

## NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

### NOTICE OF EXEMPT RULEMAKING

#### TITLE 17. TRANSPORTATION

#### CHAPTER 1. DEPARTMENT OF TRANSPORTATION ADMINISTRATION

#### PREAMBLE

- 1. Sections Affected:** R17-1-202  
**Rulemaking Action:** Amend
- 2. The statutory 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. § 28-446
- 3. The effective date of the rules:**  
November 18, 2004
- 4. A list of all previous notices appearing in the Register addressing the exempt rule:**  
None
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**  
Name: Troy A. Walters, Rules Analyst  
Address: Administrative Rules Unit  
Department of Transportation, Mail Drop 507M  
3737 N. 7th St., Suite 160  
Phoenix, AZ 85014-5079  
Telephone: (602) 712-6722  
Fax: (602) 241-1624  
E-mail: twalters@dot.state.az.us
- 6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from the regular rulemaking procedures:**  
The agency is revising its schedule of charges for copies of motor vehicle records as prescribed under A.R.S. § 28-446. Specifically, the agency is creating a separate fee for records that are purchased through an Arizona authorized electronic service delivery provider regarding ignition interlock device information and lienholder information only.  
Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters, address: [www.dot.state.az.us/about/rules/index.htm](http://www.dot.state.az.us/about/rules/index.htm).
- 7. A reference to any study that the agency reviewed and either relied on its evaluation or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**  
The agency did not rely on any study in this rulemaking.
- 8. 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
- 9. The summary of the economic, small business, and consumer impact:**  
Exempt under A.R.S. § 41-1005(A)(5)
- 10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if appli-**

**Notices of Exempt Rulemaking**

**able):**

Not applicable

**11. A summary of the comments made regarding the rule and the agency response to them:**

None

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

None

**13. Incorporations by reference and their location in the rules:**

None

**14. Was this rule previously adopted as an emergency rule?**

None

**15. The full text of the rules follows:**

**TITLE 17. TRANSPORTATION**

**CHAPTER 1. ARIZONA DEPARTMENT OF TRANSPORTATION  
ADMINISTRATION**

**ARTICLE 2. FEES**

Section

R17-1-202. MVD Record Copy Charges

**ARTICLE 2. FEES**

**R17-1-202. MVD Record Copy Charges**

**A.** For each separate request, Motor Vehicle Division shall assess a charge for a ~~copied~~provided record or for “no record found” according to the following schedule:

<b>Description</b>	<b>Amount</b>
A certified record as prescribed under A.R.S. § 28-446(D): Over-the-counter immediate and overnight service; Electronic batch; Mail-in request; Driver license photograph; Support document; or Electronic interactive.	\$5
A non-certified record as prescribed under A.R.S. § 28-446(A): Over-the-counter immediate service; Mail-in request; Electronic batch; Driver license photograph; Support document; <u>or</u> Electronic interactive; <del>Record search; or</del> <u>“No record found”.</u>	\$3
A non-certified record as prescribed under A.R.S. § 28-446(A): Electronic batch; or Over-the-counter overnight service.	\$2
<u>A non-certified record as prescribed under A.R.S. § 28-446(A):</u> <u>Electronic interactive special MVR:</u> <u>• Providing ignition interlock device information only, or</u> <u>• Providing lienholder information only.</u>	<u>\$1.50</u>

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- B.** The Division shall assess the cost for civil subpoena support documentation as prescribed under A.R.S. § 12-351(F).
- C.** The Division shall charge 25¢ per page for any item photocopied.