

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 8, Department of Health Services - Food, Recreational and Institutional Sanitation
Article and its heading: 1, Food and Drink
Section numbers: R9-8-101 through R9-8-189
2. **The subject matter of the proposed rule:**
The purpose of this rulemaking is to repeal the existing rules regarding food and drink and to replace them by incorporating by reference the United States Food and Drug Administration's *Food Code: 1999 Recommendations of the United States Public Health Service, Food and Drug Administration*, with several modifications, and adding several new sections. In addition, the new rules will include provisions for licensure and enforcement.
The agency docket number:
RE-002-99
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Will Humble

Address: 3815 North Black Canyon Highway
Phoenix, Arizona 85015

Telephone: (602) 230-5941
Fax: (602) 230-5933

Or

Name: Kathleen Phillips
Address: 1740 West Adams, Room 410
Phoenix, Arizona 85007

Telephone: (602) 542-1264
Fax: (602) 542-1289
E-mail: kphilli@hs.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Department will accept written comments until the close of record, which has not been determined. The Department has not scheduled any oral proceedings at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE

1. **Title and its heading:** 15, Revenue
Chapter and its heading: 5, Department of Revenue - Transaction Privilege and Use Tax Section
Article and its heading: 1, Retail Classification
23, Use Tax
Section numbers: R15-5-158 and R15-5-2344
2. **The subject matter of the proposed rules:**
The rules will provide guidance regarding the imposition of transaction privilege tax and use tax on the sale or purchase of postage stamps.
3. **A citation to all published notices related to the proceeding:**
Not applicable.
4. **Name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Ernest Powell
Address: Tax Research and Analysis Section
Department of Revenue
1600 West Monroe
Phoenix, Arizona 85007
Telephone: (602) 542-4672
Fax: (602) 542-4680
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding:**
Unknown.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 2, Titles and Registration
Section numbers: R17-4-207
2. **The subject matter of the proposed rules:**
The Motor Vehicle Division proposes repeal of the existing rule concomitant with respective new rulemaking to retain substance to be cast into a form reflecting current rule drafting style and language. Proposed changes will improve rule specificity, clarity, and effectiveness. This action is in compliance with recommendations made the division's 5-year rule review of January 30, 1998.
3. **A citation to all published notices related to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: George R. Pavia
Address: 3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014
Telephone: (602) 712-8446
Fax: (602) 241-1624
E-mail: gpavia@dot.state.az.us

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5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Oral or written comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday.
6. **A timetable for agency decisions or other action on the proceeding:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 2, Titles and Registration
Section numbers: R17-4-208
2. **The subject matter of the proposed rules:**
The Motor Vehicle Division proposes regular repeal of the existing rule as unnecessary. The provisions of the rule have been completely codified with modernized language now under A.R.S. § 28-2063 (B).
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: George R. Pavia
Address: 3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014
Telephone: (602) 712-8446
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5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
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6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.

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**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 2, Titles and Registration
Section numbers: R17-4-209
2. **The subject matter of the proposed rule:**
The Motor Vehicle Division proposes amendment of the existing rule to reflect modernization of rule drafting language, style, and program modifications. Proposed changes will improve rule clarity, effectiveness, and program requirement accuracy. This action is in compliance with recommendations made in the division's 5-year rule review report of January 30, 1998.
3. **A citation to all published notices relating to the proceeding:**
None published.

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

Name: George R. Pavia
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Oral or written comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday.

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

To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. Title and its heading: 17, Transportation

Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division

Article and its heading: 2, Titles and Registration

Section numbers: R17-4-219

2. The subject matter of the proposed rule:

R17-4-219 Procedures for issuing temporary registration permits, prescribes the format of procedures for issuing a temporary registration permit. Because of significant changes in the format of the temporary registration permit and the procedures for issuing a temporary registration permit, it is necessary that the current rule be repealed and replaced by an entirely new rule.

3. A citation to all published notices relating to the proceeding:

None published.

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

Name: Margaret A. "Peggy" Maley
Address: 3737 N. 7th Street, Suite 160
Phoenix, Arizona 85014
Telephone: (602) 712-6722
Fax: (602) 712-1624

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

Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 3 p.m., at the address listed in question #4.

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

None.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. Title and its heading: 17, Transportation

Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division

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Article and its heading: 2, Titles and Registration

Section numbers: R17-4-222

2. The subject matter of the proposed rule:

The rule establishes a daily commuter fee for nonresidents. It was recommended in the Division's recent 5-Year Review Report that because the substance of the rule is so flawed that repeal of the rule and writing a new nonresident daily commuter fee rule is required. Additionally, the statutory reference in the rule to A.R.S. § 28-363 is not consistent with the renumbering of Title 28, which was effective October 1, 1997.

3. A citation to all published notices relating to the proceeding:

None published.

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

Name: Margaret A. "Peggy" Maley

Address: 3737 N. 7th Street, Suite 160
Phoenix, Arizona 85014

Telephone: (602) 712-6722

Fax: (602) 241-1624

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

None.

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**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. Title and its heading: 17, Transportation

Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division

Article and its heading: 2, Titles and Registration

Section numbers: R17-4-224

2. The subject matter of the proposed rule:

R17-4-224 Motor vehicle registration and number plate reinstatement fee, establishes a \$50 reinstatement fee for a vehicle registration and number plate suspended because of cancellation or nonrenewal of a motor vehicle liability insurance policy. While the rule accomplishes the objective for which it was written, the Division believes that the amendment to A.R.S. § 28-4151 requires that the rule expressly make an exception from the reinstatement fee for a person who is subject to the motor carrier financial responsibility provisions of A.R.S. Title 28, Ch. 9, Article 2. The Division proposes to amend the rule to set forth the exception for a person who is subject to the motor carrier financial responsibility requirements and to cite A.R.S. 28-4151.

3. A citation to all published notices relating to the proceeding:

None published.

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

Name: Margaret A. "Peggy" Maley

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6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

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**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 2, Titles and Registration
Section numbers: R17-4-250
2. **The subject matter of the proposed rule:**
The rule defines a 1973 license plate as being valid if a 1974 reelectorized sticker is attached. The rule is obsolete and needs to be repealed.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Margaret A. "Peggy" Maley
Address: 3737 N. 7th Street, Suite 160
Phoenix, Arizona 85014
Telephone: (602) 712-6722
Fax: (602) 241-1624
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6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

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**DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION**

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 5, Driver Licenses
Section numbers: R17-4-521
2. **The subject matter of the proposed rule:**
R17-4-521 Vision standards, sets forth the minimum vision standard requirements to be licensed to drive a motor vehicle. The rule needs to be amended to provide clarity and conciseness and to reflect several standard changes being implemented by the Division's Medical Review Board.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**

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None.