall be prompted for the first rolling retest within five to 15 minutes of vehicle operation after the initial test required to start an engine, and the device shall prompt for additional rolling retests at random intervals of up to 30 minutes after each previously requested and passed rolling retest as long as the vehicle remains in operation.
- ~~A.B.~~ A manufacturer shall report to the Department, as prescribed under R17-5-610(D), any valid and substantiated set of three consecutive missed rolling retests, as defined in R17-5-601 under A.R.S. § 28-1301, that occur during in one drive cycle using the time period prescribed in under subsection (E)(G).
- C. A rolling retest timer may be paused if the vehicle is not being operated. The rolling retest timer shall immediately resume functionality once vehicle operation continues.
- D. A certified ignition interlock device shall record the starting and ending times of each pause in the rolling retest timer.
- ~~E.~~ A certified ignition interlock device shall:
 - 1. Emit a warning light, tone, or both, to alert a person that a rolling retest is required;
 - 2. Allow a period of six minutes after the warning light, tone, or both, to allow a person to take a rolling retest;
 - 3. Require a person to perform a new test to restart an engine if it is switched off during or after a rolling retest warning;
 - 4. Allow a free restart of a motor vehicle's ignition, within three minutes after the ignition is switched off, without requiring another breath alcohol test, except when a rolling retest is in progress;
 - 5. Use the set point value for startups and retests;
 - 6. Record, in its data storage system, the result of each rolling retest performed by a person during the person's drive cycle, and any valid ~~and substantiated~~ missed rolling retests; and
 - 7. Immediately require another rolling retest each time a person ~~refuses~~ fails to perform a requested rolling retest.
- ~~D.F.~~ Until a person successfully performs a rolling retest, or the engine is switched off, a A device shall record in its data storage system, each subsequent refusal or failure of the person to perform the requested rolling retest.
- ~~E.G.~~ The Department shall count one missed rolling retest for a person who ~~refuses or fails~~ to provide a valid ~~and substantiated~~ breath sample in response to a requested rolling retest if not followed by the person providing a valid ~~and substantiated~~ breath sample within six minutes.
- ~~F.H.~~ Failure to take a rolling retest when a person's breath alcohol concentration is equal to or exceeds the set point shall not sound the vehicle horn, nor any type of siren, bell, whistle or any device emitting a similar sound, or any unreasonable loud or harsh sound that is audible outside of the vehicle, and shall not cause the engine of the vehicle to shut off.
- G. The Department shall extend a person's ignition interlock period for six months, as provided in A.R.S. § 28-1461(E) for any set of three consecutive missed rolling retests that occur within an 18-minute time frame during a drive cycle.
- H. If during one drive cycle, a person who is at least 21 years of age, has two or more breath alcohol concentrations of 0.08 or more, the Department shall count this as one violation, and shall extend a person's ignition interlock period for six months.
- I. If during one drive cycle, a person who is under 21 years of age, has any breath alcohol concentration one or more times, the Department shall count this as one violation, and shall extend a person's ignition interlock period for six months.
- L. A person who is in the vehicle at the time of a requested rolling retest shall not avoid compliance with the rolling retest requirement by turning off the motor vehicle or leaving the vehicle after a rolling retest is requested.

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- ~~J.~~ Except as provided in subsections (H) and (I), if during one drive cycle, a person has more than one violation as defined in R17-5-601, the Department shall extend a person's ignition interlock period for six months for each violation.

R17-5-616. Civil Penalties; Hearing

- A. After notice and an opportunity for a hearing, the Director may impose a civil penalty pursuant to A.R.S. § 28-1465, against a manufacturer of a certified ignition interlock device for improper reporting to the Department of ignition interlock data, as ~~defined in R17-5-601~~ outlined under R17-5-610. The Director may impose and collect a civil penalty against a manufacturer of a certified ignition interlock device, who is responsible for an occurrence of improper reporting, as follows:
1. \$100 for the first occurrence, but not to exceed \$1,000 per series of occurrences of improper reporting ~~on a specific date~~;
 2. \$250 for the second occurrence, but not to exceed \$2,500 per series of occurrences of improper reporting ~~on a specific date~~; and
 3. \$500 for the third or subsequent occurrence, but not to exceed \$5,000 per series of occurrences of improper reporting ~~on a specific date~~.
- B. The Director, on finding that a manufacturer engaged in improper reporting, shall mail a notice to the manufacturer stating that civil penalties may be imposed for improper reporting. The notice shall:
1. Specify the basis for the action; and
 2. State that the manufacturer may, within 15 days after receipt of the notice, file a written request for a hearing with the Department's Executive Hearing Office as prescribed in 17 A.A.C. 1, Article 5.
- ~~B.C.~~ The manufacturer shall pay the civil penalty imposed under this Section to the Department no later than 30 days after the order is final.
- ~~E.D.~~ If the manufacturer fails to pay the civil penalty within 30 days after the order is final, the director may file an action in the superior court in the county in which the hearing is held to collect the civil penalty.
- E. If a manufacturer is found responsible for more than three series of occurrences of improper reporting within the last 12 months, fails to respond to a notice provided by the Department as prescribed under subsection (B), fails to correct or remedy an issue identified by the Department in its notice, or fails to file a timely request for a hearing, the Department may decertify the manufacturer's ignition interlock device as prescribed under R17-5-607.
- ~~E.F.~~ A manufacturer who is aggrieved by an assessment, decision, or order of the Department under A.R.S. § 28-1465 and this Section may seek judicial review under A.R.S. Title 12, Chapter 7, Article 6.

R17-5-617. Cease and Desist

- A. If the Director has reasonable cause to believe that a party to an IISP ~~authorization agreement contract~~ is violating any provision of state statute, administrative rule, or the ~~authorization agreement~~ IISP contract, the Director will immediately issue and serve a cease and desist order by mail to the IISP's last known address.
- B. On receipt of the cease and desist order, the IISP is subject to progressive discipline as outlined in the IISP contract and shall immediately cease and desist from further engaging in any activity specified in the cease and desist order that is not authorized in state statute, administrative rule, or the ~~agreement~~ IISP contract, ~~and that is specified in the cease and desist order~~.
- C. On failure of the IISP to comply with the cease and desist order, the IISP may request a hearing with the Department's Executive Hearing Office under 17 A.A.C. 1, Article 5, within 15 days. On failure of the IISP to comply with the cease and desist order, the Director ~~will~~ may immediately cancel the ~~agreement contract~~ with the IISP.

R17-5-618. Service Centers; Mobile Services

- A. An IISP shall have at least one readily accessible service center in each county in this state that performs all ignition interlock services, including service, calibration, installation, inspection, and removal of a CIID by a technician who is trained and certified by the IISP for the specific service ~~area activity or activities~~.
- B. An IISP, subcontractor, agent, or an employee who operates a service center, or provides mobile services as an extended service provided by a service center ~~on a temporary or emergency basis~~, shall meet the requirements in these rules before conducting CIID-related business in this state.
- C. A service center shall maintain sufficient staffing to provide an acceptable level of ignition interlock device services during all posted business hours.
- D. A technician that provides mobile services shall be stationed and employed at the IISP's service center and be certified in the ignition interlock service ~~area activity or activities~~ the technician ~~will~~ is authorized to provide and as indicated on the technician's certificate provided by the IISP.
- E. When a service center technician provides mobile services, an IISP shall ensure that the service center has another technician ~~or employee~~ available at the service center to provide ignition interlock device services during the posted hours of operation.
- F. An IISP's service center shall:
1. Be located in a permanent, fixed-site facility that accommodates installing, inspecting, downloading, calibrating, monitoring, maintaining, servicing, and removing a CIID;
 2. Provide a designated waiting area for a person participant that is separate from the installation area;
 3. Ensure that a person participant does not witness installation of the CIID;
 4. ~~Through the IISP, the IISP-certified technician or employee, provide~~ Provide the necessary training required by R17-5-609(D) ~~under R17-5-609(U) for a person to operate a CIID; and~~
 5. ~~Ensure that a technician meets the necessary requirements in order to receive and maintain certification before a technician or an IISP conducts ignition interlock device business in this state; and~~
 6. Have the necessary equipment and tools to provide all ignition interlock services in a professional manner.
- G. A service center that provides mobile services shall:
1. Have the capability to provide all the ignition interlock services in subsection (F)(1);

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2. Meet the requirements ~~in subsection (F)(3)~~ under subsections (F)(1) through (F)(6) (F)(5);
 3. Have permission from the motor vehicle owner to provide mobile services; and
 4. Ensure that a technician provides business identification to a person participant requesting service prior to performing services, along with the service center certificate and the technician's training certificate.
- H. A service center that provides mobile services shall not operate from a tow truck.
- I. An IISP ~~that operates a service center~~, shall ensure that ~~an HSP-certified~~ a technician meets the necessary requirements in order to receive and maintain certification before a technician or an IISP conducts ignition interlock device business in this state, and that its technician utilizes all of the following standards established by the manufacturer and the IISP, including:
1. ~~The analysis of a reference sample such as headspace gas from a mixture of water and alcohol, the results of which shall agree with the reference sample predicted value, or other methodologies approved by the Department. The preparatory documentation on the reference sample solution, such as a certificate of analysis, shall be made available to the Department on request.~~
 2. ~~The set point value established as defined under R17-5-601. All analytical results shall be expressed in grams of alcohol per 210 liters of breath (g/210L).~~
 3. ~~The most current versions of manufacturer software and firmware to ensure continuous compliance under this Article and A.R.S. Title 28, Chapter 4, Article 5.~~
- J. An IISP shall ensure that a motor vehicle used to provide mobile services from a service center has current vehicle registration in this state and maintains the required mandatory insurance and financial responsibility coverage in A.R.S. § 28-4009.
- K. A technician shall ensure that a person participant who receives mobile services receives the same level of training and service as a person participant who receives services at a service center.
- ~~L. The manufacturer shall ensure that a CHD electronically transmits the Summarized Reporting Record for a calibration check to the Department as provided in R17-5-610(D)(4).~~

R17-5-619. Application; IISP Implementation Plan

- ~~C.A.~~ An IISP shall be approved by the ~~Director~~ Department through the application process for IISP contract authorization agreement ~~process~~ before offering ignition interlock services in the this state.
- ~~A.B.~~ An HSP A manufacturer that applies to the Department for authorization of an ignition interlock service provider IISP contract under A.R.S. § 28-1468, shall submit all required documents to the Department and meet all the requirements ~~in the ignition interlock service provider authorization agreement; in Title 28, Chapter 5, Article 4, Arizona Revised Statutes; and these rules as prescribed under this Article and Arizona Revised Statutes, Title 28, Chapter 4, Article 5.~~
- C. An applicant that applies for authorization of an IISP contract shall provide to the Department:
1. A copy of the IISP's business registration from the Arizona Corporation Commission indicating that the business is active and in good standing, except that a sole proprietor may provide a copy of:
 - a. A local business license if required by the local government entity;
 - b. A Transaction Privilege Tax (TPT) license for the business; or
 - c. A valid certificate of existence or trade name certificate issued by the Arizona Secretary of State;
 2. The following statements signed by the IISP:
 - a. A statement that all information provided on the application, including all information provided on any attachment to the application is complete, true, and correct;
 - b. A statement that the IISP agrees to indemnify and hold harmless the state of Arizona and its departments, agencies, boards, commissions, officers, officials, agents, and employees from any and all liability for:
 - i. Damage to property or injury to people arising, directly or indirectly, out of any act or omission by the IISP relating to the installation and operation of a certified ignition interlock device; and
 - ii. All court costs, costs of claim processing, costs of investigations, expenses of litigation, and reasonable attorneys' fees;
 - c. A statement that the IISP agrees to comply with all requirements under this Article; and
 - d. A statement that the IISP agrees to immediately notify the Department of any change to the information provided on the application form; and
 3. Any other documentation required by the Department.
- ~~B.D.~~ In addition to this information, an An IISP shall submit to the Department, with the application, a detailed implementation plan that outlines the steps and time frames necessary for the IISP to be fully operational. The implementation plan must include:
1. The IISP's plan for establishing and maintaining a service center in every county in this state;
 2. The IISP's procedures for imposing progressive discipline on its employees, agents, or subcontractors who fail to comply with the requirements of Arizona statute; Department administrative rules; or the terms of the ~~authorization agreement~~ IISP contract;
 3. A plan for transitioning ignition interlock services to another IISP that ensures continuous monitoring will occur if a participant decides to transition services to another HSP or if the HSP ceases conducting business or leaves this state;:
 - a. The manufacturer ceases to conduct business in this state; or
 - b. The manufacturer needs to replace the IISP with another IISP;
 4. A means by which the IISP will provide all participant records and information or electronic access to the records and information to the ignition interlock device manufacturer in the event the IISP ceases conducting business or leaves this state. At the end or termination of an ~~ignition interlock service authorization agreement~~ IISP contract, the manufacturer shall provide the Department with electronic access to all ~~person's ignition interlock participant CIID~~ records for three years; and
 5. Documentation that the IISP is an authorized agent representative of the manufacturer and a point of contact for the manufacturer, including the IISP's telephone number and e-mail email address.

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- ~~D.E.~~ An IISP shall use this process to may reapply to the ~~Director~~ Department for reauthorization of an ~~ignition interlock service provider~~ IISP contract ~~using the process prescribed under this Section.~~
- E.** An IISP shall be the authorized representative for the CIID manufacturer, all approved service centers, and all approved technicians responsible for performing CIID services while the IISP contract is in effect.
- G.** If an IISP cannot replace the last service center in a county as provided in its implementation plan, the IISP shall be subject to progressive disciplinary action as outlined in the IISP's contract with the Department.

R17-5-620. Authorization Time Frame; Ignition Interlock Service Provider

- A.** The Director shall, within 10 days of the date of receipt of an application for authorization of an ignition interlock service provider contract, provide notice to the IISP that the application is either complete or incomplete.
1. The date of receipt is the date the Director receives the application.
 2. If an application is incomplete, the dated notice shall specifically identify the required information that is missing.
 3. An application is incomplete if not submitted to the Department by the manufacturer of an ignition interlock device that is currently certified by the Department to be offered for use in Arizona.
- B.** An applicant with an incomplete application shall provide all missing information to the Director within 15 days of the Director's notice.
1. After receiving all of the required information, the Director shall notify the IISP that the application is complete.
 2. The Director may deny an IISP's application if the IISP fails to provide the required information within 15 days of the Director's notice.
- C.** The Director shall render a decision on an application for authorization within 30 days of the date on the notice acknowledging receipt of a complete application, as provided by the Department to the applicant under subsections (A) or (B).
- D.** If the Director denies an application for authorization, the Director shall notify the IISP in writing within 20 days after the denial, and of the grounds for the denial in accordance with ~~A.R.S. § 28-1468 (E)~~ A.R.S. § 28-1468(E).
- E.** For the purposes of A.R.S. § 41-1073, the Department establishes the following time frames for the purpose of reviewing an application for authorization:
1. Administrative completeness review time frame: 10 days.
 2. Substantive review time frame: 30 days.
 3. Overall time frame: 40 days.
- F.** The Director shall also use this process ~~for~~ on reapplication for authorization of an ignition interlock service provider contract.

R17-5-621. Service Center Application

- A.** ~~On approval by the Director of an IISP's signed application for authorization~~ Once an IISP is contracted with the Department to provide ignition interlock services, an IISP shall submit to the Department for approval a properly completed service center application for approval of the IISP's service centers.
- B.** An IISP shall provide the following information to the Department:
1. The service center name, which shall match the official legal name ~~on~~ of the service center;
 2. The business address of the established place of business of each service center or business location;
 3. The telephone number of each established place of business of each service center or business location;
 4. The service center's legal status as a sole proprietorship, partnership, limited liability company, or a corporation;
 5. The name of the sole proprietor, each partner, officer, director, manager, member, agent, or 20% or more stockholder;
 6. The name and model number of each CIID the IISP plans to install;
 7. An indication of any service centers that will provide mobile services;
 8. ~~Any applicable business licenses and the governmental entity~~ A copy of the service center's business registration from the Arizona Corporation Commission indicating that the business is active and in good standing. The Department may also accept a copy of:
 - a. A local business license if required by the local government entity;
 - b. A Transaction Privilege Tax (TPT) license for the business; or
 - c. A valid certificate of existence or trade name certificate issued by the Arizona Secretary of State; and
 9. The following statements signed by the IISP:
 - a. A statement that all information provided on the application, including all information provided on any attachment to the application is complete, true, and correct;
 - b. A statement that the IISP agrees to indemnify and hold harmless ~~from all liability~~ the state of Arizona and ~~any department, division, agency, officer, employee, or agent of the state of Arizona;~~ its departments, agencies, boards, commissions, officers, officials, agents, and employees from any and all liability for:
 - i. Damage to property or injury to people arising, directly or indirectly, out of any act or omission by the IISP relating to the installation and operation of a certified ignition interlock device; and
 - ii. All court costs, costs of claim processing, costs of investigations, expenses of litigation, and reasonable attorneys' fees;
 - c. A statement that the IISP agrees to comply with all requirements in these rules; and
 - d. A statement that the IISP agrees to immediately notify the Department of any change to the information provided on the application form.
- C.** The Department shall process an IISP's service center application only if the IISP meets all applicable application requirements.
- D.** The Department shall, within 10 days of receiving a service center application, provide notice to the IISP that the application is either complete or incomplete.
1. The date of receipt is the date the Department receives the application.

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2. If an application is incomplete, the notice shall specifically identify the required information that is missing.
- E.** An IISP with an incomplete application shall provide all missing information to the Department within 15 days of the date on the Department's notice.
 1. After receiving all of the required information, the Department shall notify the IISP that the application is complete.
 2. The Department may deny approval of a service center if the IISP fails to provide the required information within 15 days of the date on the notice.
- F.** The Department shall render a decision on a service center application within 30 days of the date indicated on the notice acknowledging receipt of a complete application, as provided by the Department to the IISP under subsections (D) or (E), unless additional time is required when an application is contingent on the Department conducting an initial inspection of the IISP's proposed service center location to ensure that it meets all of the necessary requirements prior to granting approval.
- G.** For the purpose of A.R.S. § 41-1073, the Department establishes the following time frames for processing an application for approval of a service center:
 1. Administrative completeness review time frame: 10 days.
 2. Substantive review time frame: 30 days.
 3. Overall time frame: 40 days.
- H.** If a service center is no longer authorized by ~~a manufacturer~~ an IISP to install or service its CHID, the IISP shall notify the Department within 24 hours of making that decision.
- ~~**I.** An IISP shall be the authorized representative of a specific manufacturer while the authorization agreement is in effect, for a service center to install the manufacturer's CHID.~~
- ~~**J.** If an IISP, subcontractor, or agent opens or relocates a service center, or the service center is operated by another entity, an IISP, subcontractor, or agent the IISP shall submit to the Department a new service center application for approval.~~
- ~~**K.**~~ **J.** An IISP shall also use this process to reapply to the Department for a service center application.

R17-5-622. Technician Application and Qualifications

- A.** The qualifications for a technician are:
 1. A technician shall be at least 18 years of age.
 2. A technician who is required to drive a motor vehicle on a highway in this state in the technician's job capacity shall have a valid Arizona driver license as required under A.R.S. § 28-3151, unless exempted under A.R.S. § 28-3152.
 3. A technician shall have the necessary mechanical ability, training, and certification from the IISP required to perform installation, inspection, repair, calibration, service or removal of a CHID from a motor vehicle.
- ~~**A.**~~ **B.** On approval by the Department of an IISP's service center application, an IISP shall submit to the Department for approval, a properly completed technician application with the following information:
 1. Name of the technician;
 2. The technician's date of birth;
 3. The technician's residence address;
 4. The technician's driver license or nonoperating identification license number;
 5. Name of the service center where the technician is employed;
 6. Location of the service center where the technician is employed; ~~and~~
 7. Proof of IISP technician certification as prescribed under subsection (A)(3); and
 - ~~7-8.~~ The following statements signed by the technician and the IISP:
 - a. A statement that all information provided on the application form, including all information provided on any attachment to the application form is complete, true, and correct;
 - b. A statement that the technician and the IISP agree to indemnify and hold harmless ~~from all liability~~ the state of Arizona and ~~any department, division, agency, officer, employee, or agent of the state of Arizona; its departments, agencies, boards, commissions, officers, officials, agents, and employees from any and all liability for:~~
 - i. Damage to property or injury to people arising, directly or indirectly, out of any act or omission by the technician or IISP relating to the installation and operation of a certified ignition interlock device; and
 - ii. All court costs, costs of claim processing, costs of investigations, expenses of litigation, and reasonable attorneys' fees;
 - c. A statement that the technician agrees to comply with all requirements in these rules; and
 - d. A statement that the IISP agrees to immediately notify the Department of any change to the information provided on the application form.
- ~~**B.**~~ **C.** The Department shall process a technician's application only if a technician meets all applicable application requirements.
- ~~**C.**~~ **D.** The Department shall, within 10 days of receiving a technician application, provide notice to the ~~applicant~~ IISP that the application is either complete or incomplete.
 1. The date of receipt is the date the Department receives the application.
 2. If an application is incomplete, the notice shall specifically identify the required information that is missing.
- ~~**D.**~~ **E.** An ~~applicant~~ IISP with an incomplete application shall provide all missing information to the Department within 15 days of the date on the Department's notice.
 1. After receiving all of the required information, the Department shall notify the ~~applicant~~ IISP that the application is complete.
 2. The Department may deny approval of a technician application if the ~~applicant~~ IISP fails to provide the required information within 15 days of the date on the notice.
- ~~**E.**~~ **F.** The Department shall render a decision on a technician application within 30 days of the date indicated on the notice acknowledging receipt of a complete application, as provided by the Department to the IISP under subsections (C) or (D) or (E).

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NOTICES OF PROPOSED RULEMAKING

~~F.G.~~ For the purpose of A.R.S. § 41-1073, the Department establishes the following time frames for processing an application for approval of a technician:

1. Administrative completeness review time frame: 10 days.
2. Substantive review time frame: 30 days.
3. Overall time frame: 40 days.

~~G.H.~~ If an HSP and the IISP's technician are is no longer authorized by a manufacturer to install its perform CIID services, the IISP shall notify the Department within 24 hours.

~~H.~~ An IISP shall be the authorized representative of a specific manufacturer that has an authorization agreement in effect for a technician to service the manufacturer's CIID.

I. An IISP shall submit to the Department a separate technician application when an HSP hires a for each new technician hired by the IISP.

J. After the Department approves a technician, the Department will assign and provide to each technician, the IISP a unique technician identification number to identify each technician who installs, calibrates, inspects, or removes to be used by each approved technician for identification purposes when installing, calibrating, inspecting, or removing a CIID.

K. An IISP shall use this process to re-apply on application to the Department for a technician application new technician, a previously certified technician, or a technician previously denied.

R17-5-623. Renumbered

~~R17-5-706.~~R17-5-623. Calibration Check; Requirements

~~A.~~ An HSP-certified technician shall inspect, maintain, and check each CIID for calibration accuracy and operational performance before the device is placed into, or returned to service.

~~B.A.~~ A person participant with a CIID installed on a motor vehicle is responsible for obtaining a calibration check of the CIID by the IISP's technician at the IISP's service center within every 77 to 90 day period at least once every 90 days after device installation, and every 77 to 90 days thereafter, during throughout the person's participant's entire certified ignition interlock device period.

~~C.~~ An HSP-certified technician shall perform a calibration check at the HSP's service center at least once every 90 days after device installation, and at least every 90 days thereafter.

~~D.B.~~ The calibration check performed under R17-5-610 this Section and R17-5-609(Y) shall include an inspection of the device to verify that it is properly functioning in accordance with all of the following criteria:

1. Accuracy standards as prescribed under R17-5-603;
 - a. The device shall be calibrated before placed into, or returned to service.
 - b. The calibration test shall consist of introducing to the device a known alcohol concentration from a reference sample device, the analysis of which indicates the device's agreement with the known concentration. The manufacturer's software shall be capable of performing, documenting, and reporting the result of this calibration test. The calibration test result shall verify the accuracy of the ignition interlock device according to the standards prescribed under R17-5-603; and
2. Anticircumvention standards and operational features as prescribed under R17-5-603.

~~E.C.~~ The calibration test referenced under subsection ~~(D)(B)~~ shall be performed when the information uploaded from a device indicates that the device has experienced an interruption in service or was completely disconnected. Additionally, the complete device, including the camera and its connection to the vehicle, shall be examined for evidence of tampering while it is still attached to the vehicle. An IISP shall document or photograph any evidence of tampering or circumvention and submit the documentation to the Department as required by these rules and A.R.S. Title 28, Chapter 4, Article 5.

~~F.D.~~ If calibration confirmation test results reveal that the device is not properly calibrated, the device shall be recalibrated to restore the accuracy standards prescribed under R17-5-603 before the device is returned to service.

~~E.~~ A technician shall inspect, maintain, and check each CIID for calibration accuracy and operational performance before the device is placed into, or returned to service.

~~G.~~ At least once every 90 days, a technician shall perform a physical inspection of the ignition interlock device, including an anticircumvention check, while it is still attached to the vehicle.

~~H.~~ A technician shall perform a physical inspection of the ignition interlock device any time an early recall occurs.

~~I.F.~~ If at any time an individual device model fails to meet the provisions of this Section, the manufacturer, IISP, or HSP-certified a technician, as appropriate, shall either:

1. Repair, recalibrate, and retest the device model to ensure that it does meet all applicable standards; or
2. Remove the device model from service.

~~R17-5-623.~~R17-5-624. Termination of Authorization IISP Contract; Notification

A. If the Director terminates an IISP's authorization agreement contract, the Director shall notify each person participant with the manufacturer's CIID that the person participant has 30 days to obtain another IISP.

B. Any IISP owner or principal whose agreement contract has been terminated as a result of the HSP's authorization being cancelled is not eligible to re-apply with the Department for IISP contract authorization from the Department until 36 months for three years after the date of termination.

ARTICLE 7. IGNITION INTERLOCK DEVICE TECHNICIANS REPEALED

R17-5-701. Definitions Repealed

The definitions provided under A.R.S. §§ 28-101 and R17-5-601 apply to this Article unless the context otherwise requires.

R17-5-702. Records Check; Technician Qualifications; HSP Self-Certification of Technician Repealed

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- ~~A.~~ If the Director enters into an HSP's ignition interlock authorization agreement under A.R.S. § 28-1468, an HSP shall conduct an annual criminal records check and a certified driver's license record check on all employees, agents, or subcontractors listed on the HSP's application within 30 days prior to each individual's start date.
- ~~B.~~ An HSP shall self-certify and train a technician in the service area that the technician will provide.
- ~~C.~~ The qualifications for a technician are:
- ~~1.~~ A technician shall be at least 18 years of age.
 - ~~2.~~ A technician who is required to drive a motor vehicle on a highway in this state in the technician's capacity shall have a valid Arizona driver license as required by A.R.S. § 28-3151, unless exempted under A.R.S. § 28-3152.
 - ~~3.~~ A technician shall have the necessary mechanical ability, training, and certification from the HSP required to perform installation, inspection, service, calibration, or removal of a CHD from a motor vehicle.
- ~~D.~~ A technician shall:
- ~~1.~~ Maintain the confidentiality of any personal information, driver license information, or ignition interlock data or reports relating to a person;
 - ~~2.~~ Ensure that a person does not observe the technician's actions relating to installation and removal of a CHD;
 - ~~3.~~ Comply with the ignition interlock rules in 17 A.A.C. 5, Articles 6 and 7, and Arizona Revised Statutes Title 28, Chapter 4, Article 5; and
 - ~~4.~~ Conduct installation, service, calibration, inspection, or removal of an ignition interlock device from a motor vehicle in accordance with industry standards.
- ~~E.~~ A technician is prohibited from using the global positioning system capabilities of a CHD to track the location of a person and shall not release location information gathered by the CHD.

R17-5-706. Renumbered

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NOTICES OF FINAL RULEMAKING

Volume 32, Issue 32, August 7, 2026

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.

NOTICES OF FINAL RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

File Number: R26-130

PREAMBLE

1. Permission to proceed with this final 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)
R2-20-113

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. § 16-956(A)(6)

Implementing statute: A.R.S. § 16-956(A)(1)

4. The effective date of the rule:

July 14, 2026 (*immediately upon filing with the Office of the Secretary of State*)

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):

An immediate effective date is required under A.R.S. § 41-1032(A)(1) to align the rule prior to the general election.

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: 32 A.A.R. 694; Issue Date: March 20, 2026; Issue Number: 12; File Number: R26-34

Notice of Proposed Rulemaking: 32 A.A.R. 669; Issue Date: March 20, 2026; Issue Number: 12; File Number: R26-29

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

Name: Thomas M. Collins

Title: Executive Director

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NOTICES OF FINAL RULEMAKING

Address: 1110 W. Washington, Suite 250
Phoenix, AZ 85007
Telephone: (602) 364-3477
Email: ccec@azcleaselections.gov
Website: azcleaselections.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:

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. Consistent 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.

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:

There is little to no economic, small business, or consumer impact, other than the cost to the Commission to prepare the rule package. The rulemaking aligns with a new statute that creates an optional opportunity to county candidates to appear in the Candidate Statement Pamphlet. There are some additional costs associated with additional pages in the guide. However, the economic impact is minimal.

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:

Not applicable

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:

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:**

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The rule does not require a permit.

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

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

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 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
1. No change
 2. No change

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NOTICES OF AGENCY OMBUDSMAN

Volume 32, Issue 32, August 7, 2026

NOTICES OF AGENCY OMBUDSMAN

The Administrative Procedure Act (APA) requires the publication of Notices of Agency Ombudsman under A.R.S. §§ [41-1006\(A\)](#) and [41-1013\(B\)\(13\)](#).

An ombudsman is an agency's point of contact who assists members of the public or regulated community seeking information or guidance from the agency.

NOTICE OF AGENCY OMBUDSMAN

ARIZONA MEDICAL BOARD

File Number: M26-60

1. The agency's name:

Arizona Medical Board

2. The ombudsman's contact information:

Name: Raquel Rivera (*also ombudsman for the Arizona Regulatory Board of Physician Assistants*)
Title: Executive Director
Address: 1740 W. Adams St., Suite 4000
Phoenix, AZ 85007
Telephone: (480) 551-2791
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NOTICE OF AGENCY OMBUDSMAN

BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

File Number: M26-58

1. The agency's name:

Board of Osteopathic Examiners in Medicine and Surgery

2. The ombudsman's contact information:

Name: Justin Bohall
Title: Executive Director
Address: 1740 W. Adams St., Suite 2410
Phoenix, AZ 85007
Telephone: (602) 771-2522
Fax: (480) 657-7715
Email: questions@azdo.gov

NOTICE OF AGENCY OMBUDSMAN

BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

File Number: M26-59

1. The agency's name:

Board of Osteopathic Examiners in Medicine and Surgery

2. The ombudsman's contact information:

Name: Lindsey Castro
Title: Deputy Director
Address: 1740 W. Adams St., Suite 2410
Phoenix, AZ 85007

Arizona Administrative Register
NOTICES OF AGENCY OMBUDSMAN

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Arizona Administrative Register
NOTICES OF SUBSTANTIVE POLICY STATEMENT

Volume 32, Issue 32, August 7, 2026

NOTICES OF SUBSTANTIVE POLICY STATEMENT

Summaries and Location of Documents

Substantive policy statements are written expressions that inform the general public of an agency's current approach to rule or regulation practice as defined under [A.R.S. § 41-1001\(24\)](#).

Agencies are required to prepare a Notice of Substantive Policy Statement and publish the titles of its substantive policy statements, a summary of statements, and its website where full statements can be reviewed under [A.R.S. § 41-1013\(B\)\(9\)](#).

Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect an agency's internal procedures and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the APA.

Any person may petition an agency under [A.R.S. § 41-1033\(A\)\(2\)](#) to review an existing agency practice or substantive policy statement that the petitioner alleges to constitute a rule.

For additional information about these notices, contact the person listed under Item #6 of this notice.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

A.R.S. § 41-1013(B)(9)

DEPARTMENT OF ENVIRONMENTAL QUALITY

File Number: M26-61

1. Statement title and policy number:

Tribal Consultation and Collaboration; SPS # 0100.2026

2. Is this a new policy or revision:

Revision

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

July 2, 2026

4. Policy summary:

Pursuant to A.R.S. § 41-1001(22), "substantive policy statement" means a written expression which informs the general public of an agency's current approach to, or opinion of, the requirements of the federal or state constitution, federal or state statute, administrative rule or regulation, or final judgment of a court of competent jurisdiction, including, where appropriate, the agency's current practice, procedure or method of action based upon that approach or opinion. The clarification provided in this substantive policy statement has been determined by Arizona Department of Environmental Quality ("ADEQ") to meet applicable state and federal law and, therefore, ADEQ provides this substantive policy to assist persons in interpreting rules pertinent to ADEQ. Notwithstanding this substantive policy statement, ADEQ may consider alternative approaches to comply with applicable law.

This Tribal Consultation and Collaboration Policy ("Policy") continues the Department's commitment to recognize and respect Tribal Sovereignty, respect the principles of government-to-government relationships, and to promote coordinated collaboration. ADEQ is charged with preserving, protecting and enhancing the environment and the public health of the citizens/residents of the State of Arizona. ADEQ operates in accordance with its authority and limitations under Title 49 of the Arizona Revised Statutes with a critical mission to protect and enhance public health and the environment in Arizona. The Bureau of Indian Affairs in the U.S. Department of Interior recognizes 22 Tribal governments of the State of Arizona (Tribes) that have jurisdiction over approximately 28% of the land base in the State of Arizona. ADEQ is committed to developing cooperative relationships and mutual trust and understanding with Tribes including the 8 Nearby State Tribes.

5. Authority (include the federal or state constitutional provision or statute, administrative rule, or regulation; or final court judgment):

A.R.S. § 41-2051 -- Governor's Office on Tribal relations; director; responsibilities of state agencies; report

A.R.S. Title 49 -- The Environment

Arizona Administrative Register
NOTICES OF SUBSTANTIVE POLICY STATEMENT

6. Agency contact information:

Name: Len Drago
Title: Communications Administrator – Ombudsman / Tribal Liaison
Division: Mission Partners (MP)
Address: 1110 W. Washington St., Suite 160
Phoenix, AZ 85007
Telephone: (602) 771-2288
Email: drago.leonard@azdeq.gov
Website: <https://azdeq.gov/LawsAndRules>

7. An electronic copy of the complete policy can be viewed at:

Arizona Department of Environmental Quality – Laws/Rules/Policies
Website: <https://azdeq.gov/LawsAndRules>

8. A paper copy of the complete policy can be obtained at:

Physical Address: ADEQ
1110 W. Washington St., Suite 160
Phoenix, AZ 85007

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2026 REGISTER INDEXES

The *Register* is published by volume in a calendar year. Refer to the “Information” pages in the front of each issue for more details.

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN means Proposed new Section
PM means Proposed amended Section
PR means Proposed repealed Section
P# means Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

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

FINAL RULEMAKING

FN means Final new Section
FM means Final amended Section
FR means Final repealed Section
F# means Final renumbered Section

SUMMARY RULEMAKING

PROPOSED SUMMARY

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

FINAL SUMMARY

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

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

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

SUPPLEMENTAL EXPEDITED

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

FINAL EXPEDITED

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

EXEMPT RULEMAKING

EXEMPT

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

EXEMPT PROPOSED

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

EXEMPT SUPPLEMENTAL PROPOSED

SPXN means Supplemental Proposed Exempt new Section
SPXR means Supplemental Proposed Exempt repealed Section
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SPX# means Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING

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

EMERGENCY RULEMAKING

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

RECODIFICATION OF RULES

RC means Recodified

REJECTION OF RULES

RJ means Rejected by the Attorney General

TERMINATION OF RULES

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

RULE EXPIRATIONS

EXP means Rules have expired
Refer to “emergency expired” under emergency rulemaking

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RULEMAKING ACTIVITY INDEX

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Arizona Administrative Register
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Volume 32, Issue 32, August 7, 2026

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

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

February

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

March

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

April

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

May

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

June

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

July

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

August

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

September

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

October

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

November

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

December

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

Arizona Administrative Register
RULES EFFECTIVE DATES CALENDAR

REGISTER 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 are listed in the first column and issue dates are provided in the second column. Listed in the third column 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*. Governor Regulatory Review Council meetings and *Register* deadlines do not correlate.

Deadline Date Friday, 5:00 p.m.	<i>Register</i> Publication Date	Oral Proceeding may be scheduled on or after
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 Later date due to a holiday
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
June 19, 2026	July 10, 2026	August 10, 2026
June 26, 2026	July 17, 2026	August 17, 2026
July 3, 2026	July 24, 2026	August 24, 2026
July 10, 2026	July 31, 2026	August 31, 2026
July 17, 2026	August 7, 2026	September 8, 2026 Later date due to a holiday
July 24, 2026	August 14, 2026	September 14, 2026
July 31, 2026	August 21, 2026	September 21, 2026
August 7, 2026	August 28, 2026	September 28, 2026
August 14, 2026	September 4, 2026	October 5, 2026
August 21, 2026	September 11, 2026	October 13, 2026 Later date due to a holiday
August 28, 2026	September 18, 2026	October 19, 2026
September 4, 2026	September 25, 2026	October 26, 2026
September 11, 2026	October 2, 2026	November 2, 2026
September 18, 2026	October 9, 2026	November 9, 2026
September 25, 2026	October 16, 2026	November 16, 2026
October 2, 2026	October 23, 2026	November 23, 2026
October 9, 2026	October 30, 2026	November 30, 2026
October 16, 2026	November 6, 2026	December 7, 2026
October 23, 2026	November 13, 2026	December 14, 2026

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

Volume 32, Issue 32, August 7, 2026

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

MEETING DATES ARE SUBJECT TO CHANGE

The deadlines provided in the following table 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 the Council's [website](#).

File Number: M25-79

DEADLINE FOR PLACEMENT ON AGENDA Materials must be submitted by 5 p.m. on dates listed in this column as a deadline for placement on a particular agenda. Placement on a par- ticular agenda is not guaran- teed.	DEADLINE FOR FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday March 24, 2026	Tuesday April 21, 2026	Tuesday April 28, 2026	Tuesday May 5, 2026
Tuesday April 21, 2026	Tuesday May 19, 2026	Wednesday May 27, 2026	Tuesday June 2, 2026
Tuesday May 19, 2026	Tuesday June 23, 2026	Tuesday June 30, 2026	Tuesday July 7, 2026
Tuesday June 23, 2026	Tuesday July 21, 2026	Tuesday July 28, 2026	Tuesday August 4, 2026
Tuesday July 21, 2026	Tuesday August 18, 2026	Tuesday August 25, 2026	Tuesday September 1, 2026
Tuesday August 18, 2026	Tuesday September 22, 2026	Tuesday September 29, 2026	Tuesday October 6, 2026
Tuesday September 22, 2026	Tuesday October 20, 2026	Tuesday October 27, 2026	Tuesday November 3, 2026
Tuesday October 20, 2026	Tuesday November 17, 2026	Tuesday November 24, 2026	Tuesday December 1, 2026
Tuesday November 17, 2026	Tuesday December 22, 2026	Tuesday December 29, 2026	Tuesday January 5, 2027
Tuesday December 22, 2026	Tuesday January 19, 2027	Tuesday January 26, 2027	Tuesday February 2, 2027