

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

[R05-285]

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 and 28-1441(B)
- 3. The effective date of the rules:**
July 20, 2005
- 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@azdot.gov
- 6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from 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 deleting the fees for records that are purchased thorough an Arizona authorized electronic service delivery provider regarding ignition interlock device information. Senate Bill 1240 amends A.R.S. § 28-1441 by adding subsection (B) which states that the Division shall not charge a fee for providing certified ignition interlock installers limited motor vehicle and driver records information for the purpose of determining the eligibility of a person requesting installation of a certified ignition interlock device.
Please visit the ADOT web site to track the progress of this rule and any other agency rulemaking matters.
Web site address: www.dot.state.az.us/about/rules/index.htm.
- 7. A reference to any study that the agency reviewed and either relied on or did not rely on its evaluation 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:**

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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 applicable):**

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?**

No

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

TITLE 17. TRANSPORTATION

CHAPTER 1. 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 provided record or for “no record found” according to the following schedule:

Description	Amount
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; or Electronic interactive	\$3
A non-certified record as prescribed under A.R.S. § 28-446(A): Electronic batch; or Over-the-counter overnight service.	\$2

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A non-certified record as prescribed under A.R.S. § 28-446(A): Electronic interactive special MVR; • Providing ignition interlock device information only, or • Providing lienholder information only.	\$1.50
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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.