



Department of Administrative Services
 Division of Administrative Rules
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Service Plan of the Division of Administrative Rules

Fiscal Year 2016

The Department of Administrative Services delivers support services of the highest quality and best value to government agencies and the public. The Division of Administrative Rules (division) enables citizen participation in their own government by supporting agency rulemaking and ensuring compliance with the Utah Administrative Rulemaking Act (Act). The division is created by statute -- [Section 63G-3-401](#). Its duties are specified in [Section 63G-3-402](#), and other sections of [Title 63G, Chapter 3](#).

This service plan is prepared in compliance with [Section 63A-1-111](#) and outlines services that the division provides to state agencies. Questions regarding the plan may be directed to Kenneth A. Hansen, Director, at 801-538-3764.

What are the services we provide?	What are the methods used to provide each service?	What are the standards of performance for each service?	What performance measures are used to gauge compliance with the standards?
1. Document filing	1.1. Administrative rule filing		
The division provides an application that allows state agencies to file rules. (Section 63G-3-301)	The division provides agencies with access to eRules, a web-based filing and publication application. eRules is available 24 x 7 allowing agencies to file at any time, and from anywhere with a computer, a UMD login, and an Internet connection.	An agency is able to file rules.	1.1.1. Rule filings submitted.
			1.1.2. Agency rule filings as a percentage of total rule filings submitted.
		Staff is available to help agencies file rules.	1.1.3. Complaints received because staff is unavailable.
	1.2. Executive document filing		
The division provides an application that allows the governor's office to file executive documents. (See Section 53-2a-209)	The division provides the governor's office with access to eRules. The governor's office may also use email and building mail to submit documents for publication.	The governor's office is able to submit documents.	1.2.1. Governor's executive documents submitted for publication.

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1.3. Public notices filing			
The division provides an application that allows state agencies to file public notices for publication.	The division provides agencies with access to eRules, a web-based filing and publication application. eRules allows agencies to file at any time, and from anywhere with a computer, a UMD login, and an Internet connection.	An agency is able to file public notices.	1.3.1. State agency public notices submitted for publication.
2. Publication of rules, and other executive branch notices			
2.1. Utah State Bulletin			
The division publishes agencies' administrative rulemaking documents, governor's executive documents, and public notices in the Utah State Bulletin (bulletin). (<u>Subsection 63G-3-402(1)(d)</u>)	The division issues the bulletin on the 1st and 15th of each month. The bulletin is published at http://www.rules.utah.gov/publicat/bulletin.htm . (NOTE: Summarized notice is provided by way of the Utah State Digest - http://www.rules.utah.gov/publicat/digest.htm .)	The division publishes 100% of complete rule filings on time.	2.1.1. Percentage of complete filings published on time.
		The division accurately publishes 99.5% of documents in the bulletin.	2.1.2. Publication errors made by the division.
		The division posts the bulletin on the Internet by 8 a.m. on the 1st and 15th of each month.	2.1.3. Average time between the publication date and the actual posting of the bulletin on the Internet.
2.2. Utah Administrative Code			
The division publishes effective rules in the Utah Administrative Code (code). (<u>Subsection 63G-3-402(1)(e)</u>)	The division issues updates to the code by the 10th of each month. The code is published on the Internet at http://www.rules.utah.gov/publicat/code.htm .	The division posts the code on the Internet, as in effect on the 1st of the month, by the 10th of the month.	2.2.1. Average time between the 10th of the month and the actual availability of the code on the Internet.
2.3. Utah Administrative Rules Index of Changes			
The division annually publishes an index of effective rule filings. (<u>Subsection 63G-3-402(1)(g)</u>)	The division publishes the index annually in the spring. The index is published on the Internet at http://www.rules.utah.gov/publicat/rulesindex.htm .	The division posts the index on the Internet.	2.4.1. Average time between June 1 and the actual availability of the index on the Internet.

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3. Maintenance of the Utah Administrative Code	3.1. Administrative code repository		
The division maintains the administrative code repository. (Section 63G-3-702)	The division maintains the repository of effective administrative rules. If a dispute arises in which there is more than one version of a rule, the latest effective version on file with the division is considered the correct, current version.	The division codifies rules in the code.	3.1.1. Rules in July 1 code.
			3.1.2. Volume of rules in July 1 code (in kilobytes).
			3.1.3. Volume of rules by agency as a percentage of total volume.
3.2. Codification of Rules			
The division compiles all effective rules in the code, and periodically publishes that code and revisions to it. (Subsection 63G-3-402(1)(e))	The division codifies changes submitted by agencies that have completed the rulemaking process.	The division accurately codifies 99.5% of rules in the code.	3.2.1. Codification errors made by the division.
4. Rulemaking assistance to state agencies	4.1. Training		
The division offers rulemaking training to state agencies. (Subsection 63G-3-402(1)(l))	The division presents training in a traditional classroom-lecture format.	The division tracks attendance at training.	4.1.1. Number of staff attending rules training.
			4.1.2. Cumulative hours trained.
		The division conducts quarterly training.	4.1.3. The division conducts training at least once a quarter.
		The division surveys training attendees regarding the value of the training and receives 4.5 or better out of 5.	4.1.4. Score the division received on its post-training evaluation survey.
4.2. Agency consultations			
The division responds to questions and provides consultation regarding the requirements of the Act. (Subsection 63G-3-402(l))	Agencies may consult with the division to discuss rulemaking procedures or schedule on-site consultation.	The division provides consultations to agencies.	4.2.1. Consultations with agency staff (hours).

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4.3. Agency resources			
The division provides the Rulewriting Manual for Utah (manual) and other resources to help agencies understand the process. (<u>Subsection 63G-3-402(l)</u>)	The division posts the manual on its web site at http://www.rules.utah.gov/agencyresources/manual.htm .	The division updates the manual every other year, and maintains a current copy on its web site.	4.3.1. The manual is updated as needed.
			4.3.2. Rulemaking resources are updated as needed.
4.4. Overall service			
The division assesses the level of service it provides by conducting periodic surveys of agency customers.	The division conducts a periodic survey of agency customers.	The division surveys its agency customers regarding the quality and value of the services it provides and receives 4.5 or better out of 5.	4.4.1. Score the division received on its customer service survey.
5. Procedural review of rules			
5.1. Resolution of issues			
The division reviews rule filings to ensure that the agency has provided required information and to ensure that all rule text changes are correctly marked. This is not a substantive review. (<u>Subsection 63G-3-402(1)(n)</u>)	The division returns incomplete filings to the agency for resolution.	The division returns 10% or fewer of rule filings to agencies for correction.	5.1.1. Filings with issues resolved prior to publication.
			5.1.2. Filings with issues requiring resolution prior to publication as % of total filings.
			5.1.3. Total number of issues identified and resolved.
5.2. Timely review of rules			
Division staff review rule filings to ensure that the responses provided by the agencies meet the statutory and regulatory requirements. (<u>Subsection 63G-3-402(1)(n)</u>)	The division uses traditional copy editing and proof reading techniques to identify typographical and grammatical errors. Division staff assesses the content of the forms in light of statutory and regulatory requirements.	The division reviews 70.34% of filings within 11 business days of submission.	5.2.1. Average number of days to review rule filings.

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6. Agency notification of deadlines and events	6.1. Notice of rules due for five-year review			
	The division provides agencies with at least 180-days notice of rules due for review. (<u>Subsection 63G-3-305(5)</u>)	The division uses email to notify agency managers, rules coordinators, and rule filers of rules due for review.	The division notifies agencies of rules due for review at least 180-days in advance of the review due date.	6.1.1. Number of rules for which the statutorily required notice was sent.
				6.1.2. Percentage of rules for which statutorily required notice was sent by the statutory deadline.
		The division notifies agency managers, rules coordinators, and rule filers of rules about to expire for noncompliance with <u>Section 63G-3-305</u> .	The division notifies agencies of rules due for review prior to expiration.	6.1.3. Number of rules due for five-year review for which a 2nd courtesy reminder was sent.
	6.2. Notice of rules about to lapse			
	The division reminds agencies of rule filings about to lapse.	The division uses email to notify agency managers and rule coordinators of rules about to lapse.	The division sends notice of rules about to lapse.	6.2.1. Number of rules for which notice of rules about to lapse was sent.
			6.2.2. Notice is sent prior to the last possible effective date.	
What are the costs associated with each service?				
The Legislature created the division as an appropriated agency. The division does not charge for filing, review, or publication services. To encourage public access to and participation in the regulatory process, the division publishes administrative rules free of charge on the Internet.				