

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 19. BOARD OF NURSING

PREAMBLE

- 1. Sections affected**
R4-19-309
- Rulemaking action:**
New Section
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 32-1606(A)(1)
Implementing statutes: A.R.S. §§ 32-1668 and 32-1669
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**
Notice of Rulemaking Docket Opening: 7 A.A.R. 5489, December 14, 2001 (*In this issue*)
- 4. Name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Pamela K. Randolph
State Board of Nursing
Address: 1651 E. Morten, Suite 210
Phoenix, AZ 85020
Telephone: (602) 331-8111, ext. 139
Fax: (602) 906-9365
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
The Board of Nursing is initiating rulemaking to comply with the provisions the Nurse Licensure Compact enacted by the Forth-fifth Legislature during the First Session, 2001. The rules are incorporated by reference to model compact rules previously agreed upon by all Compact States. All states currently in the Compact have enacted these same rules.
- 6. A reference to any study that the agency proposed to rely on in its evaluation or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**
None
- 7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 8. The preliminary summary of the economic, small business, and consumer impact:**
The rules are necessary to comply with the Compact provision. The Compact will have a positive economic impact on employers, small businesses and licensees. The compact will allow nurses to work in Arizona while maintaining a permanent residence in another Compact state without obtaining a separate Arizona license. This will save licensees

Arizona Administrative Register
Notices of Proposed Rulemaking

\$186.00 and the time and effort of obtaining a license in Arizona. Arizona licensees will benefit by being able to use their Arizona licenses to practice in Compact states while maintaining residence in Arizona. Small businesses and employers will be able to employ nurses from other states in a timely manner because licensees from compact states can work immediately upon entering the state without the delay entailed in obtaining state licensure. Licensees in Arizona will benefit by having a license that has a greater value because it is valid in 16 or more jurisdictions.

The Board will experience a negative economic impact because of decreased licensure fees from nurses residing in party states. Compact states currently report no significant drops in revenue or need to increase licensing fees related to enacting the Compact. The Board anticipates that no fee increase will be needed in the next fiscal year because of the Compact. While licensing fees may increase as more states join the compact, the license also would increase in value. The Board will also incur additional expenses related to changing licensure processes as provided for in the Compact.

The Board is expected to offset some expenses because the compact allows member boards to share investigative data, therefore saving resources currently spent in duplicating investigations. The Board will also be able to decrease the number of hours employees devote to licensing because of the decreased number of licenses requested by nurses working temporarily in Arizona.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Pamela K. Randolph
Address: State Board of Nursing
1651 E. Morten, Suite 210
Phoenix, AZ 85020
Telephone: (602) 331-8111, ext. 139
Fax: (602) 906-9365
E-mail: prandolph@azbn.org

10. The time, place and nature of the proceedings for the adoption, amendment, or repeal of the rule, or if no proceeding is schedule, where, when, and how many persons may request an oral proceeding on the proposed rule:

Both written and oral comments will be accepted at the location listed in item #4 between 8:00 a.m. and 5:00 p.m. Monday through Friday.

An oral proceeding will be held as follows:

Date: January 14, 2002
Time: 9:00 a.m.
Location: Arizona State Board of Nursing, Board Room
1651 E. Morten, Suite 210
Phoenix, AZ 85020

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporation by reference and their location in the rules:

R4-19-309 will incorporate model nurse licensure compact rules by reference.

13. The full text of the rule follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 19. BOARD OF NURSING

ARTICLE 3. LICENSURE

Section
R4-19-309. ~~Repealed~~ Nurse Licensure Compact

Arizona Administrative Register
Notices of Proposed Rulemaking

ARTICLE 3. LICENSURE

R4-19-309. Repealed Nurse Licensure Compact

The Board shall implement A.R.S. §§ 32-1668 and 32-1669 according to the provisions of Nurse Licensure Compact: Model Rules and Regulations, National Council of State Boards of Nursing, Inc., 676 N. St. Clair Street, Suite 550, Chicago, IL, 60611, November 2, 1999 and no later versions, which is incorporated by reference and on file with the Secretary of State and at the Board offices.

NOTICE OF PROPOSED RULEMAKING

TITLE 17. TRANSPORTATION

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

PREAMBLE

1. Sections Affected:

R17-4-501
R17-4-502
Exhibit A

Rulemaking Action:

New Section
Amend
New Exhibit

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 28-366

Implementing statutes: A.R.S. §§ 28-3005, as amended by Laws 2001, Ch. 377, § 3, effective August 9, 2001; A.R.S. §§ 28-3052; 28-3153; 28-3158; 28-3159; 28-3164; 28-3171; 28-3172; 28-3314; and § 28-3315, as amended by Laws 2001, Ch. 377, § 6

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 6 A.A.R. 4449, November 24, 2000

Notice of Recodification: 7 A.A.R. 3479, August 10, 2001

Notice of Rulemaking Docket Opening: 7 A.A.R. 5187, November 16, 2001

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

Name: Lynn S. Golder, Rules Analyst

Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079

Telephone: (602) 712-7941

Fax: (602) 241-1624

E-mail: lgolder@dot.state.az.us

To track the progress of an ADOT rulemaking matter, visit the agency web site at www.dot.state.az.us/about/rules.

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The Arizona Department of Transportation, Motor Vehicle Division ("Division") proposes to amend the medical general provisions rule for clarity and conciseness. The Division will make a new definitions Section at R17-4-501, deleting the existing R17-4-502(A) definitions subsection. Additionally, the Division will add Exhibit A, the medical screening questions and certification on the Arizona driver license application.

Recodification of Title 17 of the *Arizona Administrative Code*, effective July 20, 2001, renumbered the medical general provisions rule as R17-4-502 from R17-4-520. All Title 17 references in proposed R17-4-502 reflect numbering consistent with the recodification. The recodification also changed:

Arizona Administrative Register
Notices of Proposed Rulemaking

- The Chapter 4 heading to “Department of Transportation - Title, Registration, and Driver Licenses” from “Department of Transportation - Motor Vehicle Division,” and
- The Article 5 heading to “Safety” from “Driver Licenses”.

This rulemaking action provides the general visual, physical, and psychological screening process for safe operation of a motor vehicle. This rulemaking action notifies the public that an Arizona driver license requires disclosure of physical, psychological, or substance-related conditions that may affect a person’s ability to operate a motor vehicle safely. To minimize inconvenience or cost to a person requesting or holding an Arizona driver license, the proposed rule and Exhibit A tie disclosure of physical, psychological, or substance-related conditions to a person’s ability to operate a motor vehicle safely.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

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

In this preliminary summary:

- “Minimal” means less than \$1000,
- “Moderate” means between \$1000 and \$10,000, and
- “Substantial” means more than \$10,000.

The Division determined that state agencies’ costs from rulemaking on the medical general provisions are minimal to moderate. This rulemaking affects the following entities and groups:

- The Division,
- The Board of Behavioral Health Examiners,
- Insurance companies,
- The general public, and
- Arizona driver license applicants, licensees, and their family members.

The Division incurs moderate rulemaking costs. Additionally, the Division incurs substantial costs to review driver license applications, to maintain and review licensees’ driving records, and to run the visual, physical, and psychological screening process.

The Board of Behavioral Health Examiners may receive increased requests for certification from substance abuse counselors resulting from the substance abuse evaluations required by the Division from some Arizona driver license applicants and licensees. An increase in certification requests has associated staffing and processing costs, offset by the increase in the number of certificate issuance and renewal fees, authorized by A.R.S. § 32-3272, that the Board receives.

Through the screening process for safe operation of a motor vehicle, the Division identifies a person who is an alcoholic, drug dependent, or visually, physically, or psychologically disqualified, and takes the appropriate action to deny or withdraw an Arizona driver license. This identification and action by the Division result in decreasing insurance companies’ indemnification exposure. Although the Division cannot determine the exact amount of insurance companies’ indemnification savings, it is a substantial amount.

The general public benefits from the Division’s screening process for safe operation of a motor vehicle by reduction in motor-vehicle-accident-related property damage, physical injuries, and death. Again, the Division cannot determine the exact amount of this benefit, but it is a substantial amount.

Applicants for an Arizona driver license and Arizona-licensed drivers have time and monetary costs from examinations, evaluations, and interviews required by the Division. Additional costs arise from vehicle adaptations to accommodate particular physical disabilities. Applicants, licensees, and family members have costs arising from denial or

Arizona Administrative Register
Notices of Proposed Rulemaking

withdrawal of an Arizona driver license by the Division. These costs include the expense and inconvenience of obtaining or providing alternative transportation. Costs to applicants and licensees range from minimal to substantial.

As a result of the screening process for safe operation of a motor vehicle, the Division issues some driver licenses with restrictions requiring vehicle adaptations. Businesses that adapt vehicles to accommodate physical disabilities benefit substantially from the Division's screening process.

By statute, an Arizona driver license requires a driver to have the ability to operate a motor vehicle safely. The screening process for safe operation of a motor vehicle gives effect to the statutory requirement and increases safety on the roads of this state. This important benefit and the benefits to insurance companies, the general public, and businesses that adapt vehicles to accommodate physical disabilities, outweigh the costs to applicants and licensees from the screening process.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Lynn S. Golder, Rules Analyst
Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079
Telephone: (602) 712-7941
Fax: (602) 241-1624
E-mail: lgolder@dot.state.az.us

To track the progress of an ADOT rulemaking matter, visit the agency web site at www.dot.state.az.us/about/rules.

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of 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 or preliminary summary of economic, small business, and consumer impact should be submitted to the person specified in item #4 no later than the close of the record at 5:00 p.m. on January 18, 2002.

The Division has scheduled an oral proceeding by videoconference.

Date: Monday, January 14, 2002
Time: 2:00 p.m. M.S.T.

Locations:

Flagstaff	Phoenix	Tucson
Arizona Department of Transportation District Office Board Room 1801 South Milton Road Flagstaff, Arizona 86001	Arizona Department of Transportation Headquarters Green Room, room #186 206 South 17th Avenue Phoenix, Arizona 85007	Arizona Department of Transportation District Office Board Room 1221 South 2nd Avenue Tucson, Arizona 85713

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 17. TRANSPORTATION

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

Arizona Administrative Register
Notices of Proposed Rulemaking

ARTICLE 5: SAFETY

Section

R17-4-501. Recodified Definitions

R17-4-502. General provisions Provisions for Visual, Physical, and Psychological Ability to Operate a Motor Vehicle Safely

Exhibit A. Medical Screening Questions and Certification

ARTICLE 5. SAFETY

R17-4-501. Recodified Definitions

In this Article:

1. “Adaptation” means a modification or addition to the standard operating controls or equipment of a motor vehicle.
2. “Applicant” means a person:
 - a. Applying for an Arizona driver license or driver license renewal, or
 - b. Required by the Division to successfully complete an examination or to obtain an evaluation.
3. “Application” means the Division form completed by or for an applicant for a driver license or driver license renewal.
4. “Arizona Driver License Manual” or “manual” means the reference booklet for applicants, issued by the Division, containing non-technical explanations of the Arizona motor vehicle laws. The manual is not a legal authority.
5. “Certified substance abuse counselor” is defined in A.R.S. § 28-3005(C)(1).
6. “Director” means the Division Director or the Division Director’s designee.
7. “Disqualifying medical condition” means a physical or psychological condition, including substance abuse, that:
 - a. Has a continuing, sudden, or unpredictable onset of symptoms; and
 - b. May impair functional ability.
8. “Division” means the Arizona Department of Transportation, Motor Vehicle Division.
9. “Driver license” is defined in A.R.S. § 28-101(19).
10. “Evaluation” means an assessment of an applicant’s or licensee’s:
 - a. Physical condition by a physician;
 - b. Psychological condition by a physician or specialist; or
 - c. Substance-related condition by a physician, appropriate specialist, or certified substance abuse counselor;
 - d. To determine if a disqualifying medical condition exists.
11. “Examination” means observing, testing, or evaluating an applicant’s or licensee’s:
 - a. Ability to read an understand official traffic control devices.
 - b. Knowledge of safe driving practices and the traffic laws of this state, and
 - c. Functional ability.
12. “Functional ability” means the ability to safely operate a motor vehicle of the type permitted by an Arizona driver license class or endorsement.
13. “Licensee” means a person issued a driver license by Arizona.
14. “Licensing action” means an action by the Division to:
 - a. Issue, deny, suspend, revoke, cancel, or restrict an Arizona driver license; or
 - b. Require an examination or evaluation of an applicant or licensee.
15. “Medical screening questions and certification” means the questions and certification on the application, shown in Exhibit A following this Section.
16. “Physician” means a person licensed to practice medicine or osteopathy in the United States, including a United States territory or possession and the Commonwealth of Puerto Rico.
17. “Specialist” means:
 - a. A physician who is a surgeon or a psychiatrist;
 - b. A physician whose practice is limited to:
 - i. A particular anatomical or physiological area of the human body, or
 - ii. Patients within a specific age range; or
 - c. A psychologist.
18. “Substance abuse” means:
 - a. Use of alcohol in a manner that makes the user an alcoholic as defined in A.R.S. § 36-2021(1), or
 - b. Use of a controlled substance as defined in A.R.S. § 36-2501(3).
19. “Substance abuse evaluation” means an assessment by a physician, appropriate specialist, or certified substance abuse counselor to determine if a person has a substance abuse condition.
20. “Successful completion of an examination” means an applicant or licensee:
 - a. Established the visual ability, physical ability, or psychological ability to operate a motor vehicle safely, or
 - b. Achieved a score of at least 80% on a written test or road test.

Arizona Administrative Register
Notices of Proposed Rulemaking

R17-4-502. General provisions ~~Provisions for Visual, Physical, and Psychological Ability to Operate a Motor Vehicle Safely~~

~~A. Definitions:~~

- ~~1. "Applicant" means any person who applies for a driver's license or driver's license renewal or is required to complete a re-examination.~~
- ~~2. "Application" means the forms provided by the Motor Vehicle Division prior to the issuance or renewal of a driver's license.~~
- ~~3. "Department" means the Motor Vehicle Division of the Arizona Department of Transportation.~~
- ~~4. "Director" means the Director of the Motor Vehicle Division, or his designee.~~
- ~~5. "License" means any driver's license or permit the Department is authorized to issue to operate a motor vehicle.~~
- ~~6. "Licensee" means a person who has a current license issued by the Department.~~
- ~~7. "Licensing action" means any action by the Department involving the issuance, denial, suspension, revocation, cancellation, restriction or re-examination of a license under this Article.~~
- ~~8. "Medical condition" means any condition in these rules which could affect a person's functional ability to safely operate a motor vehicle.~~
- ~~9. "Medical examination" means an evaluation of a person's physical or mental status performed by a physician in accordance with the rules under this Article, in order to determine a person's functional ability to operate a motor vehicle with the results reported on a form prescribed by the Department.~~
- ~~10. "Medical questionnaire" means a series of questions designed to indicate the existence of a medical condition.~~
- ~~11. "Medical screening question" means a question designed to describe the medical condition(s) identified in the medical questionnaire.~~
- ~~12. "Medical specialist" means a physician certified by a recognized medical specialty board and approved by the Department.~~
- ~~13. "Physician" means a medical doctor or doctor of osteopathy licensed to practice in Arizona, a contiguous U.S. state, or employed by the federal government and practicing in Arizona.~~

~~A. Applicant's or Licensee's Responsibility. To comply with the Division's screening process for safe operation of a motor vehicle, an applicant or licensee shall:~~

- ~~1. Provide the Division with all requested information about the applicant's or licensee's physical and psychological condition.~~
- ~~2. Successfully complete all required examinations.~~
- ~~3. Obtain all required evaluations.~~
- ~~4. Have all evaluation reports timely submitted to the Division, and~~
- ~~5. Appear at all required interviews.~~

~~B. Failure to meet licensing standards. No person shall be licensed or allowed to maintain a driver license who fails to meet the medical licensing standards. Screening Process for Safe Operation of a Motor Vehicle. This subsection and subsection (C) through subsection (E) state the screening process for safe operation of a motor vehicle.~~

- ~~1. An applicant shall complete the application, including the medical screening questions and certification.~~
- ~~2. An applicant without a valid driver license, who successfully completes all required examinations, shall obtain an evaluation if:
 - ~~a. The applicant's responses to the medical screening questions indicate the existence of a disqualifying medical condition; or~~
 - ~~b. The applicant comes under subsection (C)(1)(a), subsection (C)(1)(c), or subsection (C)(1)(d).~~~~
- ~~3. A licensee shall successfully complete an examination if the licensee's responses to the medical screening questions indicate that since the licensee's last driver license renewal the licensee has:
 - ~~a. A new physical or psychological condition that may impair functional ability, or~~
 - ~~b. A change in an existing physical or psychological condition that may impair the licensee's functional ability.~~~~
- ~~4. A licensee shall obtain an evaluation when the licensee comes under subsection (C)(1).~~
- ~~5. As soon as a licensee's medical condition allows, the licensee shall notify the Division, in writing or by telephone, that the licensee:
 - ~~a. Has a disqualifying medical condition not previously reported to the Division;~~
 - ~~b. Believes a disqualifying medical condition not previously reported to the Division exists; or~~
 - ~~c. Has a change in a physical or psychological condition that the licensee believes may affect functional ability; and~~
 - ~~d. Upon receipt of the notification, the Division will require the licensee to:
 - ~~i. Complete the medical screening questions and certification on the application, and~~
 - ~~ii. Continue with the screening process for safe operation of a motor vehicle.~~~~~~

~~C. Medical screening process: Evaluation, Interview, and Additional Evaluation. An applicant or licensee shall submit an evaluation, attend an interview, or submit an additional evaluation as required by the Division.~~

- ~~1. The license application shall include a medical questionnaire. If the applicant indicates a medical condition or if the Department personnel observes an apparent medical condition, the applicant or licensee will be required to complete~~

Arizona Administrative Register
Notices of Proposed Rulemaking

- ~~the medical screening question. The Division shall require an evaluation when the Director finds in writing that an applicant or licensee:~~
- a. ~~Failed to establish the visual ability or the neurological ability to operate a motor vehicle safely;~~
 - b. ~~Reported a possible disqualifying medical condition and failed to successfully complete an examination;~~
 - c. ~~Exhibited unexplained confusion, loss of consciousness, or incoherence observed by Division personnel; or~~
 - d. ~~A person with direct knowledge submitted to the Division written information about specific events or conduct indicating the applicant or licensee may have a disqualifying medical condition.~~
2. ~~If the person's response to the medical screening question indicates the likelihood that a medical condition exists, the person must submit to a medical examination within 30 days from the Department mailing date. The applicant or licensee shall have the physician, appropriate specialist, or certified substance abuse counselor who performs an evaluation submit, to the Division's Medical Review Program, an evaluation report on a Division-prescribed form.~~
 3. ~~If the evaluation report on an applicant or licensee is inconclusive regarding the existence of a disqualifying medical condition, The applicant or licensee may be required by the Department Division shall require the applicant or licensee to appear for an interview to ~~clarify~~ explain information ~~disclosed by~~ in the ~~medical examination~~ evaluation report.~~
 - 3.4. ~~If the existence of a disqualifying medical condition remains inconclusive after an interview with the applicant or licensee, The Department the Division may shall require an additional ~~medical examination~~ evaluation, performed by a medical ~~an appropriate~~ specialist; if the initial medical examination reported to the Department is insufficient to establish that the applicant or licensee possesses the functional ability to safely operate a motor vehicle based on the medical licensing standards in the Article and reported to the Division's Medical Review Program on the Division-prescribed form.~~
 5. ~~The Department Division shall not be held liable for ~~any expenses~~ an expense incurred by an applicant or licensee in the process of meeting to show compliance with the ~~medical licensing~~ visual, physical, and psychological standards for an Arizona driver license.~~
- D. ~~Reporting requirements: Licensing Action. The Division shall take a licensing action after requiring an applicant or licensee to successfully complete an examination, obtain an evaluation and submit an evaluation report, or appear at an interview.~~
1. ~~Failure to complete the medical screening question at the time of application will result in an order to submit to a medical examination within 30 days from the date of the order. The Division shall deny a driver license if an applicant:~~
 - a. ~~Fails to successfully complete an examination;~~
 - b. ~~Fails to:~~
 - i. ~~Obtain an evaluation;~~
 - ii. ~~Have the physician, appropriate specialist, or certified substance abuse counselor submit an evaluation report to the Division within 30 days after the Division required the evaluation; or~~
 - iii. ~~Appear at an interview; or~~
 - c. ~~Has an evaluation report submitted that indicates a disqualifying medical condition.~~
 2. ~~Failure to submit to the medical examination and submit the required report to the Department as required within the time frame shall result in a suspension of the driver's license or denial of issuance until compliance is met. The Division shall summarily suspend a licensee's driver license under A.R.S. §§ 28-3306(A)(5) and 41-1064(C) for a reason stated in subsection (D)(1).~~
 3. ~~If a person experiences any medical condition after being licensed, he is required to report this condition to the Department within five days of occurrence, or as soon as the medical condition allows. The Division shall issue a revocation notice with a summary suspension.~~
 - a. ~~Unless the Division receives a licensee's timely hearing request under subsection (F), the revocation becomes effective:~~
 - i. ~~Fifteen days after the date the notice is handed to the licensee, or~~
 - ii. ~~Twenty days after the date the notice is mailed to the licensee.~~
 - b. ~~A summary suspension and effective revocation require reapplication under A.R.S. § 28-3315(H).~~
 4. ~~The Division shall issue an Arizona driver license to an applicant or continue the validity of a licensee's driver license if:~~
 - a. ~~The applicant or licensee successfully completes all required examinations and the Division does not require an evaluation; or~~
 - b. ~~The applicant or licensee obtains all required evaluations and the most recent evaluation report submitted on behalf of the applicant or licensee conclusively indicates no disqualifying medical condition.~~
- E. ~~Driver License Restrictions. If an applicant or licensee uses an adaptation listed below to demonstrate functional ability, the Division shall indicate the adaptation as a restriction on a driver license issued to the applicant or licensee and on the applicant's or licensee's driving record.~~
1. ~~Automatic transmission.~~

Arizona Administrative Register
Notices of Proposed Rulemaking

2. Hand dimmer switch.
3. Left-foot gas pedal.
4. Parking-brake extension.
5. Power steering.
6. Power brakes.
7. Six-way power seat.
8. Right-side directional signal.
9. Steering wheel spinner device.
10. Full foot controls.
11. Dual outside mirrors.
12. Chest restraints.
13. Shoulder restraints.
14. Pedal extensions.
15. Full hand controls.
16. Adapted seat, and
17. Other.

E.F. Hearings and appeals. This subsection states the hearing procedure for licensing actions taken by the Division during the screening process for safe operation of a motor vehicle.

1. If the Division takes an adverse ~~All cases where~~ licensing ~~actions~~ action have been taken under this Section, R17-4-503, or R17-4-506, ~~the licensee or an applicant or licensee~~ may request a hearing with the executive hearing section Division's Executive Hearing Office. A hearing request is timely if received by the Division:
 - a. within ~~Within~~ 15 days ~~from~~ after the date of the ~~licensing action~~ notice is handed to the applicant or licensee, or
 - b. Within 20 days after the date the notice is mailed to the applicant or licensee.
2. All hearing procedures are defined in administrative rule R17-4-901 and R17-4-902. R17-1-501 through R17-1-511 and R17-1-513 govern a hearing conducted under this subsection.
3. The administrative law judge shall sustain, modify, or void the Division's licensing action.

Exhibit A. Medical Screening Questions and Certification

Medical Screening
(Driver Applicants Only)

_____ Yes _____ No Do you have an alcohol or drug dependency that may affect your ability to safely operate a motor vehicle?

_____ Yes _____ No If Yes: _____ Yes _____ No Have you been in recovery for 1 year or more?

_____ Yes _____ No Do you have a court appointed guardian for being incapacitated?

_____ Yes _____ No Do you have a medical condition (other than glasses) that may affect your ability to safely operate a motor vehicle?

_____ If Yes, explain below.

Medical Conditions

Certification

All Applicants: I certify that the information above is true and correct. I understand that I must report a change of address or name to MVD within 10 days.

Driver applicants: I understand the laws, rules and regulations described in the Arizona Driver License Manual, and that I am required to report to MVD in writing, within 10 days, any medical condition that develops or worsens that may affect my ability to safely operate a motor vehicle.

_____ Applicant Signature (If under 18, Legal Guardian certificate on the back must be completed)