

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when 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 TRANSPORTATION OVERDIMENSIONAL PERMITS

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 2126.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 11, 2010.

[R11-157]

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 6, Department of Transportation – Overdimensional Permits
Article and its heading: 3, Safety Requirements
Section numbers: R17-6-305 and R17-6-306 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rules:**
The Arizona Department of Transportation engages in this rulemaking to prescribe guidelines developed by the Department, the Arizona Department of Public Safety, and the transportation industry for escort vehicle operators who are trained and certified to perform traffic control under A.R.S. § 28-1110. Additionally, the rules will prescribe the minimum level of commercial liability insurance required of escort vehicle operators who perform traffic control under A.R.S. § 28-1110 and these guidelines.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Eileen Colleran, Policy and Rules Administrator
Address: Office of Policy and Rule
Department of Transportation
206 S. 17th Ave., Mail Drop 140A
Phoenix, AZ 85007
Telephone: (602) 712-7685
Fax: (602) 712-3232
E-mail: EColleran@azdot.gov
Please visit the ADOT web site to track the progress of these rules and any other agency rulemaking matters at www.azdot.gov/MVD/MVDrules/index.asp.
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments may be submitted at any time. Oral comments may be made during regular business hours. All comments should be directed to the agency official listed under item 4. The date, time, and location of an oral proceeding on the rulemaking will be included in the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 2126.) The Governor's Office authorized the notice to proceed through the rulemaking process on September 19, 2011.

[R11-155]

1. **Title and its heading:** 20, Commerce, Financial Institutions, and Insurance
Chapter and its heading: 6, Insurance
Articles and their headings: To be determined
Section numbers: To be determined
2. **Subject matter of the proposed rule:**
The Department will propose a rulemaking to adopt the federal requirements for Rate Increase Disclosure and Review under 45 CFR 154.101-154.301, which, effective September 1, 2011, requires a certain review process, known in the federal regulation as "effective rate review," for individual health insurance rate increases that meet or exceed a federally designated percentage. Currently, the United States Department of Health and Human Services (HHS) is reviewing these rate increases because HHS has determined that Arizona is not able to conduct effective rate reviews. By adopting the federal requirements for effective rate review, Arizona will be able to qualify as an effective rate review state and conduct its own review of insurers operating in Arizona under Arizona certificates of authority.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Margaret L. McClelland
Address: Department of Insurance
2910 N. 44th St., Suite 210
Phoenix, AZ 85018-7526
Telephone: (602) 364-3471
Fax: (602) 364-3470
5. **The time during which written submission may be made and the time and place where oral comments may be made:**
The Department will accept written comments during a public comment period that will be noticed in the Notice of Proposed Rulemaking. The Department will schedule an oral proceeding, within the statutorily mandated timeframe, to be noticed in the Notice of Proposed Rulemaking in the *Arizona Administrative Register*.
6. **A timetable for agency decisions or other action in the proceeding:**
The Department expects to file a Notice of Proposed Rulemaking in the second quarter of 2012.

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Chapter and its heading: 6, Insurance
Articles and their headings: To be determined
Section numbers: To be determined
2. **Subject matter of the proposed rule:**
The Department will propose a rulemaking to adopt the federal requirements for Rate Increase Disclosure and Review under 45 CFR 154.101-154.301, which, effective September 1, 2011, requires a certain review process, known in the federal regulation as "effective rate review," for small group health insurance rate increases that meet or exceed a federally designated percentage. Currently, the United States Department of Health and Human Services (HHS) is reviewing these rate increases because HHS has determined that Arizona is not able to conduct effective rate reviews. By adopting the federal requirements for effective rate review, Arizona will be able to qualify as an effective rate review state and conduct its own review of rate increases filed by insurers operating in Arizona under Arizona certificates of authority.

Arizona Administrative Register / Secretary of State
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3. A citation to all published notices relating to the proceeding:

None

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