

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 17. TRANSPORTATION

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

PREAMBLE

- 1. Sections affected:** R17-4-410

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. § 28-366

Implementing statute: A.R.S. § 16-112
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**

Notice of Rulemaking Docket Opening: 7 A.A.R. 5993, December 28, 2001
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: George R. Pavia, Department Rules Supervisor

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

Telephone: (602) 712-8446

Fax: (602) 241-1624

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

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters:
www.dot.state.az.us/about/rules.
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**

Arizona Department of Transportation, Motor Vehicle Division makes this rule for purposes of implementing the requirements of A.R.S. § 16-112 in cooperation with the Arizona Secretary of State's Office. This Section will make provision for license application-linked easy voter registration. See also the Secretary of State's Notice of Proposed Rulemaking for R2-12-601 through R2-12-612 published at 7 A.A.R. 5530 (December 21, 2001), as a counterpart to this ADOT-MVD Section.

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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:

There are no costs to businesses in this rulemaking. Private consumers will potentially benefit minimally in saved time and possibly also mailing costs if opting for hardcopy voter registration. The agency will have moderate initial costs to enhance internal electronic systems to provide for online voter registration and transfer of voter data to the Secretary of State's electronic system. The agency costs associated with initiating electronic voter registration are seen as necessary since the registration method fulfills specific requirements of A.R.S. § 16-112(B)(4). Hardcopy registration requires minimal agency employee handling costs as part of regular duties.

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:

Questions concerning the economic impact statement may be directed to the agency official listed in item #4.

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:

No oral proceeding is scheduled in this rulemaking. An interested party is directed to monitor the corresponding Secretary of State rulemaking on easy voter registration for notice of an oral proceeding pertinent to the Secretary of State's portion of rule provisions. To request an oral proceeding specifically on this notice's provisions, please communicate with the official listed item #4.

The close of record will be 5:00 p.m. on January 21, 2002.

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. 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

ARTICLE 4. DRIVER LICENSES

Section

R17-4-410. ~~Repealed~~ Repealed License Application-linked Easy Voter Registration

ARTICLE 4. DRIVER LICENSES

R17-4-410. Repealed License Application-linked Easy Voter Registration

- A.** For purposes of this Section, "License" has the meaning prescribed for "Driver's License" under A.R.S. § 16-111(2).
- B.** For purposes of A.R.S. § 16-112, a person qualified under A.R.S. § 16-111 may register to vote in Arizona through the Arizona Department of Transportation, Motor Vehicle Division "MVD" if the person completes:
1. A Secretary of State-approved hardcopy registration form for the county of the person's residence, or
 2. An Easy Voter Registration form option on MVD's Service Arizona web site, address: www.servicearizona.ihost.com.
- C.** Subsection (B)(2) applies to the following license transactions:
1. Initial application;
 2. Renewal; or
 3. Licensee personal information update.

- D.** For a person completing a hardcopy registration form under subsection (B)(1), MVD shall mail the completed form to the applicable county recorder.
- E.** For a person completing an electronic voter registration under subsection (B)(2), MVD shall:
 - 1.** Maintain confidential information as prescribed under A.R.S. §§ 16-112(B) and 16-153; and
 - 2.** Transfer the person's voter registration information to Secretary of State as prescribed under R2-12-605 for further distribution to the person's applicable county recorder.