

# UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed September 15, 2001, 12:00 a.m. through October 1, 2001, 11:59 p.m.

Number 2001-20  
October 15, 2001

Kenneth A. Hansen, Director  
Nancy L. Lancaster, Editor

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The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)*. The *Digest* is available by E-mail or over the Internet. Visit <http://www.rules.state.ut.us/publicat/digest.htm> for additional information.

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## EDITOR'S NOTES

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### NOTICE OF PUBLICATION ERROR IN THE OCTOBER 1, 2001, ISSUE OF THE BULLETIN: INCORRECT COMMENT CLOSE DATE PUBLISHED

In the process of publishing the October 1, 2001, issue of the *Utah State Bulletin*, the Division of Administrative Rules made a clerical error. For the proposed rules and the changes in proposed rules published in that *Bulletin*, the Division erroneously indicated that the public comment period ended at 12:00 AM. The comment period for all of these rules actually ends at 5:00 PM on the designated date. This error affected the following rules.

#### Notices of Proposed Rule

- No. 24043, Rule R70-410 (Amendment), "Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24057, Rule R156-66 (Amendment), "Utah Professional Boxing Regulation Act Rules." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24052, Section R313-15-502 (Amendment), "Conditions Requiring Individual Monitoring of External and Internal Occupational Dose." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24050, Rule R590-212 (New Rule), "Requirements for Interest Bearing Accounts Used by Title Insurance Agencies for Trust Fund." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24056, Rule R657-20 (Amendment), "Falconry." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24058, Rule R657-44 (Amendment), "Big Game Depredation." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24055, Rule R909-1 (Amendment), "Safety Regulations for Motor Carriers." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24054, Rule R912-76 (Amendment), "Single Tire Configuration." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 24042, Rule R982-301 (Amendment), "Councils." Written comment must be received by 5:00 PM on 10/31/2001.

#### Notices of Change in Proposed Rule

- No. 23593, Rule R156-67, "Utah Medical Practice Act Rules." Written comment must be received by 5:00 PM on 10/31/2001.
- No. 23835, Section R307-220-4, "Section III, Small Municipal Waste Combustion Units." Written comment must be received by 5:00 PM on 10/31/2001.

The Division staff regrets any confusion this error may have caused.

*If you have additional questions about this issue, please contact Ken Hansen, Director, Division of Administrative Rules, PO Box 141007, Salt Lake City, UT 84114-1007, Phone 801-538-3777, Fax 801-538-1773, E-mail khansen@utah.gov.*

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### NOTICE OF PUBLICATION ERROR IN THE OCTOBER 1, 2001, ISSUE OF THE BULLETIN: INCORRECT AUTHORIZATION DATE PUBLISHED

In the October 1, 2001, issue of the *Utah State Bulletin*, the Department of Commerce filed a proposed amendment redesignating Rule R156-66, entitled "Utah Professional Boxing Regulation Act Rules", as Rule R151-33, entitled "Utah Athletic Commission Act Rules", and making substantive amendments (DAR File No. 24057, page 10). A typographical error indicated that the proposed amendment was authorized on 9/14/2110. Ted Boyer, Jr., Executive Director, authorized the rule on 9/14/2001.

*If you have additional questions about this correction, please contact Klare Bachman, Deputy Director, at the Department of Commerce, PO Box 146701, Salt Lake City, UT 84114-6701, Phone 801-530-6702, Fax 801-530-6001, E-mail kbachman@br.state.ut.us.*

# SPECIAL NOTICES

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## EXECUTIVE ORDER

### DECLARATION OF AGRICULTURAL DISASTER

**WHEREAS**, severe drought has reduced soil moisture in some areas of the state to 20 percent of normal, reducing agricultural production by 40 percent; and

**WHEREAS**, Utah farmers and ranchers experienced freezing temperatures and high winds in the month of June;

**WHEREAS**, Mormon cricket and grasshopper infestations have reached historic proportions exceeding 1.5 million acres;

**WHEREAS**, these conditions have damaged grains, alfalfa, safflower, rangeland forage and other crops in irrigated and non-irrigated areas throughout the state;

**WHEREAS**, livestock contributes approximately 75 percent to the State's agricultural economy, and such harsh conditions are adversely impacting this industry,

**WHEREAS**, these conditions could result in agricultural losses into the tens of millions of dollars;

**WHEREAS**, the extent of the hardship on Utah agriculture far out weighs the state's ability to respond;

**NOW THEREFORE**, I, Michael O. Leavitt, Governor of the State of Utah by virtue of the power vested in me by the constitution and the laws of the State of Utah,

**I DO HEREBY** declare a "Statewide Agricultural Disaster" due to the aforesaid drought, frost, wind, and Mormon cricket and grasshopper infestation in the State of Utah.

**IN TESTIMONY WHEREOF**, I have here unto set my hand and caused to be affixed the Great Seal of the State of Utah, this 7th day of September, 2001.

(STATE SEAL)

**MICHAEL O. LEAVITT**  
Governor

Attest:  
**OLENE WALKER**  
Lieutenant Governor

---

## EXECUTIVE ORDER

### "STATE OF EMERGENCY" IN UTAH BECAUSE OF THE TERRORIST ATTACK ON THE UNITED STATES

**WHEREAS**, on September 11, 2001, terrorist attacks on New York City and Washington, D.C., and in the airspace over Pennsylvania resulted in considerable loss of life and property;



**WHEREAS**, these attacks were carried out through the hijacking of four commercial jet aircraft by force;

**WHEREAS**, as a result of these attacks, at least 6,500 persons remain missing, or are known to be fatalities, many thousands of other injured persons have been reported, and extensive damage has resulted to private and public property;

**WHEREAS**, immediate action is required to secure and protect local, state, national and international airports in the United States to ensure the safety and health of the general public, and to safeguard public and private property;

**WHEREAS**, the President of the United States has requested all state governors to call up necessary National Guard personnel to provide increased security at airports across the country, with attendant costs to be reimbursed by the federal government;

**WHEREAS**, the Utah National Guard, in response to the President's request, will be deployed September 28, 2001 to commercial airports in Utah to provide expanded security during hours of operation; and

**WHEREAS**, these conditions create a disaster emergency under Title 63, Chapter 5a of the Utah Code;

**NOW, THEREFORE**, it is found, determined, and declared that a state of emergency exists within the state of Utah due to the terrorist attack on the United States; that the state of Utah is declared to be a disaster area requiring aid, assistance, and relief available pursuant to the provisions of state statutes; and that selected members of the Utah National Guard are called to state active duty to provide increased security at Utah commercial airports for a period not to exceed six (6) months.

**IN WITNESS WHEREOF**, I have here unto set my hand and caused the Great Seal of the State of Utah to be affixed, this 27th day of September, 2001.

(STATE SEAL)

**MICHAEL O. LEAVITT**  
Governor

Attest:  
**OLENE WALKER**  
Lieutenant Governor

---

**EXECUTIVE ORDER**

**"STATE OF EMERGENCY" BECAUSE OF FIRE DANGER**

**Whereas**, the danger from wildland fires is extremely high throughout the State of Utah; and

**Whereas**, numerous wildland fires are burning and continue to burn in various areas statewide and present a serious threat to public safety, property, natural resources and the environment; and

**Whereas**, some of the areas are extremely remote and inaccessible and the situation has the potential to greatly worsen if left unattended; and

**Whereas**, immediate action is required to suppress the fires to protect public safety, property, natural resources and the environment; and

**Whereas**, these conditions do create a disaster emergency within the intent of the Disaster Response and Recovery Act of 1981; and

**Now, Therefore,** I, Michael O. Leavitt, Governor of the State of Utah, by virtue of the power vested in me by the constitution and the laws of the State of Utah;

**Do Hereby Order That:** It is found, determined and declared that a "State of Emergency" exists statewide due to the threat to public safety, property, natural resources and the environment for thirty days, effective as of August 30, 2001, requiring aid, assistance and relief available pursuant to the provisions of state statutes, and the State Emergency Operations Plan, which is hereby activated.

**In Testimony, Whereof,** I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah, this 30th day of September, 2001.

(State Seal)

**Michael O. Leavitt**  
Governor

Attest:

**Olene S. Walker**  
Lieutenant Governor

---

#### PROCLAMATION

##### CALLING THE FIFTY-FOURTH LEGISLATURE INTO A SECOND SPECIAL SESSION

**WHEREAS,** since the adjournment of the 2001 General Session of the Fifty-Fourth Legislature of the State of Utah, matters have arisen which require immediate legislative attention; and

**WHEREAS,** Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into Special Session;

**NOW, THEREFORE, I, MICHAEL O. LEAVITT,** Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Fifty-Fourth Legislature of the State of Utah into a Second Special Session at the State Capitol at Salt Lake City, Utah, on the 25th day of September, 2001, at 8:00 a.m., for the following purposes:

1. To consider redistricting based on the 2000 census.
2. To consider a resolution to honor the heroism and mourn the losses resulting from the terrorist attacks of September 11, 2001, and to declare the support of the State of Utah for our nation and its people.
3. To consider a resolution honoring the life and memory of Senator Pete Suazo.
4. And, to consider such other measures as may be brought to the attention of the Legislature by supplemental communication from the Governor before or during the Special Session hereby called.

(STATE SEAL)

**IN TESTIMONY WHEREOF**, I have here unto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 19th day of September, 2001.

**MICHAEL O. LEAVITT**  
Governor

**OLENE S. WALKER**  
Lieutenant Governor

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**S U P P L E M E N T A L P R O C L A M A T I O N**

**CALLING THE FIFTY-FOURTH LEGISLATURE INTO A SECOND SPECIAL SESSION**

PURSUANT to Item 4 of the Proclamation issued September 19, 2001, calling the Legislature into special session, I add the following items to the agenda for the special session:

1. To consider amending the repayment of the revenue bond for the cancer clinical research hospital facility in Section 63B-10-301.
2. To consider correcting an error in the passage of the 1990 amendments to Section 78-13-4, dealing with the proper venue for actions on written contracts.
3. To consider changing the date by which a political party must designate which registered voters may vote for the party's candidates in a primary election.
4. To consider regulating the unauthorized practice of law.
5. To consider a resolution condemning retaliation against Islamic and Arab communities in the wake of the terrorist attacks on the United States of September 11, 2001.
6. To consider extending arrest authority to federal and out-of-state law enforcement officers serving in this state during the 2002 Winter Olympic Games.
7. To consider increasing the penalty for riot and false alarm.
8. To consider extending worker compensation coverage to out-of-state public safety officers during the 2002 Winter Olympic Games.
9. To consider continuing the payment of the state portion of insurance for state employees who receive active duty orders in the armed forces for service in the war on terrorism.
10. To consider renaming the Utah Professional Athletic Commission in honor of Pete Suazo and amending the gross receipts tax and the ticket fee for funding amateur boxing.
11. To consider amending the classification of municipalities to allow optional lower reclassification according to population.

SPECIAL NOTICES

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12. To consider a resolution requesting the federal government to allow harvesting of infested stands of timber to promote forest health and resource use.

13. To consider amending tobacco settlement funding law to comply with Utah Constitution Article XXII, Section 4.

(STATE SEAL)

**IN TESTIMONY WHEREOF**, I have here unto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 25th day of September, 2001.

**MICHAEL O. LEAVITT**  
Governor

**OLENE S. WALKER**  
Lieutenant Governor

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**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMUNITY DEVELOPMENT, LIBRARY**

**PUBLIC NOTICE OF AVAILABLE UTAH STATE PUBLICATIONS**

The Utah State Library Division has made available Utah State Publications List No. 01-19, dated September 14, 2001 (<http://www.state.lib.ut.us/01-19.html>); and List No. 01-20, dated September 28, 2001 (<http://www.state.lib.ut.us/01-20.html>).

For copies of the complete lists, contact the Utah State Library Division at: 1950 West 250 North, Suite A, Salt Lake City, UT 84116-7901; phone: (801) 715-6777; or the Division of Administrative Rules, PO Box 141007, Salt Lake City, UT 84114-1007; phone: (801) 538-3218; FAX: (801) 538-1773; or view them on the World Wide Web at the addresses above.

**End of the Special Notices Section**

## NOTICES OF PROPOSED RULES

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A state agency may file a PROPOSED RULE when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between September 15, 2001, 12:00 a.m., and October 1, 2001, 11:59 p.m. are included in this, the October 15, 2001, issue of the *Utah State Bulletin*.

In this publication, each PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the PROPOSED RULE including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the RULE ANALYSIS, the text of the PROPOSED RULE is usually printed. New rules or additions made to existing rules are underlined (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., [~~example~~]). Rules being repealed are completely struck out. A row of dots in the text (. . . . .) indicates that unaffected text was removed to conserve space. If a PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of each rule that is too long to print is available from the filing agency or from the Division of Administrative Rules.

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the *Utah State Bulletin* until at least November 14, 2001. The agency may accept comment beyond this date and will list the last day the agency will accept comment in the RULE ANALYSIS. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency to hold a hearing on a specific PROPOSED RULE. Section 63-46a-5 (1987) requires that a hearing request be received "in writing not more than 15 days after the publication date of the PROPOSED RULE."

From the end of the public comment period through February 12, 2002, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than 31 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE filing lapses and the agency must start the process over.

The public, interest groups, and governmental agencies are invited to review and comment on PROPOSED RULES. *Comment may be directed to the contact person identified on the RULE ANALYSIS for each rule.*

PROPOSED RULES are governed by *Utah Code* Section 63-46a-4 (2001); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5, R15-4-9, and R15-4-10.

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**The Proposed Rules Begin on the Following Page.**

Commerce, Occupational and  
Professional Licensing  
**R156-17a-612**  
Operating Standards - Pharmaceutical  
Wholesaler/Distributor and  
Pharmaceutical Manufacturer located in  
Utah

**NOTICE OF PROPOSED RULE**  
(Amendment)

DAR FILE NO.: 24083  
FILED: 10/01/2001, 14:30

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Division needs to update the United States Pharmacopeia/National Formulary (USP/NF) to the most current supplement since it is incorporated by reference

SUMMARY OF THE RULE OR CHANGE: In Subsection R156-17a-612(7)(a), updated the USP/NF to include Supplement 4, dated August 1, 2001.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 58-17a-101 and 58-37-1; and Subsections 58-1-106(1) and 58-1-202(1)

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Adds through Supplement 4, dated August 1, 2001, of the USP/NF

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: The Division will incur minimal costs, approximately \$75, to reprint the rule once this proposed amendment is made effective. Any costs incurred will be absorbed in the Division's current budget.

❖LOCAL GOVERNMENTS: Proposed rule amendment does not apply to local governments.

❖OTHER PERSONS: There is no additional cost associated with the updating of the USP/NF as the supplement is included in the yearly subscription fee. It is noted that a yearly subscription for the USP/NF and its supplements costs approximately \$323.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There is no additional cost associated with the updating of the USP/NF as the supplement is included in the yearly subscription fee. It is noted that a yearly subscription for the USP/NF and its supplements costs approximately \$323.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change will not result in any increased costs to regulated individuals or to third parties because it merely updates an incorporated by reference document to the current 2001 supplement of the USP/NF. Ted Boyer, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE  
OCCUPATIONAL AND PROFESSIONAL LICENSING  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY UT 84111-2316, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Diana Baker at the above address, by phone at 801-530-6179, by FAX at 801-530-6511, or by Internet E-mail at dbaker@br.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: J. Craig Jackson, Director

**R156. Commerce, Occupational and Professional Licensing.**

**R156-17a. Pharmacy Practice Act Rules.**

**R156-17a-612. Operating Standards - Pharmaceutical Wholesaler/Distributor and Pharmaceutical Manufacturer located in Utah.**

In accordance with Subsection 58-17a-601(1), the operating standards for pharmaceutical wholesaler/distributor and pharmaceutical manufacturer licensee includes the following:

(1) A separate license shall be obtained for each separate location engaged in the distribution or manufacturing of prescription drugs.

(2) A separate license shall be obtained for wholesale distribution activity and manufacturing activity.

(3) The licensee need not be under the supervision of a licensed pharmacist, but shall be under the supervision of a responsible officer or management employee.

(4) There has not been established minimum requirements for persons employed by persons engaged in the distribution or manufacture of prescription drugs; however, this does not relieve the person who engages in the distribution of prescription drugs within the state or in interstate commerce into or from the state, or those engaged in the manufacture of prescription drugs in the state or in interstate commerce into or from the state from ensuring that persons employed by them have appropriate education, experience, or both to engage in the duties to which they are assigned and do so in a manner which does not jeopardize the public health, safety or welfare.

(5) All facilities associated with the distribution or manufacture of prescription drugs shall:

(a) be of suitable size and construction to facilitate cleaning, maintenance and proper operations;

(b) have storage areas designed to provide adequate lighting, ventilation, sanitation, space, equipment and security conditions;

(c) have the ability to control temperature and humidity within tolerances required by all prescription drugs and prescription drug precursors handled or used in the distribution or manufacturing activities of the applicant or licensee;

(d) provide for a quarantine area for storage of prescription drugs and prescription drug precursors that are outdated, damaged, deteriorated, misbranded, adulterated, opened or unsealed containers that have once been appropriately sealed or closed, or in any other way unsuitable for use or entry into distribution or manufacture;

(e) be maintained in a clean and orderly condition, and

(f) be free from infestation by insects, rodents, birds, or vermin of any kind.

(6) In regard to security, all facilities used for wholesale drug distribution or manufacturing of prescription drugs shall:

(a) be secure from unauthorized entry;

(b) limit access from the outside to a minimum in conformance with local building and life/safety codes, and control access of persons to ensure unauthorized entry is not made;

(c) limit entry into areas where prescription drugs or prescription drug precursors are held to authorized persons who have a need to be in those areas;

(d) be well lighted on the outside perimeter;

(e) be equipped with an alarm system to permit detection of entry and notification to appropriate authorities at all times when the facility is not occupied for the purpose of engaging in distribution or manufacture of prescription drugs; and

(f) be equipped with security measures, systems and procedures necessary to provide reasonable security against theft and diversion of prescription drugs or alteration or tampering with computers and records pertaining to prescription drugs or prescription drug precursors.

(7) In regard to storage, all facilities shall provide for storage of prescription drugs and prescription drug precursors in accordance with the following:

(a) all prescription drugs and prescription drug precursors shall be stored at appropriate temperature, humidity and other conditions in accordance with labeling of such prescription drugs or prescription drug precursors or with requirements in the United States Pharmacopeia/National Formulary (USP/NF), 1995 edition, through Supplement [2]4, dated [July]August 1, [2000]2001, which is hereby incorporated by reference;

(b) if no storage requirements are established for a specific prescription drug or prescription drug precursor, the products shall be held in a condition of controlled temperature and humidity as defined in the USP/NF to ensure that its identity, strength, quality, and purity are not adversely affected; and

(c) there shall be established a system of manual, electromechanical or electronic recording of temperature and humidity in the areas in which prescription drugs or prescription drug precursors are held to permit review of the record and ensure that the products have not been subjected to conditions which are outside of established limits.

(8) In regard to examination of materials, each facility shall provide that:

(a) upon receipt, each outside shipping container containing prescription drugs or prescription drug precursors shall be visually examined for identity and to prevent the acceptance of prescription drugs or prescription drug precursors that are contaminated, reveal damage to the containers or are otherwise unfit for distribution; and

(b) each outgoing shipment shall be carefully inspected for identity of the prescription drug products and to ensure that there is no delivery of prescription drugs that have been damaged in storage or held under improper conditions.

(9) In regard to returned, damaged, and outdated prescription drugs, each facility shall provide that:

(a) prescription drugs or prescription drug precursors that are outdated, damaged, deteriorated, misbranded, adulterated, or in any other way unfit for distribution or use in manufacturing shall be quarantined and physically separated from other prescription drugs or prescription drug precursors until they are appropriately destroyed or returned to their supplier;

(b) any prescription drug or prescription drug precursor whose immediate sealed or outer secondary sealed container has been opened or in any other way breached shall be identified as such and shall be quarantined and physically separated from other prescription drugs and prescription drug precursors until they are appropriately destroyed or returned to their supplier; and

(c) if the condition or circumstances surrounding the return of any prescription drug or prescription drug precursor cast any doubt on the product's safety, identity, strength, quality, or purity, then the drug shall be appropriately destroyed or returned to the supplier, unless examination, testing, or other investigation proves that the product meets appropriate and applicable standards related to the product's safety, identity, strength, quality, and purity.

(10) In regard to record keeping, pharmaceutical wholesaler/distributors and pharmaceutical manufacturers shall establish and maintain records of all transactions regarding the receipt and distribution or other disposition of prescription drugs and prescription drug precursors and shall make inventories of prescription drugs and prescription drug precursors and required records available for inspection by authorized representatives of the federal, state and local law enforcement agencies in accordance with the following:

(a) there shall be a record of the source of the prescription drugs or prescription drug precursors to include the name and principal address of the seller or transferor, and the address of the location from which the drugs were shipped;

(b) there shall be a record of the identity and quantity of the prescription drug or prescription drug precursor received, manufactured, distributed or shipped, or otherwise disposed of by specific product and strength;

(c) there shall be a record of the dates of receipt and distribution or other disposal of any product;

(d) there shall be a record of the identity of persons to whom distribution is made to include name and principal address of the receiver, and the address of the location to which the products were shipped;

(e) inventories of prescription drugs and prescription drug precursors shall be made available during regular business hours to authorized representatives of federal, state and local law enforcement authorities;

(f) required records shall be made available for inspection during regular business hours to authorized representatives of federal, state and local law enforcement authorities, and such records shall be maintained for a period of two years following disposition of the products; and

(g) records that are maintained on site or immediately retrievable from computer or other electronic means shall be made readily available for authorized inspection during the retention period; or if records are stored at another location, they shall be made available within two working days after request by an authorized law enforcement authority during the two year period of retention.

(11) In regard to written policies and procedures, pharmaceutical wholesaler/distributors and pharmaceutical manufacturers shall establish, maintain, and adhere to written

policies and procedures which shall be followed for the receipt, security, storage, inventory, manufacture, distribution or other disposal of prescription drugs or prescription drug precursors, including policies and procedures for identifying, recording, and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. In addition, the policies shall include the following:

(a) a procedure whereby the oldest approved stock of a prescription drug or precursor product is distributed or used first, with a provision for deviation from the requirement if such deviation is temporary and appropriate;

(b) a procedure to be followed for handling recalls and withdrawals of prescription drugs adequate to deal with recalls and withdrawals due to:

(i) any action initiated at the request of the Food and Drug Administration of other federal, state or local law enforcement or other authorized administrative or regulatory agency;

(ii) any voluntary action by the pharmaceutical wholesaler/distributor or pharmaceutical manufacturer to remove defective or potentially defective drugs from the market; or

(iii) any action undertaken to promote public health, safety or welfare by replacing of existing product with an improved product or new package design;

(c) a procedure to ensure that a pharmaceutical wholesaler/distributor or pharmaceutical manufacturer prepare for, protect against, and handle any crisis that affects security or operation of any facility in the event of strike, fire, flood, or other natural disaster, or other situations of local, state or national emergency;

(d) a procedure to ensure that any outdated prescription drugs or prescription drug precursors shall be segregated from other drugs or precursors and either returned to the manufacturer, other appropriate party or appropriately destroyed;

(e) a procedure providing for documentation of the disposition of outdated, adulterated or otherwise unsafe prescription drugs or prescription drug precursors and the maintenance of that documentation available for inspection by authorized federal, state, or local authorities for a period of two years after disposition of the product.

(12) In regard to responsible persons, pharmaceutical wholesaler/distributors and pharmaceutical manufacturers shall establish, maintain and make available for inspection by authorized federal, state and local law enforcement authorities, lists of all officers, directors, managers, and other persons in charge of wholesale drug distribution, manufacture, storage, and handling, which lists shall include a description of their duties and a summary of their background and qualifications.

(13) In regard to compliance with law, pharmaceutical wholesalers/distributors and pharmaceutical manufacturers shall:

(a) operate in compliance with applicable federal, state and local laws and regulations;

(b) permit the state licensing authority and authorized federal, state, and local law enforcement officials, upon presentation of proper credentials, to enter and inspect their premises and delivery vehicles, and to audit their records and written operating policies and procedures, at reasonable times and in a reasonable manner, to the extent authorized by law; and

(c) obtain a controlled substance license from the division and register with the Drug Enforcement Administration (DEA) if they engage in distribution or manufacture of controlled substances, and

shall comply with all federal, state and local regulations applicable to the distribution or manufacture of controlled substances.

(14) In regard to salvaging and processing, pharmaceutical wholesalers/distributors and pharmaceutical manufacturers shall be subject to and shall abide by applicable federal, state and local laws that relate to the salvaging or reprocessing of prescription drug products.

(15) A person who is engaged in the wholesale distribution or manufacturing of prescription drugs but does not have a facility located within Utah in which prescription drugs are located, stored, distributed or manufactured is exempt from Utah licensure as a pharmaceutical wholesaler/distributor or a pharmaceutical manufacturer, if said person is currently licensed and in good standing in each state of the United States in which that person has a facility engaged in distribution or manufacturing of prescription drugs entered into interstate commerce.

**KEY: pharmacists, licensing, pharmacies[\*]**

~~[December 18, 2000]~~2001

**Notice of Continuation April 26, 2001**

**58-17a-101**

**58-37-1**

**58-1-106(1)**

**58-1-202(1)**



## Commerce, Occupational and Professional Licensing

### **R156-70a**

#### Physician Assistant Practice Act Rules

#### **NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE No.: 24061

FILED: 09/18/2001, 08:36

#### **RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The Division and Physician Assistant Licensing Board need to make changes to the rule to eliminate the mandatory face-to-face and chart review supervision of a physician assistant and to allow the supervising physician to determine the appropriate level of supervision.

**SUMMARY OF THE RULE OR CHANGE:** Section R156-70a-102, Definitions: Deleted the definition of "off-site practice" and added a definition for "on-site supervision". Section R156-70a-501, Working Relationship and Delegation of Duties: Amendments were made in this section to reflect the current doctor/physician assistant relationship arrangements and to reflect how supervision will be maintained within the relationship. Amendments were also made to provide direction for the physician in overseeing physician assistants so as not to compromise patient health, safety and welfare.

**STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 58-70a-101, and Subsections 58-1-106(1) and 58-1-202(1)



## ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: The Division will incur minimal costs, less than \$50, to reprint the rule once these proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.

❖LOCAL GOVERNMENTS: Proposed rule does not apply to local governments.

❖OTHER PERSONS: The Division anticipates there will be no costs associated with this proposed rule amendment to either the regulated profession (physician assistants and their supervising physicians) or the general public. As a result of these proposed amendments, the regulated profession (physician assistants and their supervising physicians) may see a slight savings by eliminating the mandated face-to-face and chart review supervision. Any minimal savings are undeterminable by the Division.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Division anticipates there will be no costs associated with this proposed rule amendment to either the regulated profession (physician assistants and their supervising physicians) or the general public. As a result of this proposed amendment, the regulated profession (physician assistants and their supervising physicians) may see a slight savings by eliminating the mandated face-to-face and chart review supervision.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This proposed rule changes definitions to conform to current supervisory relationships between physicians and physician assistants and will not result in any additional costs to regulated professionals or third parties. Ted Boyer, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE  
OCCUPATIONAL AND PROFESSIONAL LICENSING  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY UT 84111-2316, or  
at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

Diana Baker at the above address, by phone at 801-530-6179, by FAX at 801-530-6511, or by Internet E-mail at dbaker@br.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 10/18/2001 at 9:00 AM, 160 East 300 South, Conference Room 205, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: J. Craig Jackson, Director

## R156. Commerce, Occupational and Professional Licensing.

### R156-70a. Physician Assistant Practice Act Rules.

#### R156-70a-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 70a, as used in these rules:

(1) "Full time equivalent" or "FTE" means the equivalent of 2,080 hours of staff time for a one-year period.

(2) "Locum tenens" means a medical practice situation in which one physician assistant acts as a temporary substitute for the physician assistant who regularly will or does practice in that particular setting.

(3) [~~"Off site practice" means a practice site in which there is less than 50% direct supervision of the physician assistant by the supervising or substitute supervising physician.~~] "On-site supervision", as used in Section R156-70a-501, means the physician assistant will be working in the same location as the supervising physician.

#### R156-70a-501. Working Relationship and Delegation of Duties.

In accordance with Section 58-70a-501, the working relationship and delegation of duties between the supervising physician and the physician assistant are specified as follows:

(1) The supervising physician shall provide [~~direct~~] supervision to the physician assistant to adequately serve the health care needs of the practice population and ensure that the patient's health, safety and welfare will not be adversely compromised. The degree of on-site supervision shall be outlined in the Delegation of Services Agreement maintained at the site of practice. Physician assistants may authenticate with their signature any form that may be authenticated by a physician's signature. [at least 50% of the time, unless there is prior approval from the division and board for the practice to be classified as an "off site practice". To be classified as an "off site practice", the supervising physician shall submit documentation to the division that clearly demonstrates that an "off-site practice" is necessary to adequately serve the health care needs of the population and that the patients' health, safety and welfare will not be adversely compromised.]

(2) There shall be a method of immediate consultation by electronic means whenever the physician assistant is not under the direct supervision of the supervising physician.

(3) The supervising physician shall review and co-sign sufficient numbers [400%] of [the] patient charts and medical records to ensure that the patient's health, safety, and welfare will not be adversely compromised. The Delegation of Services Agreement, maintained at the site of practice, shall outline specific parameters for review that are appropriate for the working relationship. [under the following conditions:

~~— (a) during the first six months of the working relationship between the supervising physician and the physician assistant;~~  
~~— (b) for all inpatient visits;~~  
~~— (c) for all physician assistants working locum tenens; and~~  
~~— (d) for all oral orders from the physician to the physician assistant.~~

~~— (4) The supervising physician shall review and co-sign at least 25% of the patient charts and medical records for the physician assistant after the first six months of the working relationship.]~~

~~[(5)4] A supervising physician shall not supervise more than two full time equivalent (FTE) physician assistants without the prior approval of the division and the board, and if patient health, safety, and welfare will not be adversely compromised. [Such approval may be granted when the supervising physician submits~~

~~documentation to the division that clearly demonstrates that more than two FTE physician assistants are necessary to adequately serve the health care needs of the population and that the patients' health, safety and welfare will not be adversely compromised.]~~

**KEY: licensing, physician assistants[\*]**

~~[June 23, 1997]~~**2001**

**58-70a-101**

**58-1-106(1)**

**58-1-202(1)**

▼ ————— ▼

## Commerce, Real Estate **R162-102** Application Procedures

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE No.: 24080

FILED: 09/26/2001, 14:06

### RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: a. to change the time at which the application fee is paid; and b. to conform the rule to statutory changes which eliminated the registered appraiser category.

SUMMARY OF THE RULE OR CHANGE: A. the license application fee will now be paid when the applicant first submits material to the Division to be reviewed to determine whether the applicant qualifies to sit for the exam, instead of the application fee being paid upon successful completion of the exam; and B. references to the now-eliminated registered appraiser category are eliminated.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 63-38-3(2)(a)(i)

#### ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** The Division will no longer perform for no compensation whatsoever the significant work that is involved in reviewing the applications of persons who ultimately fail to qualify for licensure or certification.

❖ **LOCAL GOVERNMENTS:** Since state and local government and "other persons" are not involved in the licensing of appraisers, a change in the time at which the applicant for an appraiser license pays the application fee will neither cost nor save money for those groups.

❖ **OTHER PERSONS:** Since state and local government and "other persons" are not involved in the licensing of appraisers, a change in the time at which the applicant for an appraiser license pays the application fee will neither cost nor save money for those groups.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Unsuccessful applicants will now pay for the work incurred by the Division in reviewing their applications. Prior to this change, only successful applicants who passed the examinations ever paid an application fee to the Division.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change merely clarifies that fee paid by appraisers seeking a license or certification is an application fee designed to cover the expense of processing the application, regardless of whether the application is or is not granted. There will be no fiscal impact on regulated professionals or other third parties.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE  
REAL ESTATE  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY UT 84111-2316, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Allyn Stutsman at the above address, by phone at 801-530-6696, by FAX at 801-530-6749, or by Internet E-mail at astutsma@br.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: Dexter Bell, Director

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### **R162. Commerce, Real Estate. R162-102. Application Procedures. R162-102-1. Application.**

102.1.1 Initial Review - An applicant for licensure or certification as an appraiser will be required to submit, on forms provided by the Division, documentation indicating successful completion of the education and experience required by the state of Utah.

102.1.1.1 The application may be reviewed by an Appraiser Education Review Committee appointed by the Real Estate Appraiser Licensing and Certification Board to determine if the education requirement has been met.

102.1.1.2 The candidate will provide evidence of meeting the experience requirement by completing the form required by the Division.

102.1.1.3 The candidate will submit the appropriate license or certification fee at the time of submission of the education and experience forms.

#### 102.1.2 Exam Application

102.1.2.1 Upon determining the candidate has completed the education and experience requirements, the Division will issue an examination application form to the candidate.

102.1.2.2 The candidate will make application to take the examination by returning the application form and the appropriate testing fee to the testing service designated by the Division. If the applicant fails to take the examination, the fee will be forfeited.

#### 102.1.3 Final Application

102.1.3.1 Within 90 days after successful completion of the exam, the appraiser applicant must return to the Division each of the following:

102.1.3.1.1 A report from the testing service indicating successful completion of the exam.

102.1.3.1.2 The license application form required by the Division. The application form shall include the applicant's business and home addresses. A post office box without a street address is unacceptable as a business or home address. The applicant may designate either address to be used as a mailing address.

102.1.3.1.3 The ~~[appropriate license or certification fee, which will include the]~~ fee for the federal registry.

#### **R162-102-2. Status Change.**

102.2.1 A ~~[registered,]~~ licensed or certified appraiser must notify the Division within ten working days of any status change. Status changes are effective on the date the properly executed forms and appropriate fees are received by the Division. Notice must be made in writing on the forms required by the Division.

102.2.1.1 Change of name requires submission of official documentation such as a marriage or divorce certificate, or driver's license.

102.2.1.2 Change of business, home address or mailing address requires written notification. A post office box without a street address is unacceptable as a business or home address. Any address may be designated as a mailing address.

102.2.2 ~~[Registered or]~~ State-licensed Appraisers, upon meeting the appropriate requirements for certification and upon filing a completed application within six months from their last renewal, will be allowed to transfer to the categories of either Certified Residential or Certified General by paying only a transfer fee ~~[and the fee for the federal registry].~~

102.2.2.1 Transfer to a certified category will not change the individual's expiration date.

#### **R162-102-3. Renewal.**

102.3.1 At least 30 days before expiration, a renewal notice shall be sent by the Division to the registered, licensed or certified appraiser at the mailing address shown on the Division records. The applicant for renewal must return the completed renewal notice and the applicable renewal fee to the Division on or before the expiration shown on the notice.

102.3.1.1 The ~~[registered,]~~ licensed~~[- senior appraiser,]~~ or certified appraiser must return proof of completion of 28 hours of continuing education taken during the preceding two years.

102.3.1.1.1 Even though the appraiser may have changed licensing categories, every third time the appraiser renews, the appraiser will provide evidence of having completed, within the two years prior to the third renewal, a course in the Uniform Standards of Professional Appraisal Practice. This USPAP course will be a 15-hour course and will include passing of a final exam. This 15 hours of credit may be used to meet part of the continuing education requirement for that renewal period. The appraiser must obtain and study the Utah Real Estate Appraiser Licensing and Certification Act and the rules promulgated thereunder and must sign an attestation that he understands and will abide by them.

102.3.1.1.2 Those State-Licensed Appraisers who were Senior Appraisers prior to May 3, 1999 and who completed a USPAP course after January 1, 1993 will not be required to complete the USPAP course again in order to renew until their third renewal following the date upon which they completed the USPAP course.

102.3.1.1.3 Those appraisers who were State-Registered Appraisers prior to May 3, 2001 and who completed a USPAP course after January 1, 1993 will not be required to complete the USPAP course again in order to renew until their third renewal following the date upon which they completed the USPAP course.

102.3.2 If the renewal fee and documentation are not received within the prescribed time period, the ~~[registration,]~~ license or certification shall expire.

102.3.2.1 A ~~[registration,]~~ license or certification may be renewed for a period of 30 days after the expiration date upon payment of a late fee in addition to the requirements of Section 102.3.1.

102.3.2.2 After this 30-day period and until six months after the expiration date, the ~~[registration,]~~ license or certification may be reinstated upon payment of a reinstatement fee in addition to the requirements of Section 102.3.1. It shall be grounds for disciplinary sanction if, after the expiration date, the individual continues to perform work for which a ~~[registration,]~~ license or certification is required.

102.3.2.3 A person who does not renew a ~~[registration,]~~ license or certification within six months after the expiration date shall be ~~[re-registered,]~~ relicensed or recertified as prescribed for an original application. The applicant will receive credit for previously credited prelicensing education. Applicants for a new license or certification will be required to complete a USPAP course and retake the examination for the classification for which they are applying.

102.3.3 If the Division has received renewal documents in a timely manner but the information is incomplete, the appraiser shall be extended a 15-day grace period to complete the application.

#### **R162-102-4. Six-Month Temporary Permits.**

102.4.1 A non-resident of this state may obtain a six-month temporary permit to perform one or more specific appraisal assignments in Utah. In order to qualify for a temporary permit, the specific appraisal assignments must be covered by a contract to provide appraisals. In order to obtain a temporary permit, an applicant must:

102.4.1.1 Submit an application in writing requesting temporary licensure or certification. The application shall include the name of the client, the specific property address(es) to be appraised, the type of property being appraised, and the estimated time to complete the assignment;

102.4.1.2 Answer and submit a "Utah Appraiser Qualifying Questionnaire" in the form designated by the Division;

102.4.1.3 Sign an irrevocable consent to service authorizing the Division to receive service of any lawful process on his behalf in any noncriminal proceeding arising out of his practice as an appraiser in this state;

102.4.1.4 Pay an application fee in the amount established by the Division; and

102.4.1.5 Provide the starting date of the appraisal assignment for which the temporary permit is being obtained.

102.4.2 A non-resident is limited to two temporary permits per calendar year, each of which may be extended one time for an additional six month period if the assignments have not been completed within the original six-month term of the temporary permit. A temporary permit may be extended by submitting any forms required by the Division.

**R162-102-5. Reciprocity.**

102.5.1 An individual who is licensed or certified as an appraiser by another state may be licensed or certified in Utah by reciprocity on the following conditions:

102.5.1.1 The other state must have required the applicant to satisfactorily complete classroom hours of appraisal education approved by that state which are substantially equivalent in number to the hours required for the class of licensure or certification for which he is applying in Utah;

102.5.1.2 The education must have included a course in the Uniform Standards of Professional Appraisal Practice;

102.5.1.3 The applicant must obtain and study the Utah Real Estate Appraiser [~~Registration~~] Licensing and Certification Act and the rules promulgated thereunder and must sign an attestation that he understands and will abide by them;

102.5.1.4 The applicant must have passed an examination which has been approved by the AQB for the class of licensure or certification for which he is applying;

102.5.1.5 If the applicant resides outside of the state of Utah, he must sign an irrevocable consent to service authorizing the Division to receive service of any lawful process on his behalf in any noncriminal proceeding arising out of his practice as an appraiser in this state;

102.5.1.6 The applicant must provide a complete licensing history sent directly to the Division by his home state and any other state in which he has been licensed, which shall include the applicant's full name, home and business addresses and telephone numbers, the date first licensed, the type or types of licenses or certifications held, the date the current license or certification expires, and a statement concerning whether disciplinary action has ever been taken, or is pending, against the individual;

102.5.1.7 The applicant shall not have been convicted of a criminal offense involving moral turpitude relating to his ability to provide services as an appraiser; and

102.5.1.8 The applicant must agree, as a condition of licensure or certification, that he will furnish to the Division upon demand all records requested by the Division relating to his appraisal practice in Utah. Failure to do so will be considered grounds for revocation of license or certification.

**KEY: real estate appraisal, licensing**  
**[February 7, ]2001**  
**61-2b-23**



Commerce, Real Estate  
**R162-106**  
Professional Conduct

**NOTICE OF PROPOSED RULE**  
(Amendment)

DAR FILE NO.: 24079  
FILED: 09/26/2001, 13:54

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To conform the rule with the statutory change in the appraiser license categories and the authority of those categories.

SUMMARY OF THE RULE OR CHANGE: a)to remove references to State-Registered appraisers from the rule since that license category no longer exists; and b)to conform the rule with a statutory change in the authority of State-Licensed Appraisers.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 61-2b-6

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Changing the administrative rule to conform the names of the license categories in the rule with the statutory changes in the names of the license categories results in neither cost nor saving for state and local government or other persons.

❖LOCAL GOVERNMENTS: Changing the administrative rule to conform the names of the license categories in the rule with the statutory changes in the names of the license categories results in neither cost nor saving for state and local government or other persons.

❖OTHER PERSONS: Changing the administrative rule to conform the names of the license categories in the rule with the statutory changes in the names of the license categories results in neither cost nor saving for state and local government or other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Changing the administrative rule to conform the names of the license categories in the rule with the statutory changes in the names of the license categories results in neither cost nor saving for state and local government or other persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change is to technically correct the existing rule to conform to an amended statute eliminating a license category and to conform the rule to the statutory authority of State Licensed Appraisers. There will be no fiscal impact on regulated professionals or other third parties.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE  
REAL ESTATE  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY UT 84111-2316, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Allyn Stutsman at the above address, by phone at 801-530-6696, by FAX at 801-530-6749, or by Internet E-mail at astutsma@br.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: Dexter Bell, Director

**R162. Commerce, Real Estate.****R162-106. Professional Conduct.****R162-106-1. Uniform Standards.**

106.1. As required by the Appraisal Foundation in accordance with Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), all appraisers[licensees] must comply with the edition of the Uniform Standards of Professional Appraisal Practice (USPAP) currently approved by the Board. Information on which version of USPAP is currently approved by the Board may be obtained from the division. All persons[registered] licensed or certified under this chapter must also observe the Advisory Opinions of USPAP. Copies of USPAP may be obtained from the Appraisal Foundation, 1029 Vermont Avenue N.W., Suite 900, Washington, D.C. 20005. Registered expert witnesses, licensed and certified appraisers and candidates for registration, licensure or certification may obtain copies from the division.

**R162-106-2. Use of Terms.**

106.2. The terms "State-Certified Residential Appraiser," "State-Certified General Appraiser," and State-Licensed Appraiser [~~and "State Registered Appraiser"~~] shall not be abbreviated or reduced to a letter or group of letters. If these terms are used on letterhead or in advertising, the appraiser's certificate number[~~]~~ or license number [~~or registration number~~] must follow his name.

**R162-106-3. Signatures, Size and Use of Seal.****106.3.1. State-Certified Appraiser's Seal.**

106.3.1.1. When signing a certified appraisal report, State-Certified General Appraisers and State-Certified Residential Appraisers shall place on at least the certification page of the appraisal report, immediately below the appraiser's signature, the seal required by Section 61-2b-17(3)(e).

106.3.1.2. The seal to be affixed on reports prepared by state-certified appraisers shall contain the words "Utah State-Certified Residential Appraiser" or "Utah State-Certified General Appraiser" along with the appraiser's certificate number and expiration date. The zeros preceding the certificate number may be deleted. The size of the seal, rectangular in shape, shall be no larger than two and seven-eighths inches long and five-eighths of an inch high including the border. An example of the seal shall be made available on request at the Division offices.

106.3.1.3. The seal may be reproduced as a stamp with ink that can be copied, or may be inserted by computer in an appraisal report at the appropriate place.

106.3.2. [~~State Registered and~~] State-Licensed Appraisers. [~~State registered appraisers and~~] State-Licensed appraisers may not place a seal on an appraisal report or use a seal in any other manner likely to create the impression that the appraiser is a state-certified appraiser.

[~~106.3.2.1. If a State Registered Appraiser or a State Licensed Appraiser prepares an appraisal report which exceeds the dollar amount permitted under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and related federal regulations, the appraiser shall include after the appraiser's signature the words, "This appraisal does not qualify for federally related transactions."~~]

[~~106.3.2.1.1. This requirement does not apply if the State Registered Appraiser or State Licensed Appraiser has prepared the report under the direct supervision of a state certified appraiser and the state certified appraiser has signed the appraisal report taking responsibility for the report.~~]

**106.3.3. Signatures.**

106.3.3.1. Signature stamps. Appraisers may not affix their signatures to appraisal reports by means of a signature stamp.

106.3.3.2. Appraisers may not affix their signatures to blank or partially completed appraisal reports which will be filled in later by anyone other than the appraiser who has signed the reports.

106.3.3.3. If it is necessary for an appraiser to delegate authority to another individual to sign the appraiser's signature on an appraisal report, the other individual may sign the report for the appraiser only if: a) the report explicitly discloses that the other individual has been authorized to sign the report for the appraiser; b) the permission must have been granted in writing and limited to a specific property address; c) a copy of the written permission to sign must be attached to the report; and d) the appraiser who signs the other's signature must write the word "by" followed by his own name after the other's signature.

106.3.3.4. Digital signatures. A digital signature may be used in place of a handwritten signature only if: a) the software program which generates the digital signature has a security feature; and b) the appraiser ensures that his signature is protected and that no one other than the appraiser has control of that signature.

**R162-106-4. Testimony by an Appraiser.**

106.4. Testimony. An appraiser who testifies as to an appraisal opinion in a deposition or an affidavit, or before any court, public body, or hearing officer, shall prepare a written appraisal report or a file memorandum prior to giving such testimony.

106.4.1. File memoranda. For the purpose of this rule, a file memorandum shall include work sheets, data sheets, the reasoning and conclusions upon which the testimony is based, and other sufficient information to demonstrate substantial compliance with USPAP Standards Rule 2-2, or in the case of mass appraisal, Standards Rule 6-7.

**R162-106-5. Failure to Respond to Investigation.**

106.5. When the Division notifies an appraiser or registered expert witness of a complaint, the notified individual must respond to the complaint in writing within ten business days of the notice from the Division. Failure to respond within the required time period to a notice of complaint, a subpoena, or any written request for information from the Division shall be considered a violation of these rules and separate grounds for disciplinary action against the appraiser or registered expert witness.

**R162-106-6. Recordkeeping Requirements.**

106.6. The true copy of an appraisal report which an appraiser is required by Section 61-2b-34(1) to retain shall be a photocopy or other exact copy of the report as it was provided to the client, including the appraiser's signature.

**KEY: real estate appraisal, conduct  
December 18, 2000  
Notice of Continuation April 1, 1997  
61-2b-27**



**Commerce, Real Estate  
R162-108  
Professional Conduct**

**NOTICE OF PROPOSED RULE**

(New Rule)

DAR FILE No.: 24077

FILED: 09/26/2001, 12:26

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The statute requires all appraisers to comply with the Uniform Standards of Professional Appraisal Practice (USPAP). This rule provides guidance to appraisers about how to comply with Standard 1 of USPAP.

SUMMARY OF THE RULE OR CHANGE: This rule requires all appraisers to analyze the listing history of the subject property for the year preceding the appraisal if such information is available to the appraiser.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 61-2b-8(4)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This rule should not affect the cost of obtaining an appraisal. Therefore, no cost or savings is anticipated for state and local government or for other persons who could be users of appraisal services.

❖LOCAL GOVERNMENTS: This rule should not affect the cost of obtaining an appraisal. Therefore, no cost or savings is anticipated for state and local government or for other persons who could be users of appraisal services.

❖OTHER PERSONS: This rule should not affect the cost of obtaining an appraisal. Therefore, no cost or savings is anticipated for state and local government or for other persons who could be users of appraisal services.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance cost is negligible. This rule would require appraisers to inquire about one additional piece of information while they are conducting the inquiry they already do concerning the subject property.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule clarifies and gives guidance to appraisers on how to comply with existing federal appraisal standards of practice. There will be no fiscal impact to regulated professionals or to third parties.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE  
REAL ESTATE  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY UT 84111-2316, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Allyn Stutsman at the above address, by phone at 801-530-6696, by FAX at 801-530-6749, or by Internet E-mail at astutsma@br.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: Dexter Bell, Director

**R162. Commerce, Real Estate  
R162-108. Professional Conduct,  
R162-108-1 Sales and Listing History.**

In order to comply with Standard 1 of the Uniform Standards of Professional Appraisal Practice (USPAP), appraisers who are licensed or certified under this chapter shall analyze the listing history of the subject property for the year preceding the appraisal if such information is available to the appraiser from a multiple listing service, listing agent(s), or the property owner.

**KEY: real estate appraisal, conduct  
2001  
61-2b-8(4)**

**Commerce, Real Estate  
R162-202  
Residential Mortgage**

**NOTICE OF PROPOSED RULE**

(New Rule)

DAR FILE No.: 24078

FILED: 09/26/2001, 13:44

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To define various terms used in the statute.

SUMMARY OF THE RULE OR CHANGE: A. to define the term "de minimus" as used in the statute; B. to define the records which must be retained by person registered with the Division; C. to define the renewal cycle for registrants; D. to define unprofessional conduct; and E. to define material information which must be included in an amendment to a registration statement.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 61-2c-205, 61-2c-301, and 61-2c-302

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This rule affects only mortgage brokers, not state or local government or other persons. Therefore no cost or savings is anticipated to state and local government or to other persons.

❖LOCAL GOVERNMENTS: This rule affects only mortgage brokers, not state or local government or other persons. Therefore no cost or savings is anticipated to state and local government or to other persons.

❖OTHER PERSONS: This rule affects only mortgage brokers, not state or local government or other persons. Therefore no cost or savings is anticipated to state and local government or to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Since these rules do not impose any new requirements but simply define terms used in the statute, no additional compliance costs are anticipated.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule clarifies the specific types of records that must be retained by licensees and to clarify certain definitions within applicable statutes. There will be no fiscal impact to regulated professionals or to third parties.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMERCE  
REAL ESTATE  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY UT 84111-2316, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Allyn Stutsman at the above address, by phone at 801-530-6696, by FAX at 801-530-6749, or by Internet E-mail at astutsma@br.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: Dexter Bell, Director

**R162. Commerce, Real Estate.**

**R162-202. Residential Mortgage.**

**R162-202-1. De Minimus.**

An unsolicited gift, compensation, or other things of value may be given by a person transacting the business of residential mortgage loans if it is given in appreciation for having used the services of the person giving the gift, compensation, or other thing of value and it does not exceed \$50.00.

**R162-202-2. Record Keeping Requirements.**

A person registered under the Utah Residential Mortgage Practices Act must maintain for the period set forth in Utah Code Section 61-2c-302 the following records:

- (a) Application forms;
- (b) Disclosure forms;
- (c) Truth-in-Lending forms;

(d) Credit reports and the explanations therefor;

(e) Conversation logs;

(f) Verifications of employment, paycheck stubs, and tax returns;

(g) Proof of legal residency, if applicable;

(h) Appraisals, appraisal addenda, and records of communications between the appraiser and the registrant or lender;

(i) Underwriter denials;

(j) Loan approval; and

(k) All other records required by underwriters involved with the transaction.

**R162-202-3. Renewal Period.**

A registration under the Utah Residential Mortgage Practices Act shall be valid for a period of two years from the date of registration.

**R162-202-4. Unprofessional Conduct.**

Unprofessional conduct includes the following acts:

(a) conducting the business of residential mortgage lending under any name other than a name under which the entity or individual conducting such business is registered with the Division;

(b) Failing to remit to the appropriate third parties appraisal fees, inspection fees, credit reporting fees, insurance premiums, or similar fees which have been collected from a borrower;

(c) Charging for services not actually performed; and

(d) Charging a borrower more for third party services than the actual cost of those services.

**R162-202-5. Changes to registration statement.**

An individual registered under the Utah Residential Mortgage Practices Act must notify the Division on the form required by the Division of any entity for which that individual shall conduct residential mortgage lending before acting on behalf of that entity.

**KEY: residential mortgage loan origination 2001**

**61-2c-301(1)(a)**

**61-2c-301(1)(i)**

**61-2c-302**



**Environmental Quality, Water Quality**

**R317-2-12**

**High Quality Waters**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 24084

FILED: 10/01/2001, 16:26

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To allow the discharge of high quality groundwater encountered during a mining operation into Electric Lake.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment would change the High Quality Water designation of Electric Lake from Category 1 (no new point source discharges

allowed) to Category 2 (new discharge allowed if there is no degradation of water quality).

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-5-104

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: No costs are anticipated. The proposed change will be addressed with existing resources.

❖LOCAL GOVERNMENTS: No costs are anticipated. The proposed amendment does not affect local governments.

❖OTHER PERSONS: No costs are anticipated. The rule will result in a substantial cost savings to a mining company seeking to discharge groundwater, which was intercepted during the course of their mining operation, into Electric Lake.

COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs are associated with the amendment. The proposed change will result in a substantial savings in compliance costs for a mining operation which proposes to discharge groundwater into Electric Lake.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed amendment will have a positive fiscal impact on a coal mining operation. No other fiscal impacts on businesses are anticipated.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY  
WATER QUALITY  
CANNON HEALTH BLDG  
288 N 1460 W  
SALT LAKE CITY UT 84116-3231, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Dave Wham at the above address, by phone at 801-538-6052, by FAX at 801-538-6016, or by Internet E-mail at [dwham@deq.state.ut.us](mailto:dwham@deq.state.ut.us)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/16/2001

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 11/13/2001 at 10:30 AM, Southeastern Utah District Health Department, 28 S 100 E, Price, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 11/19/2001

AUTHORIZED BY: Dianne R Nielson, Executive Director

**R317. Environmental Quality, Water Quality.**

**R317-2. Standards of Quality for Waters of the State.**

**R317-2-12. High Quality Waters.**

12.1 High Quality Waters - Category 1.

In addition to assigned use classes, the following surface waters of the State are hereby designated as High Quality Waters - Category 1:

12.1.1 All surface waters geographically located within the outer boundaries of U.S. National Forests whether on public or private lands with the following exceptions:

All High Quality Waters - Category 2 as listed in R317-2-12.2. Weber River, a tributary to the Great Salt Lake, in the Weber River Drainage from Uintah to Mountain Green.

12.1.2 Other surface waters, which may include segments within U.S. National Forests as follows:

12.1.2.1 Colorado River Drainage

Calf Creek and tributaries, from confluence with Escalante River to headwaters.

Sand Creek and tributaries, from confluence with Escalante River to headwaters.

Mamie Creek and tributaries, from confluence with Escalante River to headwaters.

Deer Creek and tributaries, from confluence with Boulder Creek to headwaters (Garfield County).

Indian Creek and tributaries, through Newspaper Rock State Park to headwaters.

12.1.2.2 Green River Drainage

Fish Creek from confluence with White River to Scofield Dam.

Range Creek and tributaries, from confluence with Green River to headwaters.

Strawberry River and tributaries, from confluence with Red Creek to headwaters.

Avintaquin Creek, from confluence with Strawberry River to confluence with Cottonwood Creek.

Ashley Creek and tributaries, from Steinaker diversion to headwaters.

Jones Hole Creek and tributaries, from confluence with Green River to headwaters.

Green River, from state line to Flaming Gorge Dam.

Tollivers Creek, from confluence with Green River to headwaters.

Allen Creek, from confluence with Green River to headwaters.

12.1.2.3 Virgin River Drainage

North Fork Virgin River and tributaries, from confluence with East Fork Virgin River to headwaters.

East Fork Virgin River and tributaries from confluence with North Fork Virgin River to headwaters.

12.1.2.4 Kanab Creek Drainage

Kanab Creek and tributaries, from irrigation diversion at confluence with Reservoir Canyon to headwaters.

12.1.2.5 Bear River Drainage

Swan Creek and tributaries, from Bear Lake to headwaters.

North Eden Creek, from Upper North Eden Reservoir to headwaters.

Big Creek and tributaries, from Big Ditch diversion to headwaters.

Woodruff Creek and tributaries, from Woodruff diversion to headwaters.

12.1.2.6 Weber River Drainage

Burch Creek and tributaries, from Harrison Boulevard in Ogden to headwaters.

Hardscrabble Creek and tributaries, from confluence with East Canyon Creek to headwaters.



Chalk Creek and tributaries, from U.S. Highway 189 to headwaters.

Weber River and tributaries, from U.S. Highway 189 near Oakley to headwaters.

#### 12.1.2.7 Jordan River Drainage

City Creek and tributaries, from City Creek Water Treatment Plant to headwaters (Salt Lake County).

Emigration Creek and tributaries, from Hogle Zoo to headwaters (Salt Lake County).

Red Butte Creek and tributaries, from Foothill Boulevard in Salt Lake City to headwaters.

Parley's Creek and tributaries, from 13th East in Salt Lake City to headwaters.

Mill Creek and tributaries, from Wasatch Boulevard in Salt Lake City to headwaters.

Big Cottonwood Creek and tributaries, from Wasatch Boulevard in Salt Lake City to headwaters.

Little Willow Creek and tributaries, from diversion to headwaters (Salt Lake County.)

Bell Canyon Creek and tributaries, from Lower Bells Canyon Reservoir to headwaters (Salt Lake County).

South Fork of Dry Creek and tributaries, from Draper Irrigation Company diversion to headwaters (Salt Lake County).

#### 12.1.2.8 Provo River Drainage

Upper Falls drainage above Provo City diversion (Utah County).

Bridal Veil Falls drainage above Provo City diversion (Utah County).

Lost Creek and tributaries, above Provo City diversion (Utah County).

#### 12.1.2.9 Sevier River Drainage

Chicken Creek and tributaries, from diversion at canyon mouth to headwaters.

Pigeon Creek and tributaries, from diversion to headwaters.

East Fork of Sevier River and tributaries, from Kingston diversion to headwaters.

Parowan Creek and tributaries, from Parowan City to headwaters.

Summit Creek and tributaries, from Summit City to headwaters.

Braffits Creek and tributaries, from canyon mouth to headwaters.

Right Hand Creek and tributaries, from confluence with Coal Creek to headwaters.

#### 12.1.2.10 Raft River Drainage

Clear Creek and tributaries, from state line to headwaters (Box Elder County).

Birch Creek (Box Elder County), from state line to headwaters.

Cotton Thomas Creek from confluence with South Junction Creek to headwaters.

#### 12.1.2.11 Western Great Salt Lake Drainage

All streams on the south slope of the Raft River Mountains above 7000' mean sea level.

Donner Creek (Box Elder County), from irrigation diversion to Utah-Nevada state line.

Bettridge Creek (Box Elder County), from irrigation diversion to Utah-Nevada state line.

Clover Creek, from diversion to headwaters.

All surface waters on public land on the Deep Creek Mountains.

#### 12.1.2.12 Farmington Bay Drainage

Holmes Creek and tributaries, from Highway US-89 to headwaters (Davis County).

Shepard Creek and tributaries, from Height Bench diversion to headwaters (Davis County).

Farmington Creek and tributaries, from Height Bench Canal diversion to headwaters (Davis County).

Steed Creek and tributaries, from Highway US-89 to headwaters (Davis County).

#### 12.2 High Quality Waters - Category 2.

In addition to assigned use classes, the following surface waters of the State are hereby designated as High Quality Waters - Category 2:

##### 12.2.1 Green River Drainage

Deer Creek, a tributary of Huntington Creek, from the forest boundary to 4800 feet upstream.

##### Electric Lake.

#### 12.3 High Quality Waters - Category 3.

In addition to assigned use classes, the following surface waters of the State are hereby designated as High Quality Waters - Category 3:

##### 12.3.1 Provo River Drainage

Provo River and tributaries from Murdock Diversion to U.S. Forest Boundary, including Deer Creek Reservoir and Jordanelle Reservoir.

**KEY: water pollution, water quality standards**

**Notice of Continuation December 12, 1997**

**August 1, 2000**

**19-5**

## ▼ ————— ▼

# Health, Children's Health Insurance Program **R382-10** Eligibility

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24063

FILED: 09/18/2001, 12:14

### RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is necessary to describe creditable health coverage, household composition, income provisions, application and re-certification, and effective dates of enrollment and re-certification. The intent is to extend the Children's Health Insurance Program (CHIP) coverage to children who may have been excluded for conditions that are beyond their, or their custodial parent's, control, and to children who have their own income which, combined with the income of their parent(s), could exclude them from coverage.

SUMMARY OF THE RULE OR CHANGE: Sections R382-10-10, R382-10-11, R382-10-13, R382-10-16, and R382-10-18 have been amended to liberalize the requirements for CHIP coverage to be more equitable for those applicants who could

have been previously denied coverage under circumstances beyond their control.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5; and Title 26, Chapter 40

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This program is largely funded by federal money (81%). These changes will have some net increase in the state funds that would otherwise be expended for CHIP. However, the costs will be minimal. We believe that no more than 100 children will be enrolled as a result of these changes.

We also believe that the average claim will be \$1,000 when the small and large claims are averaged.

❖LOCAL GOVERNMENTS: This rule does not apply to local government, so there should be no fiscal impact.

❖OTHER PERSONS: CHIP eligibility will be expanded. Health care providers will receive reimbursement for care provided to persons that often were unable to pay and had no insurance. Savings to these groups are impossible to quantify. There should be no costs to any other persons, agencies, or private businesses affected by these changes. Although it is conceivable that private insurers will lose some business as individuals move to CHIP rather than private insurance, this change should be negligible.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Total impact on the state budget may be as much as \$19,000 (19% of \$100,000). No other compliance costs are expected.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Department believes that this rule will have a positive fiscal impact on health care providers and individuals that will now be able to qualify for health care. These slight adjustments to eligibility should not cause a noticeable reduction in insured lives for any private insurer. Rod L. Betit

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HEALTH  
CHILDREN'S HEALTH INSURANCE PROGRAM  
CANNON HEALTH BLDG  
288 N 1460 W  
SALT LAKE CITY UT 84116-3231, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Doug Springmeyer at the above address, by phone at 801-538-6971, by FAX at 801-538-6306, or by Internet E-mail at dspringm@doh.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/15/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/16/2001

AUTHORIZED BY: Rod Betit, Executive Director

## **R382. Health, Children's Health Insurance Program.**

### **R382-10. Eligibility.**

#### **R382-10-1. Authority.**

This rule sets forth the eligibility requirements for coverage under the Children's Health Insurance Program. It is authorized by Title 26, Chapter 40.

#### **R382-10-2. Definitions.**

(1) The Department adopts the definitions found in Sections 2110(b) and (c) of the Social Security Act as enacted by Pub. L. No. 105-33 which are incorporated by reference in this rule.

(2) The following additional definitions also apply:

(a) "Applicant," means a child on whose behalf an application has been made for benefits under the Children's Health Insurance Program, but who is not an enrollee.

(b) "Best estimate" means the Department's determination of a household's income for the upcoming certification period, based on past and current circumstances and anticipated future changes.

(c) "Children's Health Insurance Program" or "CHIP" means the program for benefits under the Utah Children's Health Insurance Act, Title 26, Chapter 40.

(d) "Department" means the Utah State Department of Health.

(e) "Income averaging" means a process of using a history of past or current income and averaging it over a determined period of time that is representative of future income.

(f) "Income anticipating" means a process of using current facts regarding rate of pay, number of working hours, and expected changes to anticipate future income.

(g) "Income annualizing" means a process of determining the average annual income of a household, based on the past history of income and expected changes.

(h) "Local office" means any Bureau of Eligibility Services office location, outreach location, or telephone location where an individual may apply for medical assistance.

(i) "Recertification month" means the last month of the eligibility period for an enrollee.

(j) "Verifications" means the proofs needed to decide if a child meets the eligibility criteria to be enrolled in the program. Verifications may include hard copy documents such as a birth certificate, computer match records such as Social Security benefits match records, and collateral contacts with third parties who have information needed to determine the eligibility of a child.

#### **R382-10-3. Actions on Behalf of a Minor.**

(1) A parent or an adult who has assumed responsibility for the care or supervision of a child may apply for CHIP enrollment, provide information required by this rule, or otherwise act on behalf of a child in all respects under the statutes and rules governing the CHIP program.

(a) The child, if 18 years old or an emancipated minor, the child's parent or legal guardian must indicate in writing to the Department who is authorized as the child's representative.

(b) The executive director of the Department or his designee may designate an authorized representative if the child needs a representative but is unable to make a choice either in writing or orally in the presence of a witness.

(2) Where the statutes or rules governing the CHIP program require a child to take an action, the parent or adult who has assumed responsibility for the care or supervision of the child is responsible to take the action on behalf of the child. If the parent or adult who has assumed responsibility for the care or supervision of

the child fails to take an action, the failure is attributable as the child's failure to take the action.

(3) Notice to the parent or adult who has assumed responsibility for the care or supervision of the child is notice to the child.

**R382-10-4. Applicant and Enrollee Rights and Responsibilities.**

(1) A parent or an adult who has assumed responsibility for the care or supervision of a child may apply or reapply at any time for Children's Health Insurance Program benefits on behalf of a child. An emancipated child or an 18 year old child may apply on his own behalf.

(2) The applicant must provide the Department with verifications to establish the eligibility of the child, including information about the parents.

(3) Anyone may look at the eligibility policy manuals located at any local office, except at outreach or telephone locations.

(4) The parent or other individual who arranged for medical services on behalf of the child shall repay the Department for services paid for by the Department under this program if the child is determined not to be eligible for CHIP.

(5) The parent(s) or child, or other responsible person acting on behalf of a child must report certain changes to the local office within ten days of the day the change becomes known. Some examples of reportable changes include:

(a) An enrollee begins to receive coverage under a group health plan or other health insurance coverage.

(b) An enrollee begins to have access to coverage under a group health plan or other health insurance coverage.

(c) An enrollee leaves the household or dies.

(d) An enrollee or the household moves out of state.

(e) Change of address of an enrollee or the household.

(f) An enrollee enters a public institution or an institution for mental diseases.

(6) Applicants and enrollees have the right to be notified about actions the agency takes regarding their eligibility or continued eligibility, the reason the action was taken, and the right to request an agency conference or agency action.

**R382-10-5. Verification and Information Exchange.**

(1) The applicant and enrollee upon recertification must provide verification of eligibility factors as requested by the Department.

(2) The Department may release information concerning applicants and enrollees and their households to other state and federal agencies to determine eligibility for other public assistance programs.

(3) The Department must release information to the Title IV-D agency and Social Security Administration to determine benefits.

(4) The Department may verify information by exchanging information with other public agencies as described in 42 CFR 435.945, 435.948, 435.952, 435.955, and 435.960, 1997 edition.

**R382-10-6. Citizenship and Alienage.**

(1) To be eligible to enroll in the program, a child must be a citizen of the United States or a qualified alien as defined in Pub. L. No. 104-193(401) through (403), (411), (412), (421) through (423), (431), and (435), and amended by Pub. L. No. 105-33(5302)(b) and (c), (5303), (5305)(b), (5306), (5562), (5563), and (5571).

(2) Hmong or Highland Lao veterans who fought on behalf of the Armed Forces of the United States during the Vietnam conflict and who are lawfully admitted to the United States for permanent residence, and their family members who are also qualified aliens, may be eligible to enroll in the program regardless of their date of entry into the United States.

(3) One adult household member must declare the citizenship or alien status of all applicants in the household. The applicant must provide verification of his citizenship or alien status.

(4) A qualified alien, as defined in Pub. L. No. 104-193(431) and amended by Pub. L. No. 105-33(5302)(c)(3), (5562), and (5571), admitted into the United States prior to August 22, 1996, may enroll in the program.

(5) A qualified alien, as defined in Pub. L. No. 104-193(431) and amended by Pub. L. No. 105-33(5302)(c)(3), (5562), and (5571), newly admitted into the United States on or after August 22, 1996, may enroll in the program after five years have passed from his date of entry into the United States.

**R382-10-7. Utah Residence.**

(1) A child must be a Utah resident to be eligible to enroll in the program.

(2) An American Indian child in a boarding school is a resident of the state where his parents reside. A child in a school for the deaf and blind is a resident of the state where his parents reside.

(3) A child is a resident of the state if he is temporarily absent from Utah due to employment, schooling, vacation, medical treatment, or military service.

(4) The child need not reside in a home with a permanent location or fixed address.

**R382-10-8. Residents of Institutions.**

(1) Residents of institutions described in Section 2110(b)(2)(A) of the Social Security Act as enacted by Pub. L. No. 105-33 are not eligible for the program.

(2) A child under the age of 18 is not a resident of an institution if he is living temporarily in the institution while arrangements are being made for other placement.

(3) A child who resides in a temporary shelter for a limited period of time is not a resident of an institution.

**R382-10-9. Social Security Numbers.**

(1) The Department may request applicants to provide the correct Social Security Number (SSN) or proof of application for a SSN for each household member at the time of application for the program.

(2) A child may not be denied CHIP enrollment for failure to provide a SSN.

**R382-10-10. Creditable Health Coverage.**

(1) To be eligible for enrollment in the program, a child must meet the requirements of Sections 2110(b)(1)(C) and (2)(B) of the Social Security Act as enacted by Pub. L. No. 105-33.

(2) A child who is covered under a group health plan or other health insurance coverage including coverage under a parent's or legal guardian's employer, as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), is not eligible for CHIP assistance.

(3) A child who is covered under an absent parent's insurance coverage that does not provide coverage in the State of Utah is eligible for enrollment.

~~(4) A child who is covered under a group health plan or other health coverage but has reached the lifetime maximum coverage under that plan is eligible for enrollment.~~

~~(3)5~~ A child who has access to health insurance coverage through an employer where the cost to enroll the child in the plan is less than 5% of the household's gross annual income, is not eligible for CHIP assistance. The child is considered to have access to coverage even if the employer offers coverage only during an open enrollment period.

~~(4)6~~ The Department shall deny eligibility if the applicant~~[-]~~ or a custodial parent~~[-, or an absent parent with a legal obligation to provide health insurance coverage]~~ has voluntarily terminated health insurance coverage in the ~~[three months]~~90 days prior to the application date for enrollment under CHIP. An applicant or applicant's parent(s) who voluntarily terminates COBRA coverage or who is involuntarily terminated from an employer's plan is eligible for CHIP without a [three month]90 day waiting period.

~~(5) If an absent parent is court ordered to provide health insurance for a child and could enroll the child in the parent's employer's health insurance plan, the child is not eligible for CHIP enrollment.]~~

~~(6)7~~ A child with creditable health coverage operated or financed by the Indian Health Services is not excluded from enrolling in the program.

~~(7)8~~ An applicant must report at application and certification review whether any of the children in the household for whom enrollment is being requested has access to or is covered by a group health plan, other health insurance coverage, or a state employee's health benefits plan.

~~(8)9~~ An enrollee must report when any enrollee in the household begins to receive coverage under, or begins to have access to, any type of group health plan, other health insurance coverage, or a state employee's health benefits plan.

~~(9)10~~ The Department shall deny an application or recertification if the enrollee fails to respond to questions about health insurance coverage for children the household seeks to enroll or recertify in the program.

#### **R382-10-11. Household Composition.**

(1) The following individuals who reside together must be included in the household for purposes of determining the household size and whose income will be counted, whether or not the individual is eligible to enroll in the program:

(a) A child who meets the CHIP age requirement and who does not have access to and is not covered by a group health plan or other health insurance;

(b) Siblings, half-siblings, adopted siblings, and step-siblings of the child who meets the CHIP age requirement if these individuals also meet the CHIP age requirement;

(c) Parents and stepparents of any child who is included in the household size;

(d) Children of any child included in the household size~~[-];~~

(e) The spouse of any child who is included in the household size; and

(f) Unborn children of anyone included in the household size.

(2) Any individual described in Subsection (1) of this Section who is temporarily absent solely by reason of employment, school, training, military service, or medical treatment, or who will return home to live within 30 days from the date of application, is part of the household.

(3) A household member described in Subsection (1) of this Section who does not qualify to enroll in the CHIP program due to his alien status is included in the household size and his income is counted as household income.

(4) If an individual is caring for a child of his or her former spouse, in a case in which a divorce has been finalized, the child may be included in the household if the child resides in the home.

#### **R382-10-12. Age Requirement.**

(1) A child must be under 19 years of age to enroll in the program.

(2) The month in which a child's 19th birthday occurs is the last month of eligibility for CHIP enrollment.

#### **R382-10-13. Income Provisions.**

To be eligible to enroll in the Children's Health Insurance Program, gross household income must be equal to or less than 200% of the federal non-farm poverty guideline for a household of equal size. All gross income, earned and unearned, received by the parents and step-parents of any child who is included in the household size. ~~[any household member]~~ is counted toward household income, unless this section specifically describes a different treatment of the income.

(1) The Department does not count income that is defined in 20 CFR 416(K) Appendix, 1997 edition, which is adopted and incorporated by reference.

(2) Any income in a trust that is available to, or is received by a household member, is countable income.

(3) Payments received from the Family Employment Program, General Assistance, or refugee cash assistance or adoption support services as authorized under Title 35A, Chapter 3 is countable income.

(4) Rental income is countable income. The following expenses can be deducted:

(a) taxes and attorney fees needed to make the income available;

(b) upkeep and repair costs necessary to maintain the current value of the property;

(c) utility costs only if they are paid by the owner; and

(d) interest only on a loan or mortgage secured by the rental property.

(5) Deposits to joint checking or savings accounts are countable income, even if the deposits are made by a non-household member. An applicant or enrollee who disputes household ownership of deposits to joint checking or savings accounts shall be given an opportunity to prove that the deposits do not represent income to the household. Funds that are successfully disputed are not countable income.

(6) Cash contributions made by non-household members are counted as income unless the parties have a signed written agreement for repayment of the funds.

(7) The interest earned from payments made under a sales contract or a loan agreement is countable income to the extent that these payments will continue to be received during the certification period.

(8) In-kind income, which is goods or services provided to the individual from a non-household member and which is not in the form of cash, for which the individual performed a service or is provided as part of the individual's wages is counted as income. In-kind income for which the individual did not perform a service or did not work to receive is not counted as income.

(9) SSI and State Supplemental Payments are countable income.

(10) Death benefits are not countable income to the extent that the funds are spent on the deceased person's burial or last illness.

(11) A bona fide loan that an individual must repay and that the individual has contracted in good faith without fraud or deceit, and genuinely endorsed in writing for repayment is not countable income.

(12) Child Care Assistance under Title XX is not countable income.

(13) Reimbursements of Medicare premiums received by an individual from Social Security Administration or the State Department of Health are not countable income.

(14) Needs-based Veteran's pensions are not counted as income. If the income is not needs-based, only the portion of a Veteran's Administration check to which the individual is legally entitled is countable income.

(15) ~~Earned~~ Income of a child is excluded if the child is not the head of a household.

(16) Educational income such as educational loans, grants, scholarships, and work-study programs are not countable income. The individual must verify enrollment in an educational program.

(17) Reimbursements for expenses incurred by an individual are not countable income.

(18) Any payments made to an individual because of his status as a victim of Nazi persecution as defined in Pub. L. No. 103-286 are not countable income, including payments made by the Federal Republic of Germany, Austrian Social Insurance payments, and Netherlands WUV payments.

(19) Victim's Compensation payments as defined in Pub. L. No. 101-508 are not countable income.

(20) Disaster relief funds received if a catastrophe has been declared a major disaster by the President of the United States as defined in Pub. L. No. 103-286 are not countable income.

#### **R382-10-14. Budgeting.**

The following section describes methods that the Department will use to determine the household's countable monthly or annual income.

(1) The gross income of all household members is counted in determining the eligibility of a child, unless the income is excluded under this rule. Only expenses that are required to make an income available to the individual are deducted from the gross income. No other deductions are allowed.

(2) The Department shall determine monthly income by taking into account the months of pay where an individual receives a fifth paycheck when paid weekly, or a third paycheck when paid every other week. The Department shall multiply the weekly amount by 4.3 to obtain a monthly amount. The Department shall multiply income paid bi-weekly by 2.15 to obtain a monthly amount.

(3) The Department shall determine a child's eligibility and cost-sharing requirements prospectively for the upcoming certification period at the time of application and at each recertification for continuing eligibility. The Department shall determine prospective eligibility by using the best estimate of the household's average monthly income that is expected to be received or made available to the household during the upcoming certification period. The Department shall prorate income that is received less often than monthly over the certification period to determine an average monthly income. The Department may request prior years'

tax returns as well as current income information to determine a household's income.

(4) Methods of determining the best estimate are income averaging, income anticipating, and income annualizing. The Department may use a combination of methods to obtain the most accurate best estimate. The best estimate may be a monthly amount that is expected to be received each month of the certification period, or an annual amount that is prorated over the certification period. Different methods may be used for different types of income received in the same household.

(5) The Department shall determine farm and self-employment income by using the individual's recent tax return forms. If tax returns are not available, or are not reflective of the individual's current farm or self-employment income, the Department shall request income information from a recent time period during which the individual had farm or self-employment income. The Department shall deduct 40% of the gross income as a deduction for business expenses to determine the countable income of the individual. For individuals who have business expenses greater than 40%, the Department shall request expense information and deduct the expenses from the gross income. The Department shall deduct the same expenses from gross income that the Internal Revenue Service allows as self-employment expenses.

(6) The Department may annualize income for any household and in particular for households that have self-employment income, receive income sporadically under contract or commission agreements, or receive income at irregular intervals throughout the year.

~~[(7) The Department may request additional information and verification about how a household is meeting expenses if the average household income appears to be insufficient to meet the household's living expenses.]~~

#### **R382-10-15. Assets.**

An asset test is not required for CHIP eligibility.

#### **R382-10-16. Application and Recertification.**

The application is the initial request from an applicant for CHIP enrollment for a child. The application process includes gathering information and verifications to determine the child's eligibility for enrollment in the program. Recertification is the process of gathering information and verifications on a periodic basis to determine continued eligibility of an enrollee.

(1) The applicant must complete and sign a written application to become enrolled in the program.

(2) The Department accepts any Department-approved application form for medical assistance programs offered by the state as an application for CHIP enrollment.

(3) Individuals may apply in person, through the mail, over the telephone or by fax at any local office. ~~[Individuals may request that an application form be mailed to them.]~~

(4) The Department may interview applicants, the applicant's parents, and any adult who has assumed responsibility for the care or supervision of the child to assist in determining eligibility.

(5) If eligibility for CHIP enrollment ends, the Department shall review the case for eligibility under any other medical assistance program without requiring a new application. The Department may request additional verification from the household if there is insufficient information to make a determination.

**R382-10-17. Eligibility Decisions.**

(1) The Department must determine eligibility for CHIP within 30 days of the date of application. If a decision can not be made in 30 days because the applicant fails to take a required action and requests additional time to complete the application process, or if circumstances beyond the Department's control delay the eligibility decision, the Department shall document the reason for the delay in the case record. The Department must inform the applicant of the status of the application and the time frame for completing the application process.

(2) The Department may not use the time standard as a waiting period before determining eligibility, or as a reason for denying eligibility because the Department has not determined eligibility within that time.

(3) The Department shall complete a determination of eligibility or ineligibility for each application unless:

(a) the applicant voluntarily withdrew the application and the Department sent a notice to the applicant to confirm the withdrawal;

(b) the applicant died; or

(c) the applicant can not be located or has not responded to requests for information within the 30 day application period.

(4) The Department must redetermine eligibility at least every 12 months.

(5) At application and recertification, the Department must determine if any child applying for CHIP enrollment is eligible for coverage under Medicaid. A child who is eligible for Medicaid coverage is not eligible for CHIP. A child who must meet a spend-down to receive Medicaid is not eligible for Medicaid until the spend-down has been met.

**R382-10-18. Effective Date of Enrollment and Recertification.**

(1) The effective date of CHIP enrollment is the date a completed and signed application is received by the Department. The Department will allow a grace enrollment period beginning no earlier than four days before the date a completed and signed application is received by the Department if a child has had an emergency that delayed the completion of the application. The Department shall not pay for any services received before the effective enrollment date.

(2) A household that the Department has determined to be eligible for CHIP, and has a child enrolled in CHIP, may enroll another eligible child. The effective date of enrollment will be the date of report, except as otherwise provided in R382-10-18(1). The effective date for enrollment in CHIP for a child meeting one of the criteria below will be the date of the event listed below, if the household reports the event to the Department within 30 days of the event. The events are:

(a) when a new baby is born to a household member;

(b) when a child is adopted or placed for the purpose of adoption by a household member;

(c) when a parent of an enrolled child, or an enrolled child, marries, and a dependent child meeting CHIP eligibility criteria is added to the household as a result;

(d) when a child who was previously ineligible for CHIP because he had health insurance coverage, or had access to an employer's health insurance plan, loses coverage or access involuntarily.

(3) When the report is made more than 30 days after the specified event, enrollment in CHIP will be effective beginning the date of report, except as otherwise provided in R382-10-18(1).

(4) The effective date of enrollment for a recertification is the first day of the month after the recertification month, if the recertification is completed by the end of the recertification month, or by the last day of the month immediately following the recertification month, and the child continues to be eligible.

(5) If ~~[both]~~ the recertification ~~[form and the required verifications are not received]~~ is not completed by the end of the recertification month, the case will be closed unless the enrollee has good cause for not completing the recertification process on time. Good cause includes a medical emergency, death of an immediate family member, or natural disaster, or other similar occurrence.

(6) The Department may require an interview with the parent, child, or adult who has assumed responsibility for the care or supervision of a child, or other authorized representative as part of the recertification process.

**R382-10-19. Enrollment Period.**

(1) The enrollment period begins with either the date of application, or an earlier date as defined in R382-10-18, if the applicant is determined eligible for CHIP enrollment. Covered services the child received on or after the effective date of enrollment are payable by CHIP for a child who was eligible upon application.

(2) A child eligible for CHIP enrollment receives 12 months of coverage unless the child turns 19 years of age before the end of the 12-month enrollment period, moves out of the state, becomes eligible for Medicaid, begins to be covered ~~[by or have access to coverage]~~ under a group health plan or other health insurance coverage, or enters a public institution. The month a child turns 19 years of age is the last month the child is eligible for CHIP.

**R382-10-20. Termination and Notice.**

(1) The Department shall notify an applicant or enrollee in writing of the eligibility decision made on the application or at recertification.

(2) The Department shall notify an enrollee in writing ten days before taking a proposed action adversely affecting the enrollee's eligibility.

(3) Notices under this section shall provide the following information:

(a) The action to be taken;

(b) The reason for the action;

(c) The regulations or policy that support the action;

(d) The applicant's or enrollee's right to a hearing;

(e) How an applicant or enrollee may request a hearing; and

(f) The applicant's or enrollee's right to represent himself, or use legal counsel, a friend, relative, or other spokesperson.

(4) The Department need not give ten-day notice of termination if:

(a) the child is deceased;

(b) the child has moved out of state and is not expected to return; or

(c) the child has entered a public institution, in which case eligibility may cease immediately and without prior notice.

**R382-10-21. Case Closure or Withdrawal.**

The department shall terminate a child's enrollment upon enrollee request or upon discovery that the child is no longer eligible. An applicant may withdraw an application for CHIP benefits any time prior to approval of the application.

**KEY: children's health benefits\***  
**April 4, 2001**  
**26-1-5**  
**26-40**



Labor Commission, Adjudication  
**R602-2-2**  
 Guidelines for Utilization of Medical  
 Panel

**NOTICE OF PROPOSED RULE**  
 (Amendment)  
 DAR FILE NO.: 24070  
 FILED: 09/24/2001, 16:11

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The proposed rule change clarifies when a medical panel will be used; when the Administrative Law Judge may authorize an injured worker to be examined by a physician; and establishes the payment for these from the Uninsured Employers' Fund.

**SUMMARY OF THE RULE OR CHANGE:** The proposed amendment conforms the existing rule to current practice by specifically providing for appointment of medical panels to consider medical disputes regarding a) causation and b) permanent total disability. The proposed amendment increases from \$2,000 to \$10,000 the threshold at which medical panels will be appointed to consider disputes regarding medical expenses. Finally, the proposed amendment corrects the existing rule by providing that medical panel costs will be paid by the Uninsured Employers' Fund, rather than the Employers' Reinsurance Fund.

**STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Sections 34A-1-301 et seq. and 63-46b-1 et seq.

**ANTICIPATED COST OR SAVINGS TO:**

❖ **THE STATE BUDGET:** By increasing the threshold at which medical expense disputes are referred to medical panels, there should be some reduction in the overall number of medical panel referrals. This should result in savings of approximately \$10,000 per year to the Uninsured Employers' Fund. No additional costs are anticipated.

❖ **LOCAL GOVERNMENTS:** Because the cost of medical panels is born by the Uninsured Employers' Fund, no cost or savings to local government is anticipated.

❖ **OTHER PERSONS:** Because the cost of medical panels is born by the Uninsured Employers' Fund, no cost or savings to other persons is anticipated.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** This proposal imposes no compliance costs on any affected person.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This proposal is largely an internal matter for the Labor Commission. The only fiscal

impact should be a reduction in medical panel costs to the Uninsured Employers' Fund. There will be no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

LABOR COMMISSION  
 ADJUDICATION  
 HEBER M WELLS BLDG  
 160 E 300 S  
 SALT LAKE CITY UT 84111-2316, or  
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Joyce Sewell at the above address, by phone at 801-530-6988, by FAX at 801-530-6904, or by Internet E-mail at jsewell.icmain@state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: R Lee Ellertson, Commissioner

**R602. Labor Commission, Adjudication.**  
**R602-2. Adjudication of Workers' Compensation and Occupational Disease Claims.**  
**R602-2-2. Guidelines for Utilization of Medical Panel.**

Pursuant to Section 34A-2-601, the Commission adopts the following guidelines in determining the necessity of submitting a case to a medical panel:

A. A panel will be utilized by the Administrative Law Judge where[~~is~~]:

~~1.  $\emptyset$ ]~~one or more significant medical issues may be involved. Generally a significant medical issue must be shown by conflicting medical reports. Significant medical issues are involved when there are:

1. Conflicting medical opinions related to causation of the injury or disease;

~~[(~~+~~)2.]~~ Conflicting medical reports of permanent physical impairment which vary more than 5% of the whole person,

~~[(~~+~~)3.]~~ Conflicting medical opinions as to the temporary total cutoff date which vary more than 90 days~~[, and/or];~~

4. Conflicting medical opinions related to a claim of permanent total disability, and/or

~~[(~~+~~)5.]~~ Medical expenses in controversy amounting to more than \$~~[2]~~10,000.

B. A hearing on objections to the panel report may be scheduled if there is a proffer of conflicting medical testimony showing a need to clarify the medical panel report. Where there is a proffer of new written conflicting medical evidence, the Administrative Law Judge may, in lieu of a hearing, re-submit the new evidence to the panel for consideration and clarification.

C. The Administrative Law Judge may authorize an injured worker to be examined by another physician for the purpose of obtaining a further medical examination or evaluation pertaining to

the medical issues involved, and to obtain a report addressing these medical issues in all cases where:

1. The treating physician has failed or refused to give an impairment rating, and/or

2. [~~The employer or doctor considers the claim to be non-industrial, and/or~~

~~—3.—]A substantial injustice may occur without such further evaluation.~~

D. Any expenses of the study and report of a medical panel or medical consultant and of their appearance at a hearing, as well as any expenses for further medical examination or evaluation, as directed by the Administrative Law Judge, shall be paid [~~out of either the Employers' Reinsurance Fund or~~ from the Uninsured Employers' Fund, as directed by Section 34A-2-601.

**KEY: workers' compensation, administrative procedure, hearings, settlement**

~~[April 5, 1999]~~2001

Notice of Continuation November 24, 1997

34A-1-301 et seq.

63-46b-1 et seq.



## Labor Commission, Adjudication **R602-2-3** Compensation for Medical Testimony

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24069

FILED: 09/24/2001, 16:10

### RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The proposed rule change increases the fee paid to the members of medical panels.

SUMMARY OF THE RULE OR CHANGE: The proposed rule change increases the fee paid to members of medical panels from \$75 per half hour to \$87.50 per half hour, and increases the fee paid to the panel chair from \$87.50 per half hour to \$100 per half hour.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 34A-1-301 et seq. and 63-46b-1 et seq.

ANTICIPATED COST OR SAVINGS TO:

❖**THE STATE BUDGET:** The additional cost of each medical panel resulting from this change will be offset by the fact that proposed amendments to Rule R602-2-2 reduce the number of cases that must be referred to medical panels. The two changes taken together, will result in an overall reduction of medical panel costs.

❖**LOCAL GOVERNMENTS:** Because the cost of medical panels is born by the Uninsured Employers' Fund, no cost or savings to local government is anticipated.

❖**OTHER PERSONS:** Because the cost of medical panels is born by the Uninsured Employers' Fund, no cost or savings to other persons is anticipated.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** Because the cost of medical panels is born by the Uninsured Employers' Fund, no cost or savings to affected persons is anticipated.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** Because the cost of medical panels is born by the Uninsured Employers' Fund, no fiscal impact to businesses is anticipated.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

LABOR COMMISSION

ADJUDICATION

HEBER M WELLS BLDG

160 E 300 S

SALT LAKE CITY UT 84111-2316, or

at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Joyce Sewell at the above address, by phone at 801-530-6988, by FAX at 801-530-6904, or by Internet E-mail at jsewell.icmain@state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: R Lee Ellertson, Commissioner

### **R602. Labor Commission, Adjudication.**

**R602-2. Adjudication of Workers' Compensation and Occupational Disease Claims.**

**R602-2-3. Compensation for Medical Testimony.**

Compensation for medical panel examination, medical testimony, and preparation by medical panel members at hearings shall be \$~~75~~87.50 per half hour and shall be \$~~87.50~~100 per half hour for the medical panel chair.

**KEY: workers' compensation, administrative procedure, hearings, settlement**

~~[April 5, 1999]~~2001

Notice of Continuation November 24, 1997

34A-1-301 et seq.

63-46b-1 et seq.



## Natural Resources, Wildlife Resources **R657-5-16** Areas With Special Restrictions

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24064

FILED: 09/20/2001, 11:32



**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended to correct the restriction in Salt Lake County, east of I-15 and south of I-80.

SUMMARY OF THE RULE OR CHANGE: Subsection R657-5-16(5)(c) is being deleted. This restriction only applies during the general season buck deer, general muzzleloader buck deer, general season bull elk, and general muzzleloader elk hunting seasons, and is covered under each respective rule section. The restriction is not intended for all other species and seasons, and is being eliminated under the above-referenced section.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 23-14-18 and 23-14-19

## ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This amendment is for clarification of hunting area restrictions in Salt Lake County. The Division of Wildlife Resources (DWR) determines that this amendment does not create a cost or savings impact to the state budget or the DWR's budget.

❖LOCAL GOVERNMENTS: None--This filing does not create any direct cost or savings impact to local governments because they are not directly affected by the rule. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

❖OTHER PERSONS: This amendment is for clarification of hunting area restrictions. This amendment does not impose any additional requirements on other persons, nor generate a cost or savings impact to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This amendment is for clarification of hunting area restrictions in Salt Lake County. DWR determines that there are no compliance costs associated with this amendment.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendments to this rule do not create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES  
WILDLIFE RESOURCES  
1594 W NORTH TEMPLE  
SALT LAKE CITY UT 84116-3154, or  
at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

Debbie Sundell at the above address, by phone at 801-538-4707, by FAX at 801-538-4745, or by Internet E-mail at dsundell.nrdwr@state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: John Kimball, Director

**R657. Natural Resources, Wildlife Resources.****R657-5. Taking Big Game.****R657-5-16. Areas With Special Restrictions.**

(1)(a) Hunting of any wildlife is prohibited within the boundaries of all park areas, except those designated by the Division of Parks and Recreation in Rule R651-603-5.

(b) Hunting with rifles and handguns in park areas designated open is prohibited within one mile of all park area facilities, including buildings, camp or picnic sites, overlooks, golf courses, boat ramps, and developed beaches.

(c) Hunting with shotguns or archery equipment is prohibited within one-quarter mile of the areas provided in Subsection (b).

(2) Hunting is closed within the boundaries of all national parks and monuments unless otherwise provided by the governing agency.

(3) Hunters obtaining a Utah license, permit or tag to take big game are not authorized to hunt on tribal trust lands. Hunters must obtain tribal authorization to hunt on tribal trust lands.

(4) Military installations, including Camp Williams, are closed to hunting and trespassing unless otherwise authorized.

(5) In Salt Lake County, a person may not:

(a) hunt big game or discharge a shotgun or archery equipment within 600 feet of a road, house, or any other building; or

(b) discharge a rifle, handgun, shotgun firing slug ammunition, or muzzleloader within one mile of a cabin, house, or other building regularly occupied by people, except west of I-15 a muzzleloader may not be discharged within one-half mile of a cabin, house, or other building regularly occupied by people; or

~~(c) discharge a rifle, handgun, shotgun firing slug ammunition, or muzzleloader in Salt Lake County, south of I-80 and east of I-15.~~

(6) Hunting is closed within a designated portion of the town of Alta. Hunters may refer to the town of Alta for boundaries and other information.

(7) Domesticated Elk Facilities and Domesticated Elk Hunting Parks, as defined in Section 4-39-102(2) and Rules R58-18 and R58-20, are closed to big game hunting. This restriction does not apply to the lawful harvest of domesticated elk as defined and allowed pursuant to Rule R58-20.

(8) State waterfowl management areas are closed to taking big game, except as otherwise provided in the proclamation of the Wildlife Board for taking big game.

(9) Hunters are restricted to using archery equipment, muzzleloaders or shotguns on the Matheson Wetlands.

**KEY: wildlife, game laws, big game seasons\***

~~[July 18,] 2001~~

**Notice of Continuation November 30, 2000**

**23-14-18**

**23-14-19**

**23-16-5**

**23-16-6**



Natural Resources, Wildlife Resources  
**R657-6**  
 Taking Upland Game

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE No.: 24066

FILED: 09/20/2001, 11:33

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended pursuant to Wildlife Board meetings conducted annually for taking public input and reviewing the division's wild turkey program.

SUMMARY OF THE RULE OR CHANGE: Provisions of this rule are being amended to clarify the application procedures, waiting periods, and bonus points when applying in the limited entry wild turkey drawing. In addition, provisions are being added to allow an applicant to purchase a bonus point in lieu of applying for a permit. Provisions are being added to allow a person to withdraw or amend an application for the Sandhill Crane drawing or Wild Turkey drawing. Other changes are being made for consistency and clarity.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 23-14-18 and 23-14-19

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This amendment clarifies the procedures and requirements for obtaining wild turkey permits through the limited entry wild turkey drawing. Therefore, the Division of Wildlife Resources (DWR) determines that these amendments do not create a cost or savings impact to the state budget or the DWR's budget.

❖LOCAL GOVERNMENTS: None--This filing does not create any direct cost or savings impact to local governments because they are not directly affected by the rule. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

❖OTHER PERSONS: The amendments provide procedures and requirements for obtaining permits to hunt wild turkey, therefore, the amendments do not impose any additional requirements on other persons, nor generate a cost or savings impact to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: These amendments are for clarification and providing procedures for obtaining wild turkey permits. DWR determines that there are no additional compliance costs associated with this amendment.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendments to this rule do not create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES  
 WILDLIFE RESOURCES  
 1594 W NORTH TEMPLE  
 SALT LAKE CITY UT 84116-3154, or  
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Debbie Sundell at the above address, by phone at 801-538-4707, by FAX at 801-538-4745, or by Internet E-mail at dsundell.nrdwr@state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: John Kimball, Director

**R657. Natural Resources, Wildlife Resources.  
 R657-6. Taking Upland Game.**

**R657-6-1. Purpose and Authority.**

(1) Under authority of Sections 23-14-18 and 23-14-19 and in accordance with 50 CFR 20, [1999]2000 edition, which is incorporated by reference, the Wildlife Board has established this rule for taking upland game.

(2) Specific season dates, bag and possession limits, areas open, number of permits and other administrative details that may change annually are published in the Upland Game Proclamation and the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game.

**R657-6-2. Definitions.**

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Bait" means shelled, shucked or unshucked corn, wheat or other grain, salt or other feed that lures, attracts or entices birds.

(b) "Baited area" means any area on which shelled, shucked or unshucked corn, wheat or other grain, salt or other feed has been placed, exposed, deposited, distributed or scattered, if that shelled, shucked or unshucked corn, wheat or other grain, salt or other feed could serve as a lure or attraction for migratory game birds to, on, or over areas where hunters are attempting to take migratory game birds. Any such area will remain a baited area for ten days following the complete removal of all such shelled, shucked or unshucked corn, wheat or other grain, salt or other feed.

(c) "Baiting" means the direct or indirect placing, depositing, exposing, distributing, or scattering of shelled, shucked or unshucked corn, wheat or other grain, salt or other feed that could serve as a lure or attraction for migratory game birds to, on, or over any areas where hunters are attempting to take migratory game birds.

(d) "CFR" means the Code of Federal Regulations.

(e) "Closed season" means the days on which [migratory] upland game [birds] shall not be taken.

(f) "Commercial hunting area" means private land operated under Rule R657-22, where hatchery or artificially raised or propagated game birds are released for the purpose of hunting during a specified season and where a fee is charged.

(g) "Falconry" means the sport of taking quarry by means of a trained raptor.

(h) "Field possession limit" means no person may possess, have in custody, or transport, whichever applies, more than the daily bag limit of migratory game birds, tagged or not tagged, at or between the place where taken and either:

(i) his or her automobile or principal means of land transportation;

(ii) his or her personal abode or temporary or transient place of lodging;

(iii) a migratory bird preservation facility; or

(iv) a post office or common carrier facility.

(i) "Immediate family" means the landowner's spouse, children, father, mother, brother, sister, stepchildren and grandchildren.

(j) "Landowner" means any individual, family or corporation who owns property in Utah and whose name appears on the deed as the owner of eligible property or whose name appears as the purchaser on a contract for sale of eligible property.

(k) "Migratory game bird" means, for the purposes of this rule, ~~mourning dove, band-~~Mourning Dove, Band-tailed Pigeon, and ~~sandhill crane~~Sandhill Crane.

(l) "Nontoxic shot" means soft iron, steel, copper-plated steel, nickel-plated steel, zinc-plated steel, bismuth, and any other shot types approved by the U.S. Fish and Wildlife Service. Lead, nickel-plated lead, copper-plated lead, copper and lead/copper alloy shot have not been approved.

(m) "Open season" means the days when ~~migratory and~~ upland game ~~birds~~ may lawfully be taken. Each period prescribed as an open season shall include the first and last days thereof.

(n) "Personal abode" means one's principal or ordinary home or dwelling place, as distinguished from a temporary or transient place of abode or dwelling, such as a hunting club, cabin, tent, or trailer house used as a hunting club or any hotel, motel, or rooming house used during a hunting, pleasure, or business trip.

(o) "Cooperative Wildlife Management Unit" means a generally contiguous area of private land open for hunting small game, waterfowl, or big game by permit that is registered in accordance with Rules R657-21 and R657-37.

(p) "Possession limit" means, for purposes of this rule, the number of upland game birds one individual may have in possession at any one time.

(q) "Transport" means to ship, carry, export, import, receive or deliver for shipment, conveyance, carriage, exportation or importation.

(r) "Upland game" means pheasant, quail, ~~chukar partridge, Hungarian partridge, sage grouse, ruffed grouse, blue grouse, sharp-tailed grouse~~Chukar Partridge, Hungarian Partridge, Sage-grouse, Ruffed Grouse, Blue Grouse, Sharp-tailed Grouse, cottontail rabbit, snowshoe hare, ~~white-~~White-tailed Ptarmigan, wild turkey, and the following migratory game birds: ~~mourning dove, band-~~Mourning Dove, Band-tailed Pigeon, and ~~sandhill crane~~Sandhill Crane.

### **R657-6-3. Migratory Game Bird Harvest Information Program.**

(1) A person must obtain a Migratory Game Bird Harvest Information Program (HIP) registration number to hunt migratory game birds (~~mourning dove, band-~~Mourning Dove, Band-tailed Pigeon and ~~sandhill crane~~Sandhill Crane).

(2)(a) A person may call 1-800-WETLAND (1-800-938-5263) or register online at [www.wildlife.utah.gov](http://www.wildlife.utah.gov)

~~[www.nr.state.ut.us/dwr/dwr.htm]~~ to obtain their HIP registration number. Use of a public pay phone will not allow access to 1-800-WETLAND.

(b) A person must write their HIP registration number on their current year's hunting license.

(3) Any person obtaining a HIP registration number will be required to provide their:

(a) hunting license number;

(b) hunting license code key;

(c) name;

(d) address;

(e) phone number;

(f) birth date; and

(g) information about the previous year's migratory game bird hunts.

(4) Lifetime license holders will receive a sticker every three years from the Division to write their HIP number on and place on their lifetime license card.

(5) Any person hunting migratory game birds will be required, while in the field, to prove that they have registered and provided information for the HIP program.

### **R657-6-4. Permits for ~~Ptarmigan,~~Band-tailed Pigeon, Sage ~~Grouse and~~-grouse, Sharp-tailed Grouse and White-tailed Ptarmigan.**

(1) A person may not take or possess:

(a) ~~ptarmigan~~Band-tailed Pigeon without first obtaining a ~~ptarmigan permit;~~ Band-tailed Pigeon permit;

~~(b) band-tailed pigeon without first obtaining a band-tailed pigeon permit;~~

~~(e) sage~~(b) Sage-grouse without first obtaining a ~~sage~~Sage-grouse permit; ~~or~~

~~(d) sharp-~~(c) Sharp-tailed Grouse without first obtaining a ~~sharp-tailed grouse~~Sharp-tailed Grouse permit; or

(d) White-tailed Ptarmigan without first obtaining a White-tailed Ptarmigan permit.

(2)(a) There will be 663 two-bird, ~~sharp-~~Sharp-tailed Grouse permits available.

(b) The ~~sharp-~~Sharp-tailed Grouse permit will be available on a first-come, first-served basis.

(3)(a) ~~Ptarmigan, band-tailed pigeon, sage grouse and sharp-tailed grouse~~Band-tailed Pigeon, Sage-grouse, Sharp-tailed Grouse, and White-tailed Ptarmigan permits will be available from Division offices and through the mail, by the first week in August, free of charge.

### **R657-6-5. Application Procedure for Sandhill Crane.**

(1)(a) Applications will be available from Division offices and license agents. Applications must be mailed by the date prescribed in the proclamation of the Wildlife Board for taking upland game.

(b) Residents and nonresidents may apply.

(c) The application period for ~~sandhill crane~~Sandhill Crane is published in the proclamation of the Wildlife Board for taking upland game.

(2)(a) Applications completed incorrectly or received after the date prescribed in the upland game proclamation may be rejected.

(b) If an error is found on the application, the applicant may be contacted for correction.

(3)(a) Late applications, received by the date published in the proclamation of the Wildlife Board for taking upland game, will not

be considered in the drawing, but will be processed for the purpose of entering data into the Division's draw database to provide:

- (i) future pre-printed applications;
  - (ii) notification by mail of late application and other draw opportunities; and
  - (iii) re-evaluation of Division or third-party errors.
- (b) The handling fee will be used to process the late application. Any license ~~[or Wildlife Habitat Authorization]~~ fees submitted with the application will be refunded.

(c) Late applications, received after the date published in the proclamation of the Wildlife Board for taking upland game, shall not be processed and shall be returned to the applicant.

(4) Group applications for ~~[sandhill crane]~~ Sandhill Crane will not be accepted.

(5)(a) A person may obtain only one ~~[sandhill crane]~~ Sandhill Crane permit each year.

(b) A person may not apply more than once annually.

(6) Each application must include:

- (a) a \$5 nonrefundable handling fee; and
- ~~(b) the Wildlife Habitat Authorization fee, if it has not yet been purchased;~~

~~(c)~~ (b) the small game or combination license fee, if it has not yet been purchased.

(7) A ~~[Wildlife Habitat Authorization and a]~~ small game license or combination license may be purchased before applying, or the ~~[Wildlife Habitat Authorization and]~~ small game license or combination license will be issued upon successfully drawing a permit. Fees must be submitted with the application.

(8)(a) Personal checks, money orders, cashier's checks and credit cards are accepted.

(b) Personal checks drawn on an out-of-state account are not accepted.

(9) The posting date of the drawing results is published in the proclamation of the Wildlife Board for taking upland game.

(10) Any permits remaining after the drawing are available by mail-in application on a first-come, first-served basis beginning on the date published in the proclamation of the Wildlife Board for taking upland game.

(11) To apply for a resident permit or license, a person must establish residency at the time of purchase.

(12) The posting date of the drawing shall be considered the purchase date of a permit.

(13)(a) A person may withdraw their application for the Sandhill Crane Drawing by requesting such in writing by the date published in the proclamation of the Wildlife Board for taking upland game.

(b) The applicant must send their notarized signature with a statement requesting that their application be withdrawn to the Salt Lake Division office.

(c) A person may not amend a withdrawn application, nor reapply after the application has been withdrawn.

(d) Handling fees will not be refunded.

#### **R657-6-6. Application Procedure, Waiting Period and Bonus Points for Wild Turkey.**

(1)(a) Applications are available from Division offices, license agents, and the ~~[division's]~~ Division's Internet address. Applications must be mailed by the date prescribed in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game.

(b) Residents and nonresidents may apply.

(c) The application period for wild turkey is published in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game.

(2)(a) Applications completed incorrectly or received after the date prescribed in the Turkey Addendum to the Upland Game Proclamation may be rejected.

(b) If an error is found on the application, the applicant may be contacted for correction.

(3)(a) Late applications, received by the date published in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game, will not be considered in the drawing, but will be processed for the purpose of entering data into the Division's draw database to provide:

- (i) future preprinted applications;
- (ii) notification by mail of late application and other draw opportunities; and
- (iii) reevaluation of ~~[division]~~ Division and third[-]party errors.

(b) The \$5 handling fee will be used to process the late application. Any permit fees submitted with the application will be refunded.

(c) Late applications, received after the date published in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game shall not be processed and shall be returned to the applicant.

(4)(a) Group applications for wild turkey will not be accepted.

(b) Applications mailed in the same envelope will be accepted, but will be processed and drawn individually.

(5)(a) A person may obtain only one wild turkey permit each year, except a person may obtain wild turkey conservation permits in addition to obtaining a limited entry or remaining wild turkey permit.

(b) A person may not apply for wild turkey more than once annually.

(c) A turkey permit allows a person using any legal weapon to take one male turkey within the area and season specified on the permit.

(6) A small game license or combination license may be purchased before applying or the small game license or combination license will be issued upon successfully drawing a permit. Fees must be submitted with the application.

(7) Each application must include:

- (a) the ~~[\$5]~~ nonrefundable handling fee;
- (b) ~~the limited entry turkey permit fee; and~~
- (c) the small game or combination license fee, if it has not yet been purchased, [- and

(e) the wild turkey permit fee.]

(8)(a) Personal checks, money orders, cashier's checks and credit cards are accepted.

(b) Personal checks drawn on an out-of-state account are not accepted.

(c) Credit cards must be valid at least 30 days after the drawing results are posted.

(d) Handling fees shall be charged to the credit card when the application is processed.

(e) An application is voidable if the check is returned unpaid from the bank, or the credit card is invalid or refused.

(9) The posting date of the drawing results ~~[are posted]~~ is published in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game.

(10)(a) Any permits remaining after the ~~[drawings are available by mail in application]~~ drawing are available only by mail-in request.

(b) Requests for remaining permits must include:

(i) full name, complete mailing address, phone number, date of birth, weight, height, sex, color of hair and eyes, Social Security number, and driver's license number (if available);

(ii) proof of hunter education certification, if applicable;

(iii) small game or combination license number or fees; and

(iv) the permit fee.

(c) Requests must be submitted to the Salt Lake Division office as published in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game.

(d) Requests shall be filled on a first-come, first-served basis beginning on the date published in the Turkey Addendum to the Proclamation of the Wildlife Board for taking upland game.

(11) Unsuccessful applicants will receive a refund in March.

(12) Any person who obtained a Rio Grande turkey permit during the preceding ~~[year]~~two years may not apply for or obtain a Rio Grande turkey permit for the ~~[following two years]~~current year.

Any person who obtains a Rio Grande turkey permit in the current year, may not apply for or obtain a Rio Grande turkey permit for a period of two years, except:

(a) Waiting periods do not apply to the purchase of turkey permits remaining after the drawing. However, waiting periods are incurred as a result of purchasing remaining permits. Therefore, if a remaining permit is purchased in the current year, waiting periods will be in effect when applying in the drawing in the following two years.

(b) Waiting periods do not apply to conservation permits or landowner permits.

(13)(a) A bonus point is awarded for:

(i) a valid unsuccessful application ~~[in the drawing.]~~when applying for a permit in the turkey drawing; or

~~[(b)]~~(ii) a valid application when applying for a bonus point in the turkey drawing.

(b)(i) A person may apply for one turkey bonus point each year, except a person may not apply in the drawing for both a turkey permit and a turkey bonus point in the same year.

(ii) Group applications will not be accepted when applying for bonus points.

(c) A bonus point shall not be awarded for an unsuccessful landowner application.

(d) Each applicant receives a random drawing number for:

(i) the current valid turkey application; and

(ii) each wild turkey bonus point accrued.

(iii) The applicant will retain the lowest random number for the drawing.

(e) Bonus points are forfeited if ~~[the person obtains a permit.]~~a person obtains a wild turkey permit, except as provided in Subsection (13)(e).

~~[(e)]~~(f) Bonus points are not forfeited if:

(i) a person is successful in obtaining a Conservation Permit or Landowner Permit; or

(ii) a person obtains a Poaching-Reported Reward Permit.

(g) Bonus points are not transferable.

~~[(d)]~~(h) Bonus points are tracked ~~[by using the applicant's Social Security number or division]~~using social security numbers or Division-issued hunter identification ~~[number]~~numbers.

(14)(a) An applicant may withdraw their application for the wild turkey permit drawing by requesting such in writing by the date

published in the Turkey Addendum to the Proclamation of the Wildlife Board for taking upland game.

(b) The applicant must send their notarized signature with a statement requesting that their application be withdrawn to the Salt Lake division office.

(c) An applicant may ~~[not amend a withdrawn application, nor reapply after the application has been withdrawn.]~~reapply in the wild turkey permit drawing provided:

(i) the original application is withdrawn;

(ii) the new application is submitted with the request to withdraw the original application;

(iii) both the new application and request to withdraw the original application are received by the initial application deadline; and

(iv) both the new application and request to withdraw the original application are submitted to the Salt Lake Division office.

(d) Handling fees will not be refunded.

(15)(a) An applicant may amend their application for the wild turkey permit drawing by requesting such in writing by the initial application deadline.

(b) The applicant must send their notarized signature with a statement requesting that their application be amended to the Salt Lake Division office.

(c) The applicant must identify in their statement the requested amendment to their application.

(d) Handling fees will not be refunded.

#### **R657-6-7. Landowner Permits.**

(1)(a) Up to an additional 20 percent of the limited entry permits authorized for taking Merriam's and Rio Grande turkeys are available to private landowners through a drawing.

(b) Landowners interested in obtaining landowner permits must contact the regional Division office in their area ~~[before]~~November 15 through December 15 to be eligible for the landowner permit drawing and to obtain an application.

(c) Landowner permit applications that are not signed by the local Division representative will be rejected.

(d) Landowner permit applications must be received ~~[in the Salt Lake Division Office]~~by the date published in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game.

(2)(a) A landowner who owns at least 640 acres of ~~[critical]~~essential habitat that supports wild Merriam's turkeys or at least 20 acres of ~~[critical]~~essential habitat that ~~[support]~~supports wild Rio Grande ~~[turkeys]~~turkey within any of the open limited entry areas for wild turkeys is eligible to participate in the drawing for available landowner turkey permits.

(b) ~~["Critical"]~~Land qualifying as essential habitat and owned by more than one landowner may qualify for a landowner permit. However, the landowners who own the qualifying land must determine the landowner who will be participating in the drawing.

(c) "Essential habitat" means areas where wild turkeys regularly and consistently roost, feed, loaf, nest or winter.

(3)(a) A landowner who applies for a landowner permit may:

(i) be issued the permit; or

(ii) designate a member of the landowner's immediate family or landowner's regular full-time employee to receive the permit.

(b) The landowner permit may be used only on the open limited entry area in which the landowner's property is located during the open season established for hunting wild turkeys.

(4) The posting date of the drawing results for landowner permits ~~[shall be posted on the date]~~is published in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game.

(5)(a) Any landowner permits remaining after the landowner drawing shall be converted to public limited entry permits for that specific unit.

(b) These permits shall be issued through the limited entry drawing. Therefore, the number of public permits listed in the Turkey Addendum to the Upland Game Proclamation of the Wildlife Board for taking upland game, may increase.

(6)(a) A waiting period does not apply to landowners applying for landowner permits.

(b) A landowner may apply once annually for a landowner permit and a limited entry permit, but may only draw or obtain one permit.

**R657-6-8. Purchase of ~~[Wildlife Habitat Authorization,]~~License, or Permit by Mail.**

(1) A person may obtain a license ~~[and Wildlife Habitat Authorization]~~by mail by sending the following information to any Division office: full name, complete mailing address, phone number, date of birth, weight, height, sex, color of hair and eyes, Social Security number, ~~[driver]~~driver's license number (if available), proof of hunter education certification and fees.

(2) A person may obtain a ~~[ptarmigan, band-tailed pigeon, sage grouse, or sharp-tailed grouse]~~Band-tailed Pigeon, Sage-grouse, Sharp-tailed Grouse, or White-tailed Ptarmigan permit by mail by sending the following information to any Division office: full name, complete mailing address, phone number, ~~[Wildlife Habitat Authorization number]~~ and hunting license number.

(3)(a) Personal checks, cashier's checks, or money orders are accepted.

(b) Personal checks drawn on an out-of-state account are not accepted.

(4) Checks must be made payable to Utah Division of Wildlife Resources.

**R657-6-9. Firearms and Archery Tackle.**

(1) A person may not use any weapon or device to take upland game except as provided in this section.

(2)(a) Upland game may be taken with archery equipment, ~~[or]~~ a shotgun no larger than 10 gauge, or a handgun. Loads for shotguns and handguns must be one-half ounce or more of shot size between no. 2 and no. 8, except:

(i) migratory game birds may not be taken with a shotgun capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three shells;

(ii) wild turkey may be taken only with a bow and broadhead arrows or a shotgun no larger than 10 gauge and no smaller than 20 gauge, firing shot sizes between BB and no. 6;

(iii) cottontail rabbit and snowshoe hare may be taken with any firearm not capable of being fired fully automatic;

(iv) a person hunting upland game ~~[species]~~on a temporary game preserve as defined in Rule R657-5 may not use or possess any broadheads unless that person possesses a valid big game archery permit for the area being hunted; and

(iv) only shotguns, firing shot sizes no. 4 or smaller, may be used on temporary game preserves as specified in the Big Game Proclamation.

(b) Crossbows are not legal archery equipment for taking upland game ~~[species]~~.

(3) A person may not use:

(a) a firearm capable of being fired fully automatic; or

(b) any light enhancement device or aiming device that casts a beam of light.

**R657-6-10. Nontoxic Shot.**

(1) Only nontoxic shot may be used to take ~~[sandhill crane]~~Sandhill Crane.

(2) Except as provided in Subsection (3), nontoxic shot is not required to take any species of upland game, except ~~[sandhill crane]~~Sandhill Crane.

(3) A person may not possess or use lead shot or any other shot that has not been approved by the U.S. Fish and Wildlife Service for taking migratory game birds while hunting ~~[sandhill crane]~~Sandhill Crane or while on federal refuges or the following state wildlife management areas: Bicknell Bottoms, Blue Lake, Brown's Park, Clear Lake, Desert Lake, Farmington Bay, Harold S. Crane, Howard Slough, Locomotive Springs, Manti Meadows, Mills Meadows, Ogden Bay, Powell Slough, Public Shooting Grounds, Salt Creek, Scott M. Matheson Wetland Preserve, Stewart Lake, and Timpie Springs.

**R657-6-11. Use of Firearms and Archery Tackle on State Wildlife Management Areas.**

A person may not possess a firearm or archery tackle, except during the specified hunting seasons or as authorized by the Division on the following wildlife management areas: Bear River Bottoms, Bud Phelps, Castle Dale, Huntington, Cedar, Goshen Warm Springs, James Walter Fitzgerald, Logan, Mallard Springs, Manti Meadows, Milford, Montez Creek, Nephi, Pahvant, Redmond Marsh, Richfield, Roosevelt, Scott M. Matheson Wetland Preserve, Vernal, and Willard Bay.

**R657-6-12. Use of Firearms and Archery Tackle on State Waterfowl Management Areas.**

(1) A person may not possess a firearm or archery tackle, except during the specified waterfowl hunting seasons or as authorized by the Division on the following waterfowl management areas: Bicknell Bottoms, Brown's Park, Clear Lake, Desert Lake, Farmington Bay, Harold S. Crane, Howard Slough, Locomotive Springs, Mills Meadows, Ogden Bay, Powell Slough, Public Shooting Grounds, Salt Creek, Stewart Lake, and Timpie Springs.

(2) During the waterfowl hunting seasons, a shotgun is the only firearm that may be held in possession.

**R657-6-13. Shooting Hours.**

(1)(a) Except as provided in Subsection (b), shooting hours for upland game are as follows:

(i) Mourning ~~[dove, band]~~Dove, Band-tailed [pigeon]Pigeon and ~~[sandhill crane]~~Sandhill Crane may be taken only between one-half hour before official sunrise through official sunset.

(ii) Sage ~~[grouse, ruffed grouse, blue grouse, sharp-tailed grouse, white-tailed ptarmigan, chukar partridge, Hungarian partridge]~~-grouse, Ruffed Grouse, Blue Grouse, Sharp-tailed Grouse, White-tailed Ptarmigan, Chukar Partridge, Hungarian Partridge, pheasant, quail, wild turkey, cottontail rabbit, and snowshoe hare may be taken only between one-half hour before official sunrise through one-half hour after official sunset.

(b) A person must add to or subtract from the official sunrise and sunset depending on the geographic location of the state. Specific times are provided in a time zone map in the proclamation of the Wildlife Board for taking upland game.

(2) Pheasant and quail may not be taken prior to 8 a.m. on the opening day of the pheasant and quail seasons.

(3) A person may not discharge a firearm on state owned lands adjacent to the Great Salt Lake, state waterfowl management areas or on federal refuges between official sunset through one-half hour before official sunrise.

#### **R657-6-14. State Parks.**

(1) Hunting of any wildlife is prohibited within the boundaries of all state park areas, except those areas designated open to hunting by the Division of Parks and Recreation in Rule R651-614-4.

(2) Hunting with rifles and handguns in park areas designated open is prohibited within one mile of all park facilities including buildings, camp or picnic sites, overlooks, golf courses, boat ramps, and developed beaches.

(3) Hunting with shotguns or archery tackle is prohibited within one quarter mile of the above stated areas.

#### **R657-6-15. Falconry.**

(1)(a) Falconers must obtain an annual [~~Wildlife Habitat Authorization, a~~]small game or combination license and a valid falconry [license]certificate of registration to hunt upland game and must also obtain:

(b) a [~~ptarmigan]Band-tailed Pigeon~~ permit before taking [~~ptarmigan;]Band-tailed Pigeon;~~

[(~~e~~) a ~~band-tailed pigeon~~](c) a Sage-grouse permit before taking [~~band-tailed pigeon;]Sage-grouse;~~

[(~~d~~) a ~~sage-grouse~~](d) a Sharp-tailed Grouse permit before taking [~~sage-grouse;]Sharp-tailed Grouse;~~

(e) a [~~sharp-]White-tailed [grouse]Ptarmigan~~ permit before taking [~~sharp-]White-tailed [grouse]Ptarmigan;~~ or

(f) a [~~sandhill crane]Sandhill Crane~~ permit before taking [~~sandhill crane]Sandhill Crane.~~

(2) Areas open and bag and possession limits for falconry are provided in the proclamation of the Wildlife Board for taking upland game.

#### **R657-6-16. Live Decoys and Electronic Calls.**

A person may not take a wild turkey by the use or aid of live decoys, records or tapes of turkey calls or sounds, or electronically amplified imitations of turkey calls.

#### **R657-6-17. Baiting [~~Upland Game~~].**

(1) A person may not hunt upland game [~~birds~~]by the aid of baiting, or on or over any baited area where a person knows or reasonably should know that the area is or has been baited. This section does not prohibit:

(a) the taking of any migratory game bird on or over the following lands or areas that are not otherwise baited areas:

(i) standing crops or flooded standing crops (including aquatics), standing, flooded or manipulated natural vegetation, flooded harvested croplands, or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation or normal soil stabilization practice;

(ii) from a blind or other place of concealment camouflaged with natural vegetation;

(iii) from a blind or other place of concealment camouflaged with vegetation from agricultural crops, as long as such camouflaging does not result in the exposing, depositing, distributing or scattering of grain or other feed; or

(iv) standing or flooded standing agricultural crops where grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys or retrieving downed birds.

(b) The taking of any migratory game bird, except waterfowl, coots and cranes, on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown or solely as the result of a normal agricultural operation.

#### **R657-6-18. Turkeys.**

A person may not take or attempt to take any turkey sitting or roosting in a tree.

#### **R657-6-19. Use of Motorized Vehicles.**

Motorized vehicle travel on all state wildlife management areas is restricted to county roads and improved roads that are not posted closed.

#### **R657-6-20. Possession of Live Protected Wildlife.**

A person may not possess live, protected wildlife. Protected wildlife that is wounded must be immediately killed and shall be included in the hunter's bag limit.

#### **R657-6-21. Tagging Requirements.**

(1) The carcass of a [~~sandhill crane]Sandhill Crane, Sharp-tailed Grouse,~~ or turkey must be tagged in accordance with Section 23-20-30.

(2) A person may not hunt or pursue [~~sandhill crane, sharp-]Sandhill Crane, Sharp-tailed [grouse]Grouse~~ or turkey after any of the notches have been removed from the tag or the tag has been detached from the permit.

#### **R657-6-22. Identification of Species and Sex.**

(1) One fully feathered wing must remain attached to each upland game bird and migratory game bird taken, except wild turkey, while it is being transported to allow species identification.

(2) The head must remain attached to the carcass of wild turkey while being transported to permit species and sex identification.

#### **R657-6-23. Waste of Upland Game [~~Birds~~].**

A person shall not kill or cripple any upland game [~~bird~~] without making a reasonable effort to retrieve the [~~bird]animal.~~

#### **R657-6-24. Utah Pheasant Project.**

(1) Boy Scouts, Girl Scouts, or youth enrolled in 4-H or FFA may collect and rear pheasants from eggs in nests destroyed by normal hay mowing operations. The 4-H club leader, FFA adviser or Scout Master shall first apply for and obtain a certificate of registration for this activity.

(2) Landowners or operators of mowing equipment may collect the eggs and possess them for no more than 24 hours for pick up by a person with a certificate of registration.

(3) Pheasants must be released by 16 weeks of age.

(4) These pheasants remain the property of the state of Utah.

**R657-6-25. Use of Dogs.**

(1) Dogs may be used to locate and retrieve upland game during open hunting seasons.

(2) Dogs are not allowed on state wildlife management or waterfowl management areas, except during open hunting seasons or as posted by the Division.

(3) State wildlife management and waterfowl management areas are listed under Sections R657-6-~~12~~11 and R657-6-~~13~~12.

**R657-6-26. Closed Areas.**

A person may not hunt upland game in any area posted closed by the Division or any of the following areas:

(1) Salt Lake [~~County~~] Airport boundaries as posted.

(2) Incorporated municipalities: Most of the incorporated areas of Alta, Garland City, Layton, Logan, Pleasant View City, West Jordan, and West Valley City are closed to the discharge of firearms. Check with the respective city officials for specific boundaries. Other municipalities may have additional firearm restrictions.

(3) Waterfowl Management Areas:

(a) Waterfowl management areas are open for hunting upland game only during designated waterfowl hunting seasons, including: Bear River National Wildlife Refuge, Bicknell Bottoms, Blue Lake, Brown's Park, Clear Lake, Desert Lake, Farmington Bay, Harold S. Crane, Howard Slough, Locomotive Springs, Mills Meadows, Ogden Bay, Ouray National Wildlife Refuge, Powell Slough, Public Shooting Grounds, Salt Creek, Stewart Lake, and Timpie Springs.

(b) Fish Springs National Wildlife Refuge is closed to upland game hunting.

(4) Military installations, including Camp Williams, are closed to hunting and trespassing unless otherwise authorized.

**R657-6-27. Live Decoys and Electronic Calls.**

A person may not take migratory game birds by the use or aid of live decoys, records or tapes of migratory bird calls or sounds, or electronically amplified imitations of bird calls.

**R657-6-28. Baiting Migratory Game Birds.**

Migratory game birds may not be taken by the aid of baiting, or on or over any baited area. However, nothing in this paragraph shall prohibit:

(1) the taking of [~~sandhill crane, mourning dove, and band-tailed pigeon~~]Sandhill Crane, Mourning Dove, and Band-tailed Pigeon on or over standing crops, flooded standing crops (including aquatics), flooded harvested croplands, grain crops properly shucked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting; or

(2) the taking of [~~sandhill crane, mourning dove, and band-tailed pigeon~~]Sandhill Crane, Mourning Dove, and Band-tailed Pigeon on or over any lands where feed has been distributed or scattered solely as the result of bona fide agricultural operations or procedures, or as a result of manipulation of a crop or other feed on the land where grown for wildlife management purposes.

**R657-6-29. Transporting Another Person's Birds.**

(1) No person may receive, transport, or have in custody any migratory game birds belonging to another person unless such birds have a tag attached that states the total number and species of birds, the date such birds were killed, and the address, signature, and license number of the hunter.

(2) No person shall import migratory game birds belonging to another person.

**R657-6-30. Gift of Migratory Game Birds.**

No person may receive, possess, or give to another, any freshly killed migratory game birds as a gift, except at the personal abodes of the donor or donee, unless such birds have a tag attached, signed by the hunter who took the birds, stating such hunters address, the total number and species of birds and the date such birds were taken.

**R657-6-31. Shipping.**

(1) No person may transport upland game by the Postal Service or a common [~~carrier migratory game birds~~] unless the package or container has the name and address of the shipper and the consignee and an accurate statement of the numbers of each species of birds contained therein clearly and conspicuously marked on the outside of the container.

(2) A shipping permit issued by the Division must accompany each package containing [~~migratory~~]upland game [~~birds~~] within or from the state.

**R657-6-32. Importation Limits.**

No person shall import during any one calendar week beginning on Sunday more than 25 doves, singularly or in the aggregate, or ten band-tailed pigeons from any foreign country, except Mexico. Importation of doves and band-tailed pigeons from Mexico may not exceed the maximum number permitted by Mexican authorities to be taken in any one day.

**R657-6-33. Transfer of Possession.**

(1) A person may not put or leave any migratory game bird at any place other than at his personal abode or in the custody of another person for picking, cleaning, processing, shipping, transporting, or storing, including temporary storage, or for the purpose of having taxidermy services performed unless there is attached to the birds a disposal receipt, donation receipt, or transportation slip signed by the hunter stating his address, the total number and species of birds, and the date such birds were killed.

(2) A migratory bird preservation facility may not receive or have in custody any migratory game bird without the documents required in Subsection (1).

**R657-6-34. Spotlighting.**

(1) Except as provided in Section 23-13-17:

(a) a person may not use or cast the rays of any spotlight, headlight or other artificial light to locate protected wildlife while having in possession a firearm or other weapon or device that could be used to take or injure protected wildlife; and

(b) the use of a spotlight or other artificial light in a field, woodland or forest where protected wildlife are generally found is prima facie evidence of attempting to locate protected wildlife.

(2) The provisions of this section do not apply to the use of the headlights of a motor vehicle or other artificial light in a usual manner where there is no attempt or intent to locate protected wildlife.

**R657-6-35. Wild Turkey Poaching Reported Reward Permits.**

(1) Any person who provides information leading to another person's arrest and successful prosecution for wanton destruction of a wild turkey under Section 23-20-4, within any limited entry area may receive a permit from the Division to hunt wild turkey in the following year on the same limited entry area where the violation occurred, except as provided in Subsection (2).



(2)(a) In the event that issuance of a Poaching-Reported Reward Permit would exceed 5 percent of the total number of limited entry permits issued in the following year for the respective area, a permit shall not be issued for that respective area. As an alternative, the Division may issue a permit as outlined in Subsection (b).

(b) A permit for a wild turkey, on an alternative limited entry area that has been allocated more than 20 permits, may be issued.

(3)(a) The Division may issue only one Poaching-Reported Reward Permit for any one wild turkey illegally taken.

(b) No more than one Poaching-Reported Reward Permit shall be issued to any one person per successful prosecution.

(c) No more than one Poaching-Reported Reward Permit shall be issued to any one person in any one calendar year.

(4)(a) Poaching-Reported Reward permits may only be issued to the person who provides the most pertinent information leading to a successful prosecution. Permits are not transferrable.

(b) If information is received from more than one person, the director of the Division shall make a determination based on the facts of the case, as to which person provided the most pertinent information leading to the successful prosecution in the case.

(c) The person providing the most pertinent information shall qualify for the Poaching-Reported Reward Permit.

(5) Any person who receives a Poaching-Reported Reward Permit must be eligible to hunt and obtain wild turkey permits as provided in all rules and regulations of the Wildlife Board and the Wildlife Resources Code.

(6) For purposes of this section, "successful prosecution" means the screening, filing of charges and subsequent adjudication for the poaching incident.

#### **R657-6-36. Invalid Permits.**

(1) A license or permit received by a person shall be deemed invalid if payment for that license or permit is not received, or a check is returned unpaid from the bank, or the credit card is invalid or refused.

(2) Hunting with a permit where payment has not been received for that permit constitutes a violation of hunting without a valid permit.

#### **R657-6-37. Season Dates, Bag and Possession Limits, and Areas Open.**

(1) Season dates, bag and possession limits, areas open, and number of permits for taking upland game are provided in the proclamation of the Wildlife Board for taking upland game.

(2) Season dates, bag and possession limits, areas open, and number of permits for taking wild turkey are provided in the Turkey Addendum of the proclamation of the Wildlife Board for taking upland game.

**KEY: wildlife, birds, rabbits\*, game laws**

**~~December 5, 2000~~2001**

**Notice of Continuation June 16, 1997**

**23-14-18**

**23-14-19**



## Natural Resources, Wildlife Resources **R657-13** Taking Fish and Crayfish

### **NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 24067

FILED: 09/20/2001, 11:33

### **RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** This rule is being amended pursuant to Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife's fish and crayfish management program.

**SUMMARY OF THE RULE OR CHANGE:** Provisions are being amended to clarify the requirements for fishing contests that fish larger or smaller than the legal length must be immediately released. Provisions are being clarified that reciprocal fishing stamps on Lake Powell and Flaming Gorge must be used in conjunction with a valid unexpired fishing or combination license from a reciprocating state. In addition, the provisions for setline permits and two pole permits are being clarified that these permits may only be used in conjunction with a valid unexpired Utah fishing license. Baiting provisions are amended to include Johnson Reservoir for allowing the use of dead yellow perch as bait. Other changes are for consistency.

**STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Sections 23-14-18 and 23-14-19

#### **ANTICIPATED COST OR SAVINGS TO:**

❖**THE STATE BUDGET:** This amendment clarifies existing requirements, therefore, the Division of Wildlife (DWR) determines that this amendment will not create any cost or savings impact to the state budget or DWR's budget.

❖**LOCAL GOVERNMENTS:** None--This filing does not create any direct cost or savings impact to local governments because they are not directly affected by the amendment. Nor are local governments indirectly impacted because the amendment does not create a situation requiring services from local governments.

❖**OTHER PERSONS:** The amendments are for clarification, therefore, the amendments do not impose any additional requirements on other persons, nor generate a cost or savings impact to other persons.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** The amendments are for clarification. DWR determines that there are no additional compliance costs associated with this amendment.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** The amendments to this rule do not create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES  
WILDLIFE RESOURCES  
1594 W NORTH TEMPLE  
SALT LAKE CITY UT 84116-3154, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Debbie Sundell at the above address, by phone at 801-538-4707, by FAX at 801-538-4745, or by Internet E-mail at dsundell.nrdwr@state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: John Kimball, Director

## **R657. Natural Resources, Wildlife Resources.**

### **R657-13. Taking Fish and Crayfish.**

#### **R657-13-1. Purpose and Authority.**

(1) Under authority of Sections 23-14-18 and 23-14-19 of the Utah Code, the Wildlife Board has established this rule for taking fish and crayfish.

(2) Specific dates, areas, methods of take, requirements and other administrative details which may change annually and are pertinent are published in the proclamation of the Wildlife Board for taking fish and crayfish.

#### **R657-13-2. Definitions.**

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Aggregate" means the combined total of two or more species of fish or two or more size classes of fish which are covered by a limit distinction.

(b) "Angling" means fishing with a rod, pole, tipup, handline, or trollboard that has a single line with legal hooks, baits, or lures attached to it, and is held in the hands of, or within sight (not to exceed 100 feet) of, the person fishing.

(c)(i) "Artificial fly" means a fly made by the method known as fly tying.

(ii) "Artificial fly" does not mean a weighted jig, lure, spinner, attractor blade, or bait.

(c) "Artificial lure" means a device made of rubber, wood, metal, glass, fiber, feathers, hair, or plastic with a hook or hooks attached. Artificial lures, including artificial flies, do not include fish eggs or other chemically treated or processed natural baits or any natural or human-made food, or any lures that have been treated with a natural or artificial fish attractant or feeding stimulant.

(d) "Bag limit" means the maximum limit, in number or amount, of protected wildlife that one person may legally take during one day.

(e) "Bait" means a digestible substance, including worms, cheese, salmon eggs, marshmallows, or manufactured baits including human-made items that are chemically treated with food stuffs, chemical fish attractants or feeding stimulants.

(f) "Chumming" means dislodging or depositing in the water any substance not attached to a hook, line, or trap, which may attract fish.

(g) "Fishing contest" means any organized event or gathering where anglers are awarded prizes, points or money for their catch.

(h) "Float tube" means an inflatable floating device less than 48 inches in any dimension, capable of supporting one person.

(i) "Gaff" means a spear or hook, with or without a handle, used for holding or lifting fish.

(j) "Game fish" means Bonneville cisco; bluegill; bullhead; channel catfish; crappie; green sunfish; largemouth bass; northern pike; Sacramento perch; smallmouth bass; striped bass, trout (rainbow, albino, golden, brook, lake/mackinaw, kokanee salmon, and grayling or any hybrid of the foregoing); tiger muskellunge; walleye; white bass; whitefish; wiper; and yellow perch.

(k) "Handline" means a piece of line held in the hand and not attached to a pole used for taking fish or crayfish.

(l) "Immediately Released" means that the fish should be quickly unhooked and released back into the water where caught. Fish that must be immediately released cannot be held on a stringer, or in a live well or any other container or restraining device.

(m) "Lake" means the standing water level existing at any time within a lake basin. Unless posted otherwise, a stream flowing inside or within the high water mark is not considered part of the lake.

(n) "Length measurement" means the greatest length between the tip of the head or snout and the tip of the caudal (tail) fin when the fin rays are squeezed together. Measurement is taken in a straight line and not over the curve of the body.

(o) "Motor" means an electric or internal combustion engine.

(p) "Nongame fish" means species of fish not listed as game fish.

(q) "Possession limit" means, for purposes of this rule only, one bag limit, including fish at home, in a cooler, camper, tent, freezer, or any other place of storage.

(r) "Protected aquatic wildlife" means, for purposes of this rule only, all species of fish, crustaceans, or amphibians.

(s) "Reservoir" means the standing water level existing at any time within a reservoir basin. Unless posted otherwise, a stream flowing inside or within the high water mark is not considered part of the reservoir.

(t) "Second pole" means fishing with one additional rod, pole, tipup, handline, or trollboard that has a single line with legal hooks, bait, or lures attached to it and is held in the hands of, or within sight of the person fishing.

(u) "Setline" means a line anchored to a non-moving object and not attached to a fishing pole.

(v) "Single hook" means a hook or multiple hooks having a common shank.

(w) "Snagging" or "gaffing" means to take a fish in a manner that the fish does not take the hook voluntarily into its mouth.

(x) "Tributary" means a stream flowing into a larger stream, lake, or reservoir.

(y)(i) "Trout" means species of the family Salmonidae, including rainbow, albino, cutthroat, brown, golden, brook, tiger, lake (mackinaw), splake, kokanee salmon, and grayling or any hybrid of the foregoing.

(ii) "Trout" does not include whitefish or Bonneville cisco.

(z) "Underwater Spearfishing" means, fishing by a person swimming or diving and using a mechanical device held in the hand

which uses a rubberband, spring, or pneumatic power to propel a spear to take fish.

### **R657-13-3. Free Fishing Day.**

A license is not required on free fishing day, the second Saturday of June, annually. All other laws and rules apply.

### **R657-13-4. Fishing Contests.**

(1)(a) A certificate of registration from the division is required for fishing contests:

- (i) with 50 or more contestants; or
- (ii) any fishing contest offering \$500 or more in prizes.

(b)(i) Application for certificates of registration are available from division offices and must be submitted at least 60 days prior to the date of the fishing contest.

(ii) The division may take public comment before issuing a certificate of registration if, in the opinion of the division, the proposed fishing contest has potential impacts to the public or substantially impacts a public fishery.

(c) A certificate of registration may cover more than one fishing contest.

(d) The division may deny issuing a certificate of registration or impose stipulations or conditions on the issuance of the certificate of registration in order to achieve a management objective, to adequately protect a fishery or to offset impacts on a fishery or heavy uses of other public resources.

(e) A report must be filed with the division within 30 days after the fishing contest is held. The information required shall be listed on the certificate of registration.

(f)(i) Only one fishing contest may be held on a given water at any time. Each fishing contest is restricted to being held on only one water at a time.

(ii) Fishing contests may not be held on a holiday weekend, state or federal holiday, or free fishing day, except as provided in Subsection (g).

(g) A fishing contest may be held on free fishing day and a certificate of registration is not required if :

(i) contestants are limited to persons 13 years of age or younger; and

(ii) less than \$500 are offered in prizes.

(2) Fishing contests conducted for cold water species of fish such as trout and salmon may not be conducted:

(a) if the fishing contest offers \$500 or more in total prizes, except on Flaming Gorge Reservoir there is no limit to the amount that may be offered in prizes;

(b) those waters where the Wildlife Board has imposed special harvest rules as provided in the annual proclamation of the Wildlife Board for taking fish and crayfish.

(3) Contests for warm water species of fish shall be conducted as follows:

(a) all contests as provided in Subsection (1)(a) must be:

(i) authorized by the division through the issuance of a certificate of registration; and

(ii) carried out consistent with any requirements imposed by the division;

(b) Fish brought in to be weighed or measured may not be released within 1/2 mile of a marina, boat ramp, or other weigh-in site and must be released back into suitable habitat for that species; and

(c) If tournament rules allow larger or smaller fish to be entered in the contest than the size allowed for possession under the

proclamation of the Wildlife Board for taking fish and crayfish, the fish must be weighed or measured immediately and released where they were caught.

### **R657-13-5. Interstate Waters.**

(1) Lake Powell and Flaming Gorge Reservoir:

(a) The purchase of a reciprocal fishing stamp allows a person to fish across state boundaries of interstate waters.

(b) Reciprocal fishing stamps are offered for Lake Powell and Flaming Gorge Reservoir.

(c) Any person qualifying as an Arizona resident and having in their possession a valid Arizona resident fishing license and a Utah reciprocal fishing stamp for Lake Powell, is permitted to fish within the Utah boundaries of Lake Powell.

(d) Any person possessing a valid Wyoming fishing license and a Utah reciprocal fishing stamp for Flaming Gorge is permitted to fish within the Utah waters of Flaming Gorge Reservoir.

(e) Utah residents may obtain reciprocal fishing stamps by contacting the state of Arizona for Lake Powell, and the state of Wyoming for Flaming Gorge.

(f) Nonresidents may obtain reciprocal fishing stamps from division offices and selected license agents.

(g) The reciprocal fishing stamp must be:

(i) used in conjunction with a valid unexpired fishing or combination license from a reciprocating state;

(ii) signed across the face by the holder as the holder's name appears on the valid unexpired fishing or combination license [; and]from the reciprocating state; and

[~~(ii)~~](iii) attached to the fishing or combination license from the reciprocating state.

(h) Reciprocal fishing stamps are valid on a calendar year basis.

(i) Anglers are subject to the laws and rules of the state in which they are fishing.

(j) Only one bag limit may be taken and held in possession even if licensed in both states.

(2) Bear Lake

(a) The holder of a valid Utah or Idaho fishing or combination license may fish within both the Utah and Idaho boundaries of Bear Lake.

(b) Only one bag limit may be taken and held in possession even if licensed in both states.

### **R657-13-6. Angling.**

(1) While angling, the angler shall be within sight (not to exceed 100 feet) of the equipment being used at all times, except setlines.

(2) Angling with more than one line is unlawful, except while fishing for crayfish without the use of fish hooks and on selected waters with a valid second pole permit. A second pole permit is not required when fishing for crayfish with lines without hooks.

(3) No artificial lure may have more than three hooks.

(4) A person may not use or possess hooks, single or multipoint, larger than 9/16 inches at the shortest point, between the shank and the point on specific waters as specified in the proclamation of the Wildlife Board for taking fish and crayfish.

(5) No line may have attached to it more than two baited hooks, two artificial flies, or two artificial lures, except for a setline or while fishing at Flaming Gorge Reservoir.

(6) When angling through the ice, the hole may not exceed 12 inches across at the widest point, except at Bear Lake, Flaming Gorge Reservoir, and Fish Lake where specific limitations apply.

#### **R657-13-7. Fishing With a Second Pole.**

- (1) A person may use a second pole to take fish only in the:
- (a) Bear River from the Idaho state line downstream, including Cutler Reservoir and the outlet canals;
  - (b) Little Bear River below Valley View highway (SR-130);
  - (c) Malad River;
  - (d) Newton Reservoir;
  - (e) Hyrum Reservoir;
  - (f) Willard Bay Reservoir;
  - (g) Pine View Reservoir;
  - (h) Flaming Gorge Reservoir;
  - (i) Pelican Lake;
  - (j) Starvation Reservoir;
  - (k) Utah Lake;
  - (l) Yuba Reservoir;
  - (m) D.M.A.D.;
  - (n) Gunnison Bend;
  - (o) Lake Powell; and
  - (p) Gunlock Reservoir.

(2)(a) A second pole permit may be obtained at license agents and any division office.

(b) A second pole permit is required in addition to a valid [annual or short term]Utah one day, seven day or season fishing license, or combination license [and may be obtained for a \$10 fee from any division office].

(c) A second pole permit is an annual permit, but may only be used in conjunction with an unexpired Utah one day, seven day or season fishing or combination license.

(3) Anglers under 14 years of age must purchase a valid fishing or combination license and second pole permit in order to use a second pole.

(4) A second pole permit shall only be used by the person to whom the second pole permit was issued.

#### **R657-13-8. Setline Fishing.**

(1) A person may use a setline to take fish only in the Bear River proper downstream from the Idaho state line, including Cutler Reservoir and outlet canals; Little Bear River below Valley View Highway (SR-30); Malad River; and Utah Lake.

(2)(a) Angling with one pole is permitted while setline fishing, except as provided in Subsection (b).

(b) A person who obtains a second pole permit may fish with two poles while setline fishing.

(3) No more than one setline per angler may be used and it may not contain more than 15 hooks.

(4)(a) A setline permit may be obtained at any division office.

(b) A setline permit is required in addition to a valid [annual]Utah one day, seven day or season fishing or combination license [and may be obtained for a \$10 fee from any division office].

(c) A setline permit is an annual permit, but may only be used in conjunction with an unexpired Utah one day, seven day or season fishing or combination license.

(5) When fishing with a setline, the angler shall be within 100 yards of the surface or bank of the water being fished.

(6) A setline shall have one end attached to a nonmoving object, not attached to a fishing pole, and shall have attached a

legible tag with the name, address, and setline permit number of the angler.

(7) Anglers under 14 years of age must purchase a valid ~~annual~~Utah one day, seven day or season fishing or combination license and setline permit in order to use a setline.

#### **R657-13-9. Underwater Spearfishing.**

(1) Underwater spearfishing is permitted from official sunrise to official sunset.

(2) Use of artificial light is unlawful while underwater spearfishing.

(3) Causey Reservoir, Deer Creek Reservoir, Fish Lake, Flaming Gorge Reservoir, Joe's Valley Reservoir, Ken's Lake, Lost Creek, Red Fleet Reservoir, Steinaker Reservoir, Starvation Reservoir, and Willard Bay Reservoir are open to taking game fish by means of underwater spearfishing from June 1 through September 30. These are the only waters open to underwater spearfishing for game fish.

(4) The bag and possession limit is two game fish. No more than one fish greater than 20 inches may be taken, except at Flaming Gorge Reservoir only one lake trout (mackinaw) greater than 28 inches may be taken.

(5) Nongame fish may be taken by underwater spearfishing only in the waters listed in Subsection (3) above and as provided in Section R657-13-14.

#### **R657-13-10. Dipnetting.**

(1) Hand-held dipnets may be used to take Bonneville cisco only at Bear Lake.

(2) The opening of the dipnet may not exceed 18 inches.

(3) When dipnetting through the ice, the size of the hole is unrestricted.

#### **R657-13-11. Restrictions on Taking Fish and Crayfish.**

(1) Artificial light is permitted, except when underwater spearfishing.

(2) A person may not obstruct a waterway, use a chemical, explosive, electricity, poison, crossbow, firearm, pellet gun, or archery equipment, except as provided in Subsection R657-13-14(1)(c) to take fish or crayfish.

(3) A person may not take protected aquatic wildlife by snagging or gaffing; however, a gaff may be used to land fish caught by lawful means, except at Flaming Gorge Reservoir and Fish Lake.

(4) Chumming is prohibited, on all waters except Lake Powell where dead anchovies only may be used for taking striped bass.

(5) The use of a float tube or a boat, with or without a motor, for fishing is unlawful on some waters. Boaters should be aware that other agencies may have additional restrictions on the use of float tubes, boats, or boats with motors on some waters.

(6) Nongame fish and crayfish may be taken only as provided in Sections R657-13-14 and R657-13-15.

#### **R657-13-12. Bait.**

(1)(a) Fishing is permitted with any bait, except corn, hominy, or live fish.

(b) Possession or use of corn or hominy while fishing is unlawful.

(2) Use or possession of any bait while fishing on waters designated artificial fly and lure only is unlawful.

(3) Game fish or their parts may not be used, except for the following:

(a) Dead Bonneville cisco may be used as bait only in Bear Lake.

(b) Dead yellow perch may be used as bait only in: Deer Creek, Echo, Fish Lake, Gunnison, Hyrum, Johnson, Jordanelle, Newton, Pineview, Rockport, Sevier Bridge (Yuba), Utah Lake and Willard Bay reservoirs.

(c) Dead white bass may be used as bait only in Utah Lake.

(d) The eggs of any species of fish, except prohibited fish, may be used. However, eggs may not be taken or used from fish that are being released.

(4) Use of live crayfish for bait is legal only on the water where the crayfish is captured. It is unlawful to transport live crayfish away from the water where captured.

(5) Manufactured, human-made items that may not be digestible, that are chemically treated with food stuffs, chemical fish attractants, or feeding stimulants may not be used on waters where bait is prohibited.

#### **R657-13-13. Prohibited Fish.**

(1) The following species of fish are classified as prohibited and may not be taken or held in possession:

- (a) Bonytail chub (*Gila elegans*);
- (b) Bluehead sucker (*Catostomus discobolus*);
- (c) Colorado pikeminnow (*Ptychocheilus lucius*);
- (d) Flannelmouth sucker (*Catostomus latipinnis*);
- (e) Gizzard shad (*Dorosoma cepedianum*);
- (f) Grass carp (*Ctenopharyngodon idella*);
- (g) Humpback chub (*Gila cypha*);
- (h) June sucker (*Chasmistes liorus*);
- (i) Least chub (*Notichthys phlegethontis*);
- (j) Leatherside chub (*Gila copei*);
- (k) Razorback sucker (*Xyrauchen texanus*);
- (l) Roundtail chub (*Gila robusta*);
- (m) Virgin River chub (*Gila robusta seminuda*);
- (n) Virgin spinedace (*Lepidomeda mollispinis*); and
- (o) Woundfin (*Plagopterus argentissimus*).

(2) Any of these species taken while attempting to take other legal species shall be immediately released.

#### **R657-13-14. Taking Nongame Fish.**

(1)(a) Except as provided in Subsections (b) and (c), a person possessing a valid Utah fishing or combination license may take nongame fish for personal, noncommercial purposes during the open fishing season set for the given body of water.

(b) A person may not take any species of fish designated as prohibited in Section R657-13-13.

(c) Nongame fish may not be taken in the following waters, except carp may be taken by angling, archery, spear, or underwater spearfishing:

- (i) San Juan River;
- (ii) Colorado River;
- (iii) Green River (from confluence with Colorado River upstream to Colorado state line in Dinosaur National Monument);
- (iv) Green River (from Colorado state line in Brown's Park upstream to Flaming Gorge Dam, including Gorge Creek, a tributary entering the Green River at Little Hole);
- (v) White River (Uintah County);
- (vi) Duchesne River (from Myton to confluence with Green River);
- (vii) Virgin River (Main stem, North, and East Forks).
- (viii) Ash Creek;

(ix) Beaver Dam Wash;

(x) Fort Pierce Wash;

(xi) La Verkin Creek;

(xii) Santa Clara River (Pine Valley Reservoir downstream to the confluence with the Virgin River);

(xiii) Diamond Fork;

(xiv) Thistle Creek;

(xv) Main Canyon Creek (tributary to Wallsburg Creek);

(xvi) South Fork of Provo River (below Deer Creek Dam); and

(xvii) Snake Valley waters (west and north of US-6 and that part of US-6 and US-50 in Millard and Juab counties).

(2) Nongame fish, except those species listed in Section R657-13-13, may be taken by spear or underwater spearfishing in the waters specified in Subsection R657-13-9(3), angling, traps, bow and arrow, liftnets, or seine.

(3) Seines shall not exceed 10 feet in length or width.

(4) Lawfully taken nongame fish shall be either released or killed immediately upon removing them from the water, however, they may not be left or abandoned on the shoreline.

#### **R657-13-15. Taking Crayfish.**

(1) A person possessing a valid Utah fishing or combination license may take crayfish for personal, noncommercial purposes during the open fishing season set for the given body of water.

(2) Crayfish may be taken by hand or with a trap, pole, liftnet, handline, or seine, provided that:

(a) game fish or their parts, or any substance unlawful for angling, is not used for bait;

(b) seines shall not exceed 10 feet in length or width;

(c) no more than five lines are used, and no more than one line may have hooks attached (bait is tied to the line so that the crayfish grasps the bait with its claw); and

(d) live crayfish are not transported from the body of water where taken.

#### **R657-13-16. Possession and Transportation of Dead Fish and Crayfish.**

(1) Fish held in possession in the field or in transit shall be kept in such a manner that:

(a) the species of fish can be readily identified;

(b) the number of fish can be readily counted;

(c) the size of the fish can be readily measured when the fish are taken from waters where size limits apply and the fish taken from those waters may not be filleted and the heads or tails may not be removed; and

(d) fillets shall have attached sufficient skin to include the conspicuous markings so species may be identified.

(2) A legal limit of game fish or crayfish may accompany the holder of a valid fishing or combination license within Utah or when leaving Utah.

(3) A person may possess or transport a legal limit of game fish or crayfish for another person when accompanied by a donation letter.

(4) A person may not take more than one bag limit in any one day or possess more than one bag limit of each species or species aggregate regardless of the number of days spent fishing.

(5) A person may possess or transport dead fish on a receipt from a registered commercial fee fishing installation, a private pond owner, or a short-term fishing event. This receipt shall specify:

(a) the number and species of fish;

(b) date caught;

- (c) the certificate of registration number of the installation, pond, or short-term fishing event; and
- (d) the name, address, telephone number of the seller.

**R657-13-17. Possession of Live Fish and Crayfish.**

- (1) A person may not possess or transport live protected aquatic wildlife except as provided by the Wildlife Code or the rules and proclamation of the Wildlife Board.
- (2) For purposes of this rule, a person may not transport live fish or crayfish away from the water where taken.
- (3) This does not preclude the use of live fish stringers, live wells, or hold type cages as part of normal angling procedures while on the same water in which the fish or crayfish are taken.

**R657-13-18. Release of Tagged or Marked Fish.**

Without prior authorization from the division, a person may not:

- (1) tag, mark, or fin-clip fish for the purpose of offering a prize or reward as part of a contest;
- (2) introduce a tagged, marked, or fin-clipped fish into the water; or
- (3) tag, mark, or fin-clip a fish and return it to the water.

**R657-13-19. ~~[General]~~Season Dates and Bag and Possession Limits.**

- (1) All waters of state fish rearing and spawning facilities are closed to fishing.
- (2) State waterfowl management areas are closed to fishing except as specified in the proclamation of the Wildlife Board for taking fish and crayfish.
- (3) The ~~[general]~~season for taking fish and crayfish is January 1 through December 31, 24 hours each day. Exceptions are specified in the proclamation of the Wildlife Board for taking fish and crayfish.

(4)(a) Bag and possession limits are specified in the proclamation of the Wildlife Board for taking fish and crayfish and apply statewide unless otherwise specified.

(b)(i) A person may not fish in waters that have a specific bag or size limit while possessing fish in violation of that limit.

(ii) Fish not meeting the size, bag, or species provisions on specified waters shall be returned to the water immediately.

(c)(i) Trout, salmon and grayling that are not immediately released and are held in possession, dead or alive, are included in the person's bag and possession limit.

(ii) Once a trout, salmon or grayling is held in or on a stringer, fish basket, livewell, or by any other device, a trout, salmon or grayling may not be released.

(5)~~[A person under 14 years of age may:~~

~~(a) fish without a license and take 1/2 a bag and possession limit; or~~

~~(b) purchase a license and take a full bag and possession limit.~~

~~(6)]~~ A person may not take more than one bag limit in any one day or have in possession more than one bag limit of each species or species aggregate regardless of the number of days spent on fishing.

**R657-13-20. Variations to General Provisions.**

Variations to ~~[general]~~season dates, times, bag and possession limits, methods of take, use of a float tube or a boat for fishing, and exceptions to closed areas are specified in the proclamation of the Wildlife Board for taking fish and crayfish.

**R657-13-21. Nonresident One-Day Fishing Stamp.**

(1)(a) A nonresident may purchase a one-day fishing stamp to extend a one-day or seven-day fishing license provided the nonresident person has obtained a valid Utah nonresident one-day or seven-day fishing license.

(b) A nonresident must present the one-day or seven-day fishing license to the Division or license agent upon purchasing a one-day fishing stamp.

(2) A one-day fishing stamp will extend the one-day or seven-day fishing license within the current year for one additional day.

(3) The effective date shall be indicated on the one-day fishing stamp.

~~[(4) A Wildlife Habitat Authorization is not required to purchase a one-day fishing stamp.]~~

**KEY: fish, fishing, wildlife, wildlife law**

~~[January 2, 2001]~~**2002**

**Notice of Continuation** ~~[September 26, 1997]~~**2002**

**23-14-18**

**23-14-19**

**23-19-1**

**23-22-3**

▼ ————— ▼

## Natural Resources, Wildlife Resources

# R657-41

## Conservation and Sportsman Permits

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 24068

FILED: 09/20/2001, 11:33

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted for taking public input to allow conservation organizations to apply for specific area conservation permits, which may be awarded for up to five consecutive years, provided the conservation organization meets the requirements.

**SUMMARY OF THE RULE OR CHANGE:** Provisions of this rule are being amended to allow conservation organizations to apply for specific area conservation permits, which may be awarded for up to five consecutive years, provided the conservation organization meets the requirements. Provisions are being added specifying that conservation organizations must bid for each multi-year area conservation permit requested and submit a specific project proposal, as outlined, for which the funds for each multi-year area conservation permit will be utilized. Other changes are being made for consistency and clarity.

**STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Sections 23-14-18 and 23-14-19

## ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This amendment clarifies the standards and procedures for issuing multi-year area conservation permits. Therefore, the Division of Wildlife Resources (DWR) determines that these amendments do not create a cost or savings impact to the state budget or the DWR's budget.

❖ **LOCAL GOVERNMENTS:** None--This filing does not create any direct cost or savings impact to local governments because they are not directly affected by the rule. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

❖ **OTHER PERSONS:** This amendment clarifies the standards and procedures for issuing multi-year area conservation permits, therefore, the amendments do not impose any additional requirements on other persons, nor generate a cost or savings impact to other persons.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** These amendments are for clarification and providing procedures for issuing multi-year area conservation permits. DWR determines that there are no additional compliance costs associated with this amendment.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** The amendments to this rule do not create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES  
WILDLIFE RESOURCES  
1594 W NORTH TEMPLE  
SALT LAKE CITY UT 84116-3154, or  
at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

Debbie Sundell at the above address, by phone at 801-538-4707, by FAX at 801-538-4745, or by Internet E-mail at dsundell.nrdwr@state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: John Kimball, Director

**R657. Natural Resources, Wildlife Resources.****R657-41. Conservation and Sportsman Permits.****R657-41-1. Purpose and Authority.**

(1) Under the authority of Section 23-14-18 and 23-14-19, this rule provides the standards and procedures for issuing:

(a) conservation permits to conservation organizations for sale at an auction, or for use as an aid to wildlife related fund raising activities; and

(b) sportsman permits.

(2) The division shall use all revenue derived from conservation permits for the benefit of the species for which the

permit is issued, unless the division and conservation organization mutually agree in writing that there is a higher priority use for other species of protected wildlife.

**R657-41-2. Definitions.**

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Area Conservation Permit" means a permit issued for a specific unit or hunt area for a specific species, and may include an extended season, or legal weapon choice, or both, beyond the general season.

(i) Area Conservation permits issued for limited entry units are not valid on cooperative wildlife management units, and Area Conservation permits issued for general season hunt areas are not valid on cooperative wildlife management units or limited entry units.

(b) "Conservation Organization" means a nonprofit chartered institution, foundation, or association founded for the purpose of promoting wildlife conservation and has established tax exempt status under Internal Revenue Code, Section 501C-3 as amended.

(c) "Conservation Permit" means any harvest permit authorized by the Wildlife Board and issued by the division for purposes identified in Section R657-41-1(2).

(d) "Sportsman Permit" means a harvest permit authorized by the Wildlife Board and issued by the division in a general drawing, requiring all applicants to pay an application fee and the successful applicant the cost of the permit.

(e) "Statewide Conservation Permit" means a permit which allows a permittee to hunt:

(i) big game species on any open unit from September 1 through December 31, except pronghorn and moose from September 1 through October 31;

(ii) turkey on any open unit from April 1 through May 31;

(iii) any other small game species on any open unit during the season authorized by the Wildlife Board;

(iv) bear on any open unit during the season authorized by the Wildlife Board for that unit; and

(v) cougar on any open unit during the season authorized by the Wildlife Board for that unit and during the season dates authorized by the Wildlife Board on any harvest objective unit that has been closed by meeting its objective.

**R657-41-3. Method for Determining the Number of Conservation and Sportsman Permits.**

(1) The number of conservation permits authorized by the Wildlife Board shall be based on:

(a) the species population trend, size, and distribution to protect the long-term health of the population;

(b) the hunting and viewing opportunity for the general public, both short and long term; and

(c) the potential revenue that will support protection and enhancement of the species.

(2) One statewide conservation permit may be authorized for each big game and small game species for which limited permits are available.

(3) A limited number of area conservation permits may be authorized, with a maximum of 5% of the permits or eight permits, whichever is less, for any unit or hunt area, unless a higher number is specifically authorized by the Wildlife Board.

(4) The number of conservation and sportsman permits available for use during the following year will be determined by the Wildlife Board annually.

(5) Area Conservation permits shall be deducted from the number of public drawing permits.

(6) One sportsman permit may be authorized for each statewide conservation permit authorized.

**R657-41-4. Obtaining Conservation Permits.**

(1) Statewide and area conservation permits are available to eligible conservation organizations for sale at an auction, or for use as an aid to wildlife related fund raising activities.

(2) Conservation organizations may apply for conservation permits by sending an application to the division for each permit requested.

(3) The application must be submitted to the division by September 1 to be considered for the following year's conservation permits. Each application must include:

- (a) the name, address and telephone number of the conservation organization;
- (b) a copy of the conservation organization's mission statement;
- (c) verification of the conservation organization's tax exempt status under Internal Revenue Code, Section 501C-3 as amended;
- (d) the name of the president or other individual responsible for the administrative operations of the conservation organization;
- (e) the type of permit and species for which the permit is requested; and
- (f) any requested variances for an extended season or legal weapon choice for area conservation permits.

(4)(a) Conservation organizations must include the information as provided in Subsection (b) or (c).

(b) The proposed bid amount for each permit. The proposed bid amount is the revenue the organization anticipates to be raised from the auction or fund raising activity. The recommended minimum permit bid amount is listed in Table 1.

(i) The basis for the bid amount must include the conservation organization's experience in similar activities, and details of the marketing plan.

TABLE 1  
RECOMMENDED MINIMUM PERMIT BID AMOUNT

Species	Statewide	Area
Rocky Mountain Bighorn (Ram)	\$30,000	\$20,000
Desert Bighorn (Ram)	30,000	20,000
Buck Deer	10,000	2,000
Bull Elk	10,000	4,000
Bull Moose	10,000	3,000
Bison (Hunter's Choice)	5,000	5,000
Rocky Mountain Goat (Hunter's Choice)	5,000	3,000
Buck Pronghorn	2,000	1,000
Black Bear	2,000	1,000
Cougar	2,000	500
Turkey	350	250

- (c) A specific project proposal that includes:
  - (i) a schedule for project completion;
  - (ii) the benefits to the identified species;
  - (iii) justification for the conservation organization retaining more than ten percent of the revenue, showing increased benefit to

the species, over remitting the funds to the division. Under this option, the division must receive the cost of the permit.

(iv) Proposals which integrate well with the division's species plans and objectives will be given emphasis in the evaluation.

(5) An application which is incomplete or completed incorrectly may be rejected.

(6) The application of a conservation organization that has not fully reported on the preceding years conservation permits may be rejected.

(7) Conservation permits shall be awarded for one year, except as provided in Subsection (8).

(8) Conservation organizations may apply for specific area conservation permits, which may be awarded for up to five consecutive years, provided the conservation organization meets the requirements provided in Subsection (a) for a multi-year permit.

(a)(i) the conservation organization must submit a bid for each multi-year area conservation permit requested and submit a specific project proposal for which the funds will be utilized, as provided in Subsection (4)(c);

(ii) the project must require more than one year of funding to complete;

(iii) the conservation organization must show the increased benefit to the division by the conservation organization carrying out the project;

(iv) the conservation organization must maintain each year a minimum performance standard, raising no less than 80% of the funds bid for each multi-year permit; and

(v) the conservation organization must report annually on the funds raised and expended, and the project activities accomplished.

(b) Conservation organizations failing to satisfy the performance standards in any given year during the multi-year period or reporting requirements shall lose the multi-year area conservation permit for the balance of the multi-year award period.

(c) Conservation organizations must submit a separate bid for each multi-year area conservation permit.

(d) Bids for multi-year area conservation permits shall be evaluated based on:

(i) an average annual benefit when compared to annual bids for permits; and

(ii) the requirements as provided in Subsection (9).

(9) The division shall recommend the conservation organization to receive each of the conservation permits based on:

(a) first, the bid amount pledged to the species, adjusted by:

- (i) the performance of the organization over the previous two years in meeting proposed bids;

- (ii) if returning the bid amount to the division, at least 90% of the bid amount;

- (iii) if retaining the bid amount for projects, at least 90% of the bid amount, multiplied by the percent the project integrates with species plans and objectives; and

- (iv) organizations must maintain a minimum two-year average performance of 70% to be eligible for consideration of permits. Performance of the organization is the proportion of the amount returned to the division, divided by 90% of the bid amount for all permits, calculated annually and averaged for the last two years.

(b) second, if two or more conservation organizations are tied using the criteria in Subsection (a), the closeness of the organization's purpose to the species of the permit; and

(c) third, if two or more conservation organizations are tied using the criteria in Subsection (a) and (b), the geographic closeness of the organization to the location of the permit.



~~[(8)(a)](10)(a)~~ Between the time the division recommends that a conservation permit be awarded to a conservation organization and the time the Wildlife Board approves that recommendation, a conservation organization may withdraw their application for any given permit or exchange their application with another conservation organization without penalty, provided the bid amount upon which the permit application was evaluated is not changed.

(b) If a conservation organization withdraws its bid and the bid is awarded to another organization at a lower amount, then the difference between the two bids will be subtracted from the organization making the higher bid for purposes of evaluating organization performance.

~~[(9)](11)~~ The Wildlife Board ~~[will]~~shall make the final assignment of conservation permits at a meeting prior to December 1 annually, ~~[based on]~~considering the:

- (a) division recommendation;
- (b) benefit to the species;
- (c) historical contribution of the organization to the conservation of wildlife in Utah; and
- (d) previous performance of the conservation organization.

~~[(40)](12)~~ The division and conservation organization receiving the permits shall enter into a contract.

~~[(41)(a)](13)(a)~~ The conservation organization receiving permits ~~[shall]~~must certify that the permits are distributed by lawful means.

(b) The conservation organization must:

(i) obtain the name of the proposed permit recipient at the event where the permit recipient is selected; and

(ii) notify the division of the proposed permit recipient within 10 days of the recipient selection or the permit may be forfeited.

(c) If a person is selected by a qualified organization to receive a conservation permit and is also successful in obtaining a permit for the same species in the same year through the Bucks, Bulls and Once-In-A-Lifetime Drawing, that person may designate another person to receive the conservation permit, provided the conservation permit has not been issued by the division to the first selected person.

(d) If a person is selected by a qualified organization to receive a conservation permit, but is unable to use the permit, the conservation organization may designate another person to receive the permit provided:

(i) the conservation organization selects the new recipient of the permit;

(ii) the amount of money received by the division for the permit is not decreased;

(iii) the conservation organization relinquishes to the division 90% of all proceeds generated from the alternate permit transfer or uses the funds for projects authorized by the division pursuant to this rule;

(iv) the conservation organization and the initial designated recipient of the permit, must sign an affidavit indicating the initial designated recipient is not profiting from transferring the right to the permit; and

(v) the permit has not been issued by the division to the first designated person.

(e) Except as otherwise provided under Subsection (c) and (d), a person designated by a conservation organization as a recipient of a conservation permit, may not sell or transfer the rights to that designation to any other person. This does not preclude a person from bidding or otherwise lawfully acquiring a permit from a

conservation organization on behalf of another person who will be identified as the original designated recipient.

~~[(42)](14)~~ All permits must be marketed by September 1, annually.

~~[(43)](15)~~ Within 30 days of the last event, but no later than September 1 annually, the conservation organization must submit to the division:

(a) a final report on the distribution of permits;

(b) the funds due to the division; and

(c) a report on the status of each project contained in the application.

~~[(44)](16)~~ Permits shall not be issued until funds due to the division are received. Ten percent of the auction or fund raising activity amount may be retained by the conservation organization for administrative expenses. If the conservation organization is paying the permit fees for the permit recipient, the fees must be paid from the 10% retained by the conservation organization.

#### **R657-41-5. Obtaining Sportsman Permits.**

(1) One sportsman permit is offered to residents through a drawing for each of the following species:

(a) desert bighorn (ram);

(b) bison (hunter's choice);

(c) buck deer;

(d) bull elk;

(e) Rocky Mountain goat (hunter's choice)

(f) bull moose; and

(g) buck pronghorn.

(2) The following information is provided in the proclamation of the Wildlife Board for taking big game:

(a) hunt dates;

(b) open units or hunt areas;

(c) application procedures;

(d) fees; and

(e) deadlines.

#### **R657-41-6. Using a Conservation or Sportsman Permit.**

(1)(a) A conservation or sportsman permit allows the recipient to take only the species for which the permit is issued.

(b) The species that may be taken shall be printed on the permit.

(c) The species may be taken in the area and during the season specified on the permit.

(d) The species may be taken only with the weapon specified on the permit.

(2) The recipient of a conservation or sportsman permit is subject to all of the provisions of Title 23, Wildlife Resources Code, and the rules and proclamations of the Wildlife Board for taking and pursuing wildlife.

(3) Bonus points shall not be awarded or utilized:

(a) when applying for conservation or sportsman permits; or

(b) in obtaining conservation or sportsman permits.

(4) Any person who has obtained a conservation or sportsman permit is subject to all waiting periods as provided in Rules R657-5, R657-6, R657-10 and R657-33.

#### **KEY: wildlife, wildlife permits**

~~[January 16,] 2001~~

**Notice of Continuation November 30, 2000**

**23-14-18**

**23-14-19**



Natural Resources, Wildlife Resources  
**R657-49**  
 Big Game Conservation Easements on  
 Former School Trust Lands

**NOTICE OF PROPOSED RULE**

(New Rule)

DAR FILE NO.: 24065

FILED: 09/20/2001, 11:32

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** This establishes the Division of Wildlife Resources (DWR) shall use Legislative appropriations, in accordance with the Appropriations Act approved by the 2001 Legislature, specified for big game conservation easements on lands disposed of after July 1, 2001, by the School and Institutional Trust Lands Administration (SITLA).

**SUMMARY OF THE RULE OR CHANGE:** This rule describes a process for notifying the public and selecting interested private parties who propose purchasing land title, paying property tax, and granting big game conservation easements on lands disposed of by the School Trust Lands Administration, after July 1, 2001. The Division generally would hold the conservation easement, and would retain the ability to determine big game habitat priorities across the state. Habitat Council and Wildlife Board reviews become part of the public process for awarding these funds. Six criteria will be used to evaluate and judge competing conservation easement proposals, as follows: (a) demonstrated conservation ethic by proponent; (b) demonstrated experience managing rangeland to benefit wildlife; (c) ownership of adjacent or adjoining rangelands; (d) acceptance of easement restrictions and conditions that offer the greatest habitat protection and enhancement opportunities for big game and other wildlife species; (e) acceptance of easement conditions that afford public access to the property for outdoor recreational opportunities; and (f) amount of money offered (by the private party). Private appraisals would serve as the basis for valuation, and the Wildlife Board would maintain oversight.

**STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Sections 23-14-19 and 57-18-2

**ANTICIPATED COST OR SAVINGS TO:**

**THE STATE BUDGET:** This rule addresses an appropriation of General Funds, of less than or equal to \$1,000,000. This represents a measurable cost to the state budget, commensurate with the public benefits it would generate. The negligible costs of administering the rule could be absorbed in Division budgets without substantial modification.

**LOCAL GOVERNMENTS:** None--This filing does not create any direct costs to local governments, because property taxes are paid by landowners. Nor are local governments indirectly impacted because the rule does not create a situation requiring services or infrastructure from local governments. Although no direct benefits accrue to local government,

indirect benefits associated with increased wildlife-related business in local areas could address local revenues.

**OTHER PERSONS:** Private landowners would benefit through the cost savings associated with having part of their property acquisition costs defrayed through Division purchase of conservation easements. The public funds would essentially subsidize open rangeland conservation, reducing the landowner's cost for grazing and big game habitat conservation.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There would not be any compliance cost. This is not a regulatory matter.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This rule will have no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

NATURAL RESOURCES  
 WILDLIFE RESOURCES  
 1594 W NORTH TEMPLE  
 SALT LAKE CITY UT 84116-3154, or  
 at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

Debbie Sundell at the above address, by phone at 801-538-4707, by FAX at 801-538-4745, or by Internet E-mail at dsundell.nrdwr@state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: John Kimball, Director

**R657. Natural Resources, Wildlife Resources.**

**R657-49. Big Game Conservation Easements on Former School Trust Lands.**

**R657-49-1. Purpose and Authority.**

This rule establishes how the Division of Wildlife Resources shall use Legislative appropriations specified for big game conservation easements on lands disposed of after July 1, 2001, by the School and Institutional Trust Lands Administration.

**R657-49-2. Definitions.**

(1) "Big game habitat interest" means land and habitat of sufficient big game management value that the Division may work to secure a conservation easement on the property, using funds appropriated specifically for this purpose.

(2)(a) "Conservation easement" means a recorded deed conveying partial property rights, as defined in the Land Conservation Easement Act, Section 57-18-1 through Section 57-18-7.

(b) For the purposes of this rule, conservation easements shall convey or restrict one or more rights, including but not limited to:

(i) grazing management;

- (ii) range management;
- (iii) timber management;
- (iv) building and development;
- (v) aquatic and terrestrial habitat restoration or improvement;
- (vi) surface disturbance;
- (vii) hunting and fishing;
- (viii) commercial activities;
- (ix) game farming;
- (x) public access; or
- (xi) alternative land uses.

(c) The Division or its designee shall hold the easement.

(3) "Criteria" mean the specific attributes by which the Division will rank competing proposals for the same tract of property, if more than one qualifying proposal is submitted for that tract, which the Division identifies as a priority big game habitat interest.

(4) "Earnest money" means a deposit to the Division, by certified check, specific to and physically accompanying a private proposal to the Division, pertaining to big game lands described in this rule. Funds submitted in this manner shall be credited fully toward the proponent's purchase of specified tracts, or fully refunded within 30 days if the Division determines not to proceed with the proposed purchase, except as may be mutually agreed otherwise by the Division and the proponent.

(2) "Proposal" means a printed document, signed by the proponent, in which the tax paying private party identifies specific tracts they would purchase at a proposed price, if the Division were to secure a big game conservation easement on those tracts.

(3) "SITLA" means School and Institutional Trust Lands Administration.

#### **R657-49-3. Public Notification and Request for Partnership Proposals.**

(1) The Division may seek partnerships with parties that, as the owner of the fee interest in qualifying lands encumbered by a Conservation Easement under this rule, shall be subject to real estate property tax.

(2) A broadly distributed legal notice inviting proposals shall be published in newspapers of general circulation throughout the state.

(3) To further advertise this opportunity to benefit from public funds, the notice may be presented once annually at a Wildlife Board meeting.

#### **R657-49-4. Earnest Money Deposit Required.**

(1) All written proposals responding to the legal notice or public meeting, which advertises availability of funds, must be accompanied by an earnest money deposit equivalent to \$15 per acre proposed for acquisition.

(2)(a) Any earnest deposit money shall be returned within 30 days if the Division rejects the proposal, provided the proponent identified a return address in the original proposal.

(b) Proposals unaccompanied by sufficient earnest money require no action or response by the Division.

#### **R657-49-5. Division Determination of Big Game Habitat Interests.**

The Division shall determine and evaluate as provided in Section R657-49-7, within the Division's budget, big game habitat interests on lands disposed of, or to be disposed of, by SITLA.

Nothing in this rule affects any authority held by SITLA or their Board of Trustees.

#### **R657-49-6. Specific Properties - Habitat Council Review – Director's Approval.**

(1) In the event the Division determines a big game habitat interest on lands disposed of by SITLA, the Division shall evaluate the potential to use specific appropriations for conservation easements.

(2) The Division may seek Habitat Council review and recommendation prior to the Director's decision of whether to pursue a particular conservation easement.

#### **R657-49-7. Criteria - Basis for Award.**

(1) In the event two or more applicants submit qualifying proposals for the same tract holding big game habitat interests, the criteria provided in Subsection (a) through Subsection (f) shall be used to evaluate which, if any, proposal may be accepted:

(a) demonstrated conservation ethic by proponent;  
(b) demonstrated experience managing rangeland to benefit wildlife;

(c) ownership of adjacent or adjoining rangelands;

(d) acceptance of easement restrictions and conditions that offer the greatest habitat protection and enhancement opportunities for big game and other wildlife species;

(e) acceptance of easement conditions that afford public access to the property for outdoor recreational opportunities;

(f) cost of acquiring the easement; and

(g) resource conflicts or benefits associated with surrounding landowners.

#### **R657-49-8. Basis of Valuation – Handling of Payments.**

(1) For purposes of this rule, the Division shall buy and sell property on the basis of privately prepared, market-based, self-contained appraisal reports, which meet Uniform Standards of Professional Appraisal Practice guidelines and are subject to professional appraisal review by a second private appraiser.

(2) The Division typically shall not purchase a conservation easement pursuant to this rule at a value in excess of its appraised value, except as that appraised value may be adjusted by the original appraiser following appraisal review. The Wildlife Board may approve exceptions to this practice in special circumstances where sufficient rationale is provided.

(3) In the event the proponent bids and pays a sum in excess of the negotiated purchase price for the entire fee simple estate, without the conservation easement encumbrance, the excess funds will be transferred to SITLA at closing.

#### **R657-49-9. Reporting of Results.**

The Division may report annual partnership program success to the Wildlife Board during the meeting at which public notice is given of the subsequent year's request for proposals.

#### **KEY: wildlife, big game conservation easements\***

**2001**  
**23-14-19**  
**57-18-2**



Tax Commission, Administration  
**R861-4D-6**  
 Invoices Pursuant to Utah Code Ann.  
 Section 59-13-307

**NOTICE OF PROPOSED RULE**

(Amendment)  
 DAR FILE NO.: 24085  
 FILED: 10/01/2001, 17:04

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-13-313 allows the Tax Commission to establish rules to administer the special fuel tax. Section 59-13-301 provides that the exemption from special fuel tax for dyed diesel fuel applies only if the purchaser of the fuel establishes to the Commission's satisfaction that the fuel is used for off-highway purposes.

SUMMARY OF THE RULE OR CHANGE: Proposed amendment removes language that required a retailer of dyed diesel fuel to maintain an exemption certificate for purchases of dyed diesel fuel so long as the retailer complies with the notice requirements of 26 CFR 48.4082-2. That regulation requires a retail dealer to post a notice on a pump stating, "DYED DIESEL FUEL, NONTAXABLE USE ONLY, PENALTY FOR TAXABLE USE." The proposed amendment also provides that a retail dealer may not sell dyed diesel fuel exempt from special fuel tax if the retailer knows that the fuel will be used to operate a vehicle upon the highways of the state.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 59-13-301 and 59-13-313

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None--Because federal penalties for illegal use of dyed diesel fuel are much more burdensome than state penalties, it is unnecessary to put retail dealers through the additional burden of complying with state requirements to substantiate appropriate use of dyed diesel fuel.

❖LOCAL GOVERNMENTS: None--Same as State Budget.

❖OTHER PERSONS: None--Removes an administrative burden from retail dealers of special fuel.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Retail dealers, who are following federal regulations to ensure they do not face stiff federal penalties for inappropriate sales of dyed diesel fuel are no longer required to follow additional state rules to ensure against inappropriate sales of that same fuel.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--There will be no fiscal impact on businesses as a result of this amendment.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

TAX COMMISSION  
 ADMINISTRATION  
 210 N 1950 W  
 SALT LAKE CITY UT 84134-0002, or  
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Cheryl Lee at the above address, by phone at 801-297-3900, by FAX at 801-297-3919, or by Internet E-mail at clee@tax.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: Pam Hendrickson, Commissioner

**R865. Tax Commission, Auditing.**

**R865-4D. Special Fuel Tax.**

**R865-4D-6. Invoices Pursuant to Utah Code Ann. [~~Section 59-13-307~~] Sections 59-13-301 and 59-13-313.**

~~[A. Every user dealer or retail dealer of special fuel who sells special fuel, other than propane, exempt from special fuel tax must at the time of each sale and delivery issue an invoice to the purchaser.]~~

~~[A.]~~ A. If requested, [an invoice must also be issued] a retail dealer must issue to [the] a purchaser of special fuel [that pays the special fuel tax at the time of purchase] an invoice that indicates the fuel taxes that have been included in the price of purchased fuel. This invoice shall serve as evidence that the special fuel tax has been paid.

B. Invoices must be numbered consecutively, made in duplicate, and contain the following information:

1. name and address of seller;
2. place of sale;
3. date of sale;
4. name and address of purchaser;
5. fuel type;
6. number of gallons sold;
7. unit number or other vehicle identification if delivered into a motor vehicle;
8. type of container delivered into if not a motor vehicle;
9. invoice number; and
10. amount and type of state tax ~~[charged]~~ paid on the special fuel, if any.

C. ~~[The user dealer must retain a copy of each special fuel tax exempt invoice and be able to account for each tax exempt delivery made.]~~ A retail dealer must charge sales tax on diesel fuel that is exempt from special fuel tax unless the retail dealer has received and retains on file a properly completed sales and use tax exemption certificate indicating that the transaction is exempt from sales tax.

D. ~~[Every user-dealer or other]~~ A retail dealer [of propane who] that sells propane exempt from special fuel tax, but subject to sales tax, must at the time of each sale and delivery keep a record of the exempt sale. This record shall be in the form of an invoice or a log, and shall serve as evidence that the sale is exempt from special fuel tax.

1. If the record is in the form of an invoice, it shall contain the information required under B.

2. If the record is in the form of a log, it shall contain the following information:

- a) name and address of the ~~[seller]~~ retail dealer;
- b) date of sale;
- c) amount of propane sold; and
- d) purchaser's name.

E. A retail dealer that sells propane, compressed natural gas, or electricity exempt from sales tax shall retain the following information for each exempt sale:

1. the make, year, and license number of the vehicle;
2. the name and address of the purchaser;
3. the quantity (e.g., number of gallons) sold; and
4. the clean special fuel certificate number.

F. A retail dealer is not required to obtain an exemption certificate from a purchaser of dyed diesel fuel indicating that the dyed diesel fuel will be used for purposes other than to operate a motor vehicle upon the highways of the state if the retail dealer complies with the notice requirement under 26 C.F.R. Section 48.4082-2.

G. A retail dealer may not sell dyed diesel fuel exempt from special fuel tax if the retail dealer knows that the fuel will be used to operate a motor vehicle upon the highways of the state.

~~[E. The burden of proving that a sale of special fuel is exempt shall be upon the person who makes the sale. In any case, if during an audit or at other times upon request of any member or agent of the Tax Commission, the user-dealer fails to produce an acceptable invoice or other acceptable evidence in support of the user-dealer's claim that a sale is exempt, the sale is considered taxable and the tax shall be payable by the user-dealer.]~~

~~[F. On an exempt sale of propane or other special fuels other than diesel fuel for which a valid special fuel tax exemption certificate is presented to the dealer as evidence of exemption, the invoice must contain the following information:]~~

- ~~[1. the make, year, and license number of the vehicle;]~~
- ~~[2. the name and address of the purchaser;]~~
- ~~[3. the number of gallons sold; and]~~
- ~~[4. the special fuel tax exemption certificate number.]~~

~~[G. Generally, a user-dealer or retail-dealer of special fuel making sales of special fuel by means of an unattended, automated metering system activated by a card or key, or similar device, must charge special fuel tax on the sales made through the various meters on the system. The tax must be charged because without information to the contrary, it is assumed that the fuel sold through the various meters is delivered into the service tanks of motor vehicles.]~~

~~[1. As an exception to the general rule, the user-dealer may exempt a particular meter number assigned to a customer from the special fuel tax if the customer signs a statement to the effect that none of the fuel metered under that meter number will be delivered into a motor vehicle. The statement must be retained on file by the user-dealer to support the special fuel tax exempt nature of the sale.]~~

~~[2. The user-dealer must charge sales tax on special fuel tax exempt sales except in those cases where the user-dealer has~~

~~received and retains on file a properly completed Sales and Use Tax Exemption Certificate exempting the transaction from sales tax.]~~

**KEY: taxation, fuel, special fuel**

~~[February 24, 1998]~~**2001**

**59-13-301**

**59-13-313**



## Transportation, Program Development R926-6

### Transportation Corridor Preservation Revolving Loan Fund

#### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24082

FILED: 09/27/2001, 15:30

#### RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This amendment makes some wording changes, identifies the Metropolitan Planning Organizations as members of the advisory council, and makes the Utah Department of Transportation (UDOT) responsible for determining cost-effectiveness of proposed projects.

SUMMARY OF THE RULE OR CHANGE: Changes composition of advisory council and adds to duties of UDOT.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 72-2-117

ANTICIPATED COST OR SAVINGS TO:

- ❖THE STATE BUDGET: The amendment results in no costs or savings because it only changes the composition of a committee, not the way in which UDOT applies or processes applications for the transportation corridor preservation fund.
- ❖LOCAL GOVERNMENTS: The amendment results in no costs or savings because it only changes the composition of a committee, not the way in which UDOT applies or processes applications for the transportation corridor preservation fund.
- ❖OTHER PERSONS: The amendment results in no costs or savings because it only changes the composition of a committee, not the way in which UDOT applies or processes applications for the transportation corridor preservation fund.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The amendment results in no costs or savings because it only changes the composition of a committee, not the way in which UDOT applies or processes applications for the transportation corridor preservation fund.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact on business.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

TRANSPORTATION  
PROGRAM DEVELOPMENT  
RAMPTON BLDG  
4501 S 2700 W  
SALT LAKE CITY UT 84119-5998, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

James Beadles at the above address, by phone at 801-965-4168, by FAX at 801-965-4796, or by Internet E-mail at jbeadles@dot.state.ut.us

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: John R Njord, Executive Director

### **R926. Transportation, Program Development.**

#### **R926-6. Transportation Corridor Preservation Revolving Loan Fund.**

##### **R926-6-1. Purpose and Authority.**

(1) Subsection 72-2-117.7(c) and Subsection 72-2-117.10(a) authorizes the Utah Transportation Commission to establish this rule. The purpose of this rule is to establish procedures for:

(a) the Utah Department of Transportation to apply for fund monies;  
(b) the Utah Transportation Commission to award fund monies;  
and

(c) repayment conditions; and

(d) establishing a corridor preservation advisory council committee ~~[an advisory council to assist in the corridor preservation efforts].~~

##### **R926-6-3. Utah Transportation Preservation Advisory Council Committee.**

(1) UDOT shall establish a council committee to provide recommendations and priorities concerning the use of fund monies to the commission. assist in prioritizing requests for funding. The council committee shall be chaired by the UDOT Engineer for Transportation Planning. Additional committee members shall be ~~[e]Chief~~, UDOT Right of Way Division, ~~[F]two~~ commission members selected by the Chairman of the ~~[e]Commission, one designated member from each of the Metropolitan Planning Organizations in the State, [and] any additional members appointed by the Commission, [commission]~~ and a representative with relevant technical expertise or experience from each of the following:

- (a) Bear River Association of Governments;
- (b) Five County Association of Governments;
- (c) Mountainland Association of Governments;
- (d) Six-County Association of Governments;
- (e) Southeastern Association of Governments;
- (f) Uintah Basin Association of Governments; and
- (g) Wasatch Front Regional Council.

##### **R926-6-5. UDOT Responsibilities.**

(1) In addition to the specified statutory considerations, UDOT may also:

(a) review requests and determine if sufficient studies have been completed in a corridor to:

(i) identify environmentally sensitive areas;

(ii) determine feasible alignments; ~~[and]~~

(iii) ~~[allow for adequate public involvement.]~~ determine cost-effectiveness of the project; and

(iv) allow for adequate public involvement.

(b) forward council committee recommendations to the commission and request commission approval for funding specific corridors;

(c) acquire real property or any interest in real property necessary for corridor preservation in corridors authorized by the commission;

(d) manage monies of the fund; and

(e) administer repayment contracts with counties and municipalities.

##### **R926-6-6. Procedure for the Awarding of Fund Monies.**

Requests for monies shall be directed to the council for review and prioritization based upon Section R926-6-4. The results of the evaluation of requests shall be forwarded to the Commission. The Commission shall review the recommendations of the Council as well as any other pennant factors and approve, adjust, or reject the recommended expenditures in accordance with Section 72-2-117(4a) ~~[27-2-117(4a)]~~.

**KEY:** transportation, transportation corridor preservation revolving loan fund, transportation planning, right of way ~~[January 3,]2001~~  
72-2-117.7(c) and 72-2-117.10(a)



## Transportation, Preconstruction, Right- of-Way Acquisition **R933-1** Right of Way Acquisition

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24071

FILED: 09/25/2001, 12:18

### RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This amendment is meant to clarify that the federal regulations apply only to rights-of-way procured with federal funds, not those purchased with state funds only.

SUMMARY OF THE RULE OR CHANGE: A short addition made at the end of the current text to identify federal-aid projects as being the only kind of projects to which the regulations apply.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 72-7-501

## ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: The amendment results in no costs or savings because it does not change the way the Utah Department of Transportation (UDOT) conducts business, it only clarifies the meaning and application of a federal regulation.

❖LOCAL GOVERNMENTS: The amendment results in no costs or savings because it does not change the way UDOT conducts business, it only clarifies the meaning and application of a federal regulation.

❖OTHER PERSONS: The amendment results in no costs or savings because it does not change the way UDOT conducts business, it only clarifies the meaning and application of a federal regulation.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The amendment results in no costs or savings because it does not change the way UDOT conducts business, it only clarifies the meaning and application of a federal regulation.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact on business.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

TRANSPORTATION  
PRECONSTRUCTION, RIGHT-OF-WAY ACQUISITION  
RAMPTON BLDG  
4501 S 2700 W  
SALT LAKE CITY UT 84119-5998, or  
at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

James Beadles at the above address, by phone at 801-965-4168, by FAX at 801-965-4796, or by Internet E-mail at [jbeadles@dot.state.ut.us](mailto:jbeadles@dot.state.ut.us)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: John R Njord, Executive Director

**R933. Transportation, Preconstruction, Right of Way Acquisition.**

**R933-1. Right of Way Acquisition.**

**R933-1-1. Right of Way Acquisition Incorporation of Federal Publication.**

The State of Utah incorporates by reference 49 CFR 24 as amended in the Federal Register, March 2, 1989, as its administrative rules on the acquisition of rights of way for federal-aid projects.

**KEY: right of way, condemnation, highway beautification**

**[~~1993~~2001**

**Notice of Continuation February 10, 1997**

**72-7-501**



**End of the Notices of Proposed Rules Section**

## NOTICES OF CHANGES IN PROPOSED RULES

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After an agency has published a PROPOSED RULE in the *Utah State Bulletin*, it may receive public comment that requires the PROPOSED RULE to be altered before it goes into effect. A CHANGE IN PROPOSED RULE allows an agency to respond to comments it receives.

As with a PROPOSED RULE, a CHANGE IN PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the CHANGE IN PROPOSED RULE including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the RULE ANALYSIS, the text of the CHANGE IN PROPOSED RULE is usually printed. The text shows only those changes made since the PROPOSED RULE was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (e.g., example). Deletions made to the rule appear struck out with brackets surrounding them (e.g., [example]). A row of dots in the text (. . . . .) indicates that unaffected text was removed to conserve space. If a CHANGE IN PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

While a CHANGE IN PROPOSED RULE does not have a formal comment period, there is a 30-day waiting period during which interested parties may submit comments. The 30-day waiting period for CHANGES IN PROPOSED RULES published in this issue of the *Utah State Bulletin* ends November 14, 2001. At its option, the agency may hold public hearings.

From the end of the waiting period through February 12, 2002, the agency may notify the Division of Administrative Rules that it wants to make the CHANGE IN PROPOSED RULE effective. When an agency submits a NOTICE OF EFFECTIVE DATE for a CHANGE IN PROPOSED RULE, the PROPOSED RULE as amended by the CHANGE IN PROPOSED RULE becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file another CHANGE IN PROPOSED RULE in response to additional comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or another CHANGE IN PROPOSED RULE, the CHANGE IN PROPOSED RULE filing, along with its associated PROPOSED RULE, lapses and the agency must start the process over.

CHANGES IN PROPOSED RULES are governed by *Utah Code* Section 63-46a-6 (2001); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-5, R15-4-7, and R15-4-9.

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**The Changes in Proposed Rules Begin on the Following Page.**



## Environmental Quality, Water Quality R317-8-4 Permit Conditions

### NOTICE OF CHANGE IN PROPOSED RULE

DAR File No.: 23780  
Filed: 09/27/2001, 10:34

#### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** Proposed change is made in response to a public comment received during the notice period for the rule.

**SUMMARY OF THE RULE OR CHANGE:** Proposed change is made in response to a public comment received during the notice period for the rule.

**STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 19-5-104

**ANTICIPATED COST OR SAVINGS TO:**

❖ **THE STATE BUDGET:** None--The proposed change replaces a single term in the definition of "bypass." The change will not require additional resources or result in a cost or saving to the state budget.

❖ **LOCAL GOVERNMENTS:** None--The proposed change replaces a single term in the definition of "bypass." The change will not require additional resources or result in a cost or saving to local governments.

❖ **OTHER PERSONS:** None--The proposed change replaces a single term in the definition of "bypass". The change will not require additional resources or result in a cost or saving to other persons.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** None--The proposed change clarifies the definition of "bypass" and will not affect compliance costs for affected persons.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** The proposed change is a minor change which clarifies the definition of a "bypass". We do not anticipate any fiscal impacts to businesses as a result of the change.

**THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:**

ENVIRONMENTAL QUALITY  
WATER QUALITY  
CANNON HEALTH BLDG  
288 N 1460 W  
SALT LAKE CITY UT 84116-3231, or  
at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

Dave Wham at the above address, by phone at 801-538-6052, by FAX at 801-538-6016, or by Internet E-mail at [dwham@deq.state.ut.us](mailto:dwham@deq.state.ut.us)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 11/14/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 11/15/2001

AUTHORIZED BY: Dianne R Nielson, Executive Director

#### **R317. Environmental Quality, Water Quality.**

#### **R317-8. Utah Pollutant Discharge Elimination System (UPDES).**

#### **R317-8-4. Permit Conditions.**

4.1 **CONDITIONS APPLICABLE TO ALL UPDES PERMITS.** The following conditions apply to all UPDES permits. Additional conditions applicable to UPDES permits are in R317-8-4.1(15). All conditions applicable shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these regulations must be given in the permit. In addition to conditions required in all UPDES permits, the Executive Secretary will establish conditions as required on a case-by-case basis under R317-8-4.2 and R317-8-5.

(1) **Duty to Comply.**

(a) **General requirement.** The permittee must comply with all conditions of the UPDES permit. Any permit noncompliance is a violation of the Utah Water Quality Act, as amended and is grounds for enforcement action; permit termination, revocation and reissuance or modification; or denial of a permit renewal application.

(b) **Specific duties.**

1. The permittee shall comply with effluent standards or prohibitions for toxic pollutants and with standards for sewage sludge use or disposal established by the State within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement (40 CFR, 129).

2. The Utah Water Quality Act, in 19-5-115, provides that any person who violates the Act, or any permit, rule, or order adopted under it is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or with gross negligence violates the Act, or any permit, rule or order adopted under it is subject to a fine of not more than \$25,000 per day of violation. Any person convicted under 19-5-115 a second time shall be punished by a fine not exceeding \$50,000 per day.

(2) **Duty to Reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of the permit, the permittee shall apply for and obtain a new permit as required in R317-8-3.1.

(3) **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (Upon reduction, loss, or failure of the treatment facility, the permittee, to the extent necessary to maintain compliance with the permit, shall control production of all discharges until the facility is restored or an alternative method of treatment is provided.)

(4) **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of the UPDES permit which has a reasonable likelihood of adversely affecting human health or the environment.

(5) Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

(6) Permit Actions. The permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(7) Property Rights. This permit does not convey any property rights of any kind, or any exclusive privilege.

(8) Duty to Provide Information. The permittee shall furnish to the Executive Secretary, within a reasonable time, any information which the Executive Secretary may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with this permit. The permittee shall also furnish to the Executive Secretary, upon request, copies of records required to be kept by the permit.

(9) Inspection and Entry. The permittee shall allow the Executive Secretary, or an authorized representative, including an authorized contractor acting as a representative of the Executive Secretary) upon the presentation of credentials and other documents as may be required by law to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(c) Inspect at reasonable times any facilities, equipment, including monitoring and control equipment, practices or operations regulated or required under the permit; and

(d) Sample or monitor at reasonable times for the purposes of assuring UPDES program compliance or as otherwise authorized by the Utah Water Quality Act any substances or parameters, or practices at any location.

(10) Monitoring and records.

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Executive Secretary at any time. Records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, shall be retained for a period of at least five years or longer as required by State promulgated standards for sewage sludge use and disposal.

(c) Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;

2. The individual(s) who performed the sampling or measurements;

3. The date(s) and times analyses were performed;

4. The individual(s) who performed the analyses;

5. The analytical techniques or methods used; and

6. The results of such analyses.

(d) Monitoring shall be conducted according to test procedures approved under 40 CFR 136 or in the case of sludge use or disposal, approved under 40 CFR 136 unless otherwise specified in State standards for sludge use or disposal, unless other test procedures, approved by EPA under 40 CFR 136, have been specified in the permit.

(e) Section 19-5-115(3) of the Utah Water Quality Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the permit shall, upon conviction, be punished by a fine not exceeding \$10,000 or imprisonment for not more than six months or by both.

(11) Signatory Requirement. All applications, reports, or information submitted to the Executive Secretary shall be signed and certified as indicated in R317-8-3.4. The Utah Water Quality Act provides that any person who knowingly makes any false statements, representations, or certifications in any record or other document submitted or required to be maintained under the permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than six months or by both.

(12) Reporting Requirements.

(a) Planned changes. The permittee shall give notice to the Executive Secretary as soon as possible of any planned physical alteration or additions to the permitted facility. Notice is required only when:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in R317-8-8; or

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit nor to notification requirements under R317-8-4.1(15).

3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

(b) Anticipated Noncompliance. The permittee shall give advance notice to the Executive Secretary of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(c) Transfers. The permit is not transferable to any person except after notice to the Executive Secretary. The Executive Secretary may require modification on and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Utah Water Quality Act, as amended. (In some cases, modification, revocation and reissuance is mandatory.)

(d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in the permit. Monitoring results shall be reported as follows:

1. Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Executive Secretary for reporting results of monitoring of sludge use or disposal practices.

2. If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or the in the case of sludge use or disposal, approved under 40 CFR 136 unless otherwise specified in State standards for sludge use and disposal, or as specified in the permit according to procedures approved by EPA, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Executive Secretary.

3. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

(e) Compliance Schedules. Reports of compliance or noncompliance with, or any progress report on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than fourteen days following each scheduled date.

(f) Twenty-Four Hour Reporting. The permittee shall (orally) report any noncompliance which may endanger health or the environment. Any information shall be provided orally within twenty-four hours from the time the permittee becomes aware of the circumstances. (The report shall be in addition to and not in lieu of any other reporting requirement applicable to the noncompliance.) A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. (The Executive Secretary may waive the written report on a case-by-case basis if the oral report has been received within twenty-four hours.) The following shall be included as events which must be reported within twenty-four hours:

1. Any unanticipated bypass which exceeds any effluent limitation in the permit, as indicated in R317-8-4.1(13).

2. Any upset which exceeds any effluent limitation in the permit.

3. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Executive Secretary in the permit to be reported within twenty-four hours, as indicated in R317-8-4.2(7). The Executive Secretary may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(g) Other NonCompliance. The permittee shall report all instances of noncompliance not reported under R317-8-4.1(12) (d), (e), and (f) at the time monitoring reports are submitted. The reports shall contain the information listed in R317-8-4.1(12)(f).

(h) Other Information. Where the permittee becomes aware that it failed to submit any relevant fact in a permit application, or submitted incorrect information in its permit application or in any report to the Executive Secretary, it shall promptly submit such facts or information.

(13) Occurrence of a Bypass.

(a) Definitions.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

2. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes

them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass Not Exceeding Limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to R317-8-4.1(13)(c) or (d).

(c) Prohibition of Bypass.

1. Bypass is prohibited, and the Executive Secretary may take enforcement action against a permittee for bypass, unless:

a. Bypass was unavoidable to prevent loss of human life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance, and

c. The permittee submitted notices as required under R317-8-4.1(13)(d).

2. The Executive Secretary may approve an anticipated bypass, after considering its adverse effects, if the Executive Secretary determines that it will meet the three conditions listed in R317-8-4.1(13)(c) a, b, and c.

(d) Notice.

1. Anticipated bypass. Except as provided in R317-8-4.1(13)(b) and R317-8-4.1(13)(d)2, if the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least 90 days before the date of bypass. The prior notice shall include the following unless otherwise waived by the Executive Secretary:

a. Evaluation of alternatives to the bypass, including cost-benefit analysis containing an assessment of anticipated resource damages;

b. A specific bypass plan describing the work to be performed including scheduled dates and times. The permittee must notify the Executive Secretary in advance of any changes to the bypass schedule;

c. Description of specific measures to be taken to minimize environmental and public health impacts;

d. A notification plan sufficient to alert all downstream users, the public and others reasonably expected to be impacted by the bypass;

e. A water quality assessment plan to include sufficient monitoring of the receiving water before, during and following the bypass to enable evaluation of public health risks and environmental impacts; and

f. Any additional information requested by the Executive Secretary.

2. Emergency Bypass. Where ninety days advance notice is not possible, the permittee must notify the Executive Secretary, and the Director of the Department of Natural Resources, as soon as it becomes aware of the need to bypass and provide to the Executive Secretary the information in R317-8-4.1(13)(d)1.a. through f. to the extent practicable.

3. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass to the Executive Secretary as required in R317-8-4.1(12)(f). The permittee shall also immediately notify the Director of the Department of Natural Resources, the public and

downstream users and shall implement measures to minimize impacts to public health and the environment to the extent practicable.

(14) Occurrence of an Upset.

(a) Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an Upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of R317-8-4.1(14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, if final administrative action subject to judicial review.

(c) Conditions Necessary for a Demonstration of Upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and that the permittee can identify the specific cause(s) of the upset;
2. The permitted facility was at the time being properly operated; and
3. The permittee submitted notice of the upset as required in R317-8-4.1(12)(f) (twenty-four hour notice).
4. The permittee complied with any remedial measures required under R317-8-4.1(4).

(d) Burden of Proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(15) Additional Conditions Applicable to Specified Categories of UPDES Permits. The following conditions, in addition to others set forth in these regulations apply to all UPDES permits within the categories specified below:

(a) Existing Manufacturing, Commercial, Mining, and Silvicultural Dischargers. In addition to the reporting requirements under R317-8-4.1(12), (13), and (14), any existing manufacturing, commercial, mining, and silvicultural discharger shall notify the Executive Secretary as soon as it knows or has reason to believe:

1. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

- a. One hundred micrograms per liter (100 ug/l);
- b. Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4 dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

c. Five times the maximum concentration value reported for that pollutant in the permit application in accordance with R317-8-3.5(7) or (10).

d. The level established by the Executive Secretary in accordance with R317-8-4.2(6).

2. That any activity has occurred or will occur which would result in any discharge on a non-routine or infrequent basis of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

- a. Five hundred micrograms per liter (500 ug/l).
- b. One milligram per liter (1 mg/l) for antimony.
- c. Ten times the maximum concentration value reported for that pollutant in the permit application in accordance with R317-8-3.5(9).

d. The level established by the Executive Secretary in accordance with R317-8-4.2(6).

(b) POTWs. POTWs shall provide adequate notice to the Executive Secretary of the following:

1. Any new introduction of pollutants into that POTW from an indirect discharger which would be subject to the UPDES regulations if it were directly discharging those pollutants; and

2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

3. For purposes of this paragraph, adequate notice shall include information on the quality and quantity of effluent introduced into the POTW; and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(c) Municipal separate storm sewer systems. The operator of a large or medium municipal separate storm sewer system or a municipal separate storm sewer that has been determined by the Executive Secretary under R317-8-3.9(1)(a)5 of this part must submit an annual report by the anniversary of the date of the issuance of the permit for such system. The report shall include:

1. The status of implementing the components of the storm water management program that are established as permit conditions;

2. Proposed changes to the storm water management programs that are established as permit conditions. Such proposed changes shall be consistent with R317-8-3.9(3)(b)3; and

3. Revisions, if necessary, to the assessment of controls and the fiscal analysis reported in the permit application under R317-8-3.9(3)(b)4 and 3.9(3)(b)5;

4. A summary of data, including monitoring data, that is accumulated throughout the reporting year;

5. Annual expenditures and budget for year following each annual report;

6. A summary describing the number and nature of enforcement actions, inspections, and public education programs;

7. Identification of water quality improvements or degradation.

4.2 ESTABLISHING PERMIT CONDITIONS. For the purposes of this section, permit conditions include any statutory or regulatory requirement which takes effect prior to the final administrative disposition of a permit. An applicable requirement may be any requirement which takes effect prior to the modification or revocation or reissuance of a permit, to the extent allowed in R317-8-5.6. New or reissued permits, and to the extent allowed under R317-8-5.6, modified or revoked and reissued permits shall incorporate each of the applicable requirements referenced in this section. In addition to the conditions established under R317-8-4.1 each UPDES permit will include conditions on a case by case basis to provide for and ensure compliance with all applicable Utah statutory and regulatory requirements and the following, as applicable:

(1) Technology-based effluent limitations and standards, based on effluent limitations and standards promulgated under Section 19-5-104 of the Utah Water Quality Act or new source performance standards promulgated under Section 19-5-104 of the Utah Water Quality Act, on case-by-case effluent limitations, or a combination of the two in accordance with R317-8-7.1.

(2) Toxic Effluent Standards and Other Effluent Limitations. If any applicable toxic effluent standard or prohibition, including any schedule of compliance specified in such effluent standard or prohibition, is promulgated under Section 307(a) of CWA for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in the permit, the Executive Secretary shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

(3) Reopener Clause. For any discharger within a primary industry category, as listed in R317-8-3.11, requirements will be incorporated as follows:

(a) On or before June 30, 1981:

1. If applicable standards or limitations have not yet been promulgated, the permit shall include a condition stating that, if an applicable standard or limitation is promulgated and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked and reissued to conform to that effluent standard or limitation.

2. If applicable standards or limitations have been promulgated or approved, the permit shall include those standards or limitations.

(b) On or after the statutory deadline set forth in Section 301(b)(2)(A), (C), and (E) of CWA, any permit issued shall include effluent limitations to meet the requirements of Section 301(b)(2)(A), (C), (D), (E), (F), whether or not applicable effluent limitations guidelines have been promulgated or approved. These permits need not incorporate the clause required by R317-8-4.2(3)(a)1.

(c) The Executive Secretary shall promptly modify or revoke and reissue any permit containing the clause required under R317-8-4.2(3)(a)1 to incorporate an applicable effluent standard or limitation which is promulgated or approved after the permit is issued if that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit.

(d) For any permit issued to a treatment works treating domestic sewage (including sludge-only facilities), the Executive Secretary shall include a reopener clause to incorporate any applicable standard for sewage sludge use or disposal adopted by the State. The Executive Secretary may promptly modify or revoke and reissue any permit containing the reopener clause required by this paragraph if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

(4) Water quality standards and state requirements shall be included as applicable. Any requirements in addition to or more stringent than EPA's effluent limitation guidelines or standards will be included, when necessary to:

(a) Achieve water quality standards established under the Utah Water Quality Act, as amended and regulations promulgated pursuant thereto, including State narrative criteria for water quality.

1. Permit limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Executive Secretary determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality.

2. When determining whether a discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above a narrative or numeric criteria within a State water quality standard, the Executive Secretary shall use procedures which

account for existing controls on point and nonpoint sources of pollution, the variability of the pollutant or pollutant parameter in the effluent, the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity), and where appropriate, the dilution of the effluent in the receiving water.

3. When the Executive Secretary determines, using the procedures in R317-8-4.2(4)(2), that a discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above the allowable ambient concentration of a State numeric criteria within a State water quality standard for an individual pollutant, the permit must contain effluent limits for that pollutant.

4. When the Executive Secretary determines, using the procedures in R317-8-4.2(4)(2), that a discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above the numeric criterion for whole effluent toxicity, the permit will contain effluent limits for whole effluent toxicity.

5. Except as provided in R317-8-4.2, when the Executive Secretary determines, using the procedures in R317-8-4.2(4)(2), toxicity testing data, or other information, that a discharge causes, has the reasonable potential to cause, or contributes to an in-stream excursion above a narrative criterion within an applicable State water quality standard, the permit will contain effluent limits for whole effluent toxicity. Limits on whole effluent toxicity are not necessary where the Executive Secretary determines in the fact sheet or statement of basis of the UPDES permit, using the procedures in R317-8-4.2(4)(2), that chemical specific limits for effluent are sufficient to attain and maintain applicable numeric and narrative State water quality standards.

6. Where the State has not established a water quality criterion for a specific chemical pollutant that is present in an effluent at a concentration that causes, has the reasonable potential to cause, or contributes to an excursion above a narrative criterion within an applicable State water quality standard the Executive Secretary will establish effluent limits using one or more of the following options:

a. Establish effluent limits using a calculated numeric water quality criterion for the pollutant which the Executive Secretary determines will attain and maintain applicable narrative water quality criteria and will fully protect the designated use. Such a criterion may be derived using a proposed State criterion, or an explicit State policy or regulation interpreting its narrative water quality criteria supplemented with other relevant information which may include: EPA's Water Quality Standards Handbook, October 1983, risk assessment data, exposure data, information about the pollutant from the Food and Drug Administration, and current EPA criteria documents:

b. Establish effluent limits on a case-by-case basis, using EPA's water quality criteria, published under section 307(a) of the CWA, supplemented where necessary by other relevant information; or

c. Establish effluent limitations on an indicator parameter for the pollutant of concern, provided:

(i) The permit identifies which pollutants are intended to be controlled by the use of the effluent limitations;

(ii) The fact sheet as required by .4 sets forth the basis for the limit, including a finding that compliance with the effluent limit on the indicator parameter will result in controls on the pollutant of concern which are sufficient to attain and maintain applicable water quality standards;

(iii) The permit requires all effluent and ambient monitoring necessary to show that during the term of the permit the limit on the

indicator parameter continues to attain and maintain applicable water quality standards; and

(iv) The permit contains a reopener clause allowing the Executive Secretary to modify or revoke and reissue the permit if the limits on the indicator parameter no longer attain and maintain applicable water quality standards.

7. When developing water quality-based effluent limits under this paragraph the Executive Secretary shall ensure that:

a. The level of water quality to be achieved by limits on point sources established under this paragraph is derived from, and complies with all applicable water quality standards; and

b. Effluent limits developed to protect a narrative water quality criterion, a numeric water quality criterion, or both, are consistent with the assumptions and requirements of any available wasteload allocation for the discharge prepared by the State and approved by EPA pursuant to 40 CFR 130.7.

(b) Attain or maintain a specified water quality through water quality related effluent limits established under the Utah Water Quality Act;

(c) Conform to applicable water quality requirements when the discharge affects a state other than Utah;

(d) Incorporate any more stringent limitations, treatment standards, or schedule of compliance requirements established under federal or state law or regulations.

(e) Ensure consistency with the requirements of any Utah Water Quality Management Plan approved by EPA.

(f) Incorporate alternative effluent limitations or standards where warranted by "fundamentally different factors," under R317-8-7.3.

(5) Technology-based Controls for Toxic Pollutants. Limitations established under R317-8-4.2 (1), (2), or (4) to control pollutants meeting the criteria listed in R317-8-4.2(5)(a) will be included in the permit, if applicable. Limitations will be established in accordance with R317-8-4.2(5)(6). An explanation of the development of these limitations will be included in the fact sheet under R317-8-6.4.

(a) Limitations will control all toxic pollutants which:

1. The Executive Secretary determines, based on information reported in a permit application under R317-8-3.5(7) and (10), or in a notification under R317-8-4.1(15)(a) of this regulation or on other information, are or may be discharged at a level greater than the level which can be achieved by the technology-based treatment requirements appropriate to the permittee under R317-8-7.1(3)(a),(b) and (c).

2. The discharger does or may use or manufacture as an intermediate or final product or byproduct.

(b) The requirement that the limitations control the pollutants meeting the criteria of paragraph (a) of this subsection will be satisfied by:

1. Limitations on those pollutants; or

2. Limitations on other pollutants which, in the judgment of the Executive Secretary, will provide treatment of the pollutants under paragraph (a) of this subsection to the levels required by R317-8-7.1(3)(a), (b) and (c).

(6) Notification Level. A "notification level" which exceeds the notification level of R317-8-4.1(15) upon a petition from the permittee or on the Executive Secretary's initiative will be incorporated as a permit condition, if applicable. This new notification level may not exceed the level which can be achieved by the technology-based treatment requirements appropriate to the permittee under R317-8-7.1(3).

(7) Twenty-Four (24) Hour Reporting. Pollutants for which the permittee will report violations of maximum daily discharge limitations under R317-8-4.1(12)(f) shall be listed in the permit. This list will include any toxic pollutant or hazardous substance, or any pollutant specifically identified as the method to control a toxic pollutant or hazardous substance.

(8) Monitoring Requirements. The permit will incorporate, as applicable in addition to R317-8-4.1(12) the following monitoring requirements:

(a) To assure compliance with permit limitations, requirements to monitor;

1. The mass, or other measurement specified in the permit, for each pollutant limited in the permit;

2. The volume of effluent discharged from each outfall;

3. Other measurements as appropriate, including pollutants in internal waste streams under R317-8-4.3(8); pollutants in intake water for net limitations under R317-8-4.3(7); frequency and rate of discharge for noncontinuous discharges under R317-8-4.3(5); pollutants subject to notification requirements under R317-8-4.1(15)(a); and pollutants in sewage sludge or other monitoring as specified in State rules for sludge use or disposal or as determined to be necessary pursuant to R317-8-2.1.

4. According to test procedures approved under 40 CFR Part 136 for the analyses of pollutants having approved methods under the federal regulation, and according to a test procedure specified in the permit for pollutants with no approved methods.

(b) Except as provided in paragraphs (8)(d) and (8)(e) of this section, requirements to report monitoring results shall be established on a case-by-case basis with a frequency dependent on the nature and effect of the sewage sludge use or disposal practice; minimally this shall be as specified in R317-8-1.10(9) (where applicable), but in no case less than once a year.

(c) Requirements to report monitoring results for storm water discharges associated with industrial activity which are subject to an effluent limitation guideline shall be established on a case-by-case basis with a frequency dependent on the nature and effect of the discharge, but in no case less than once a year.

(d) Requirements to report monitoring results for storm water discharges associated with industrial activity (other than those addressed in paragraph (c) above) shall be established on a case-by-case basis with a frequency dependent on the nature and effect of the discharge. At a minimum, a permit for such a discharge must require:

1. The discharger to conduct an annual inspection of the facility site to identify areas contributing to a storm water discharge associated with industrial activity and evaluate whether measures to reduce pollutant loadings identified in a storm water pollution prevention plan are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed;

2. The discharger to maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the plan and the permit, and identifying any incidents of non-compliance;

3. Such report and certification be signed in accordance with R317-8-3.4; and

4. Permits for storm water discharges associated with industrial activity from inactive mining operations may, where annual inspections are impracticable, require certification once every three years by a Registered Professional Engineer that the facility is in compliance with the permit, or alternative requirements.

(e) Permits which do not require the submittal of monitoring result reports at least annually shall require that the permittee report all instances of noncompliance not reported under R317-8-4.1(12)(a),(d),(e), and (f) at least annually.

(9) Pretreatment Program for POTWs. If applicable to the facility the permit will incorporate as a permit condition, requirements for POTWs to:

(a) Identify, in terms of character and volume of pollutants, any significant indirect dischargers into the POTW subject to pretreatment standards under the UPDES regulations.

(b) Submit a local program when required by and in accordance with R317-8-8.10 to assure compliance with pretreatment standards to the extent applicable in the UPDES regulations. The local program will be incorporated into the permit as described in R317-8-8.10. The program shall require all indirect dischargers to the POTW to comply with the applicable reporting requirements.

(c) For POTWs which are "sludge-only facilities", a requirement to develop a pretreatment program under R317-8-8 when the Executive Secretary determines that a pretreatment program is necessary to assure compliance with State rules governing sludge use or disposal.

(10) Best management practices shall be included as a permit condition, as applicable, to control or abate the discharge of pollutants when:

(a) Authorized under the Utah Water Quality Act as amended and the UPDES rule for the control of toxic pollutants and hazardous substances from ancillary activities;

(b) Numeric effluent limitations are infeasible, or

(c) The practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the Utah Water Quality Act, as amended.

(11) Reissued Permits.

(a) Except as provided in R317-8-4.2(11)(b), when a permit is renewed or reissued, interim limitations, standards or conditions must be at least as stringent as the final limitations, standards, or conditions in the previous permit unless the circumstances on which the previous permit was based have materially and substantially changed since the time the permit was issued and would constitute cause for permit modification or revocation and reissuance under R317-8-5.6.

(b) In the case of effluent limitations established on the basis of Section 19-5-104 of the Utah Water Quality Act, a permit may not be renewed, reissued, or modified on the basis of effluent guidelines promulgated by EPA under section 304(b) of the CWA subsequent to the original issuance of such permit, to contain effluent limitations which are less stringent than the comparable effluent limitations in the previous permit.

(c) Exceptions--A permit with respect to which R317-8-4.2(11)(b) applies may be renewed, reissued or modified to contain a less stringent effluent limitation applicable to a pollutant, if--

1. Material and substantial alterations or additions to the permitted facility occurred after permit issuance which justify the application of a less stringent effluent limitation; and

2. a. Information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) which would have justified the application of a less stringent effluent limitation at the time of permit issuance; or

b. The Executive Secretary determines that technical mistakes or mistaken interpretations of law were made in issuing the permit;

3. A less stringent effluent limitation is necessary because of events over which the permittee has no control and for which there is no reasonably available remedy;

4. The permittee has received a permit modification under R317-8-5.6; or

5. The permittee has installed the treatment facilities required to meet the effluent limitations in the previous permit and has properly operated and maintained the facilities but has nevertheless been unable to achieve the previous effluent limitations, in which case the limitations in the reviewed, reissued, or modified permit may reflect the level of pollutant control actually achieved (but shall not be less stringent than required by effluent guidelines in effect at the time of permit renewal, reissuance, or modification).

(d). Limitations. In no event may a permit with respect to which R317-8-4.2(11)(b) applies be renewed, reissued or modified to contain an effluent limitation which is less stringent than required by effluent guidelines in effect at the time the permit is renewed, reissued, or modified. In no event may such a permit to discharge into waters be renewed, issued, or modified to contain a less stringent effluent limitation if the implementation of such limitation would result in a violation of the water quality standard applicable to such waters.

(12) Privately Owned Treatment Works. For a privately owned treatment works, any conditions expressly applicable to any user, as a limited co-permittee, that may be necessary in the permit issued to the treatment works to ensure compliance with applicable requirements under this regulation will be imposed as applicable. Alternatively, the Executive Secretary may issue separate permits to the treatment works and to its users, or may require a separate permit application from any user. The Executive Secretary's decision to issue a permit with no conditions applicable to any user, to impose conditions on one or more users, to issue separate permits or to require separate applications, and the basis for that decision will be stated in the fact sheet for the draft permit for the treatment works.

(13) Grants. Any conditions imposed in grants or loans made by the Executive Secretary to POTWs which are reasonably necessary for the achievement of federally issued effluent limitations will be required as applicable.

(14) Sewage Sludge. Requirements governing the disposal of sewage sludge from publicly owned treatment works or any other treatment works treating domestic sewage for any use for which rules have been established, in accordance with any applicable regulations.

(15) Coast Guard. When a permit is issued to a facility that may operate at certain times as a means of transportation over water, the permit will be conditioned to require that the discharge comply with any applicable federal regulation promulgated by the Secretary of the department in which the Coast Guard is operating, and such condition will establish specifications for safe transportation, handling, carriage, and storage of pollutants, if applicable.

(16) Navigation. Any conditions that the Secretary of the Army considers necessary to ensure that navigation and anchorage will not be substantially impaired, in accordance with R317-8-6.9 will be included.

(17) State standards for sewage sludge use or disposal. When there are no applicable standards for sewage sludge use or disposal, the permit may include requirements developed on a case-by-case basis to protect public health and the environment from any adverse effects which may occur from toxic pollutants in sewage sludge. If any applicable standard for sewage sludge use or disposal is promulgated under Section 19-5-104 of the Utah Water Quality Act,

and that standard is more stringent than any limitation on the pollutant or practice in the permit, the Executive Secretary may initiate proceedings under these rules to modify or revoke and reissue the permit to conform to the standard for sewage sludge use or disposal.

(18) Qualifying State or local programs.

(a) For storm water discharges associated with small construction activity identified in R317-8-3.9(6)(e), the Executive Secretary may include permit conditions that incorporate qualifying State or local erosion and sediment control program requirements by reference. Where a qualifying State or local program does not include one or more of the elements in this paragraph then the Executive Secretary must include those elements as conditions in the permit. A qualifying State or local erosion and sediment control program is one that includes:

1. Requirements for construction site operators to implement appropriate erosion and sediment control best management practices;

2. Requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;

3. Requirements for construction site operators to develop and implement a storm water pollution prevention plan. (A storm water pollution prevention plan includes site descriptions of appropriate control measures, copies of approved State, local requirements, maintenance procedures, inspections procedures, and identification of non-storm water discharges); and

4. Requirements to submit a site plan for review that incorporates consideration of potential water quality impacts.

(b) For storm water discharges from construction activity identified in R317-8-3.9(6)(d)10., the Executive Secretary may include permit conditions that incorporate qualifying State or local erosion and sediment control program requirements by reference. A qualifying State or local erosion and sediment control program is one that includes the elements listed in paragraph (18)(a) of this section and any additional requirements necessary to achieve the applicable technology-based standards of "best available technology" and "best conventional technology" based on the best professional judgement of the permit writer.

4.3 CALCULATING UPDES PERMIT CONDITIONS. The following provisions will be used to calculate terms and conditions of the UPDES permit.

(1) Outfalls and Discharge Points. All permit effluent limitations, standards, and prohibitions will be established for each outfall or discharge point of the permitted facility, except as otherwise provided under R317-8-4.2(10) with BMPs where limitations are infeasible; and under R317-8-4.3(8), limitations on internal waste streams.

(2) Production-Based Limitations.

(a) In the case of POTWs, permit effluent limitations, standards, or prohibitions will be calculated based on design flow.

(b) Except in the case of POTWs, calculation of any permit limitations, standards, or prohibitions which are based on production, or other measure of operation, will be based not upon the designed production capacity but rather upon a reasonable measure of actual production of the facility. For new sources or new dischargers, actual production shall be estimated using projected production. The time period of the measure of production will correspond to the time period of the calculated permit limitations; for example, monthly production will be used to calculate average

monthly discharge limitations. The Executive Secretary may include a condition establishing alternate permit standards or prohibitions based upon anticipated increased (not to exceed maximum production capability) or decreased production levels.

(c) For the automotive manufacturing industry only, the Executive Secretary may establish a condition under R317-8-4.3(2)(b)2 if the applicant satisfactorily demonstrates to the Executive Secretary at the time the application is submitted that its actual production, as indicated in R317-8-4.3(2)(b)1, is substantially below maximum production capability and that there is a reasonable potential for an increase above actual production during the duration of the permit.

(d) If the Executive Secretary establishes permit conditions under and R317-8-4.3(2)(c):

1. The permit shall require the permittee to notify the Executive Secretary at least two business days prior to a month in which the permittee expects to operate at a level higher than the lowest production level identified in the permit. The notice shall specify the anticipated level and the period during which the permittee expects to operate at the alternate level. If the notice covers more than one month, the notice shall specify the reasons for the anticipated production level increase. New notice of discharge at alternate levels is required to cover a period or production level not covered by prior notice or, if during two consecutive months otherwise covered by a notice, the production level at the permitted facility does not in fact meet the higher level designated in the notice.

2. The permittee shall comply with the limitations, standards, or prohibitions that correspond to the lowest level of production specified in the permit, unless the permittee has notified the Executive Secretary under R317-8-4.3(2)(d)1, in which case the permittee shall comply with the lower of the actual level of production during each month or the level specified in the notice.

3. The permittee shall submit with the DMR the level of production that actually occurred during each month and the limitations, standards, or prohibitions applicable to that level of production.

(3) Metals. All permit effluent limitations, standards, or prohibitions for a metal will be expressed in terms of the total recoverable metal, that is, the sum of the dissolved and suspended fractions of the metal, unless:

(a) An applicable effluent standard or limitation has been promulgated by EPA and specifies the limitation for the metal in the dissolved or valent form; or total form; or

(b) In establishing permit limitations on a case-by-case basis under R317-8-7, it is necessary to express the limitation on the metal in the dissolved or valent form in order to carry out the provisions of the Utah Water Quality Act; or

(c) All approved analytical methods for the metal inherently measure only its dissolved form.

(4) Continuous Discharges. For continuous discharges all permit effluent limitations, standards, and prohibitions, including those necessary to achieve water quality standards, unless impracticable will be stated as:

(a) Maximum daily and average monthly discharge limitations for all dischargers other than publicly owned treatment works; and

(b) Average weekly and average monthly discharge limitations for POTWs.

(5) Non-continuous Discharges. Discharges which are not continuous, as defined in R317-8-1.5(7), shall be particularly



described and limited, considering the following factors, as appropriate:

(a) Frequency; for example, a batch discharge shall not occur more than once every three (3) weeks;

(b) Total mass; for example, not to exceed 100 kilograms of zinc and 200 kilograms of chromium per batch discharge;

(c) Maximum rate of discharge of pollutants during the discharge for example, not to exceed 2 kilograms of zinc per minute; and

(d) Prohibition or limitation of specified pollutants by mass, concentration, or other appropriate measure, (for example, shall not contain at any time more than 0.05 mg/l zinc or more than 250 grams (0.25 kilogram) of zinc in any discharge).

(6) Mass Limitations.

(a) All pollutants limited in permits shall have limitations, standards, or prohibitions expressed in terms of mass except:

1. For pH, temperature, radiation, or other pollutants which cannot appropriately be expressed by mass;

2. When applicable standards and limitations are expressed in terms of other units of measurement; or

3. If, in establishing permit limitations on a case-by-case basis under R317-8-7.1, limitations expressed in terms of mass are infeasible because the mass of the pollutant discharged cannot be related to a measure of operation; (for example, discharges of TSS from certain mining operations), and permit conditions ensure that dilution will not be used as a substitute for treatment.

(b) Pollutants limited in terms of mass additionally may be limited in terms of other units of measurement, and the permit will require the permittee to comply with both limitations.

(7) Pollutants in Intake Water.

(a) Upon request of the discharger, technology-based effluent limitations or standards shall be adjusted to reflect credit for pollutants in the discharger's intake water if:

1. The applicable effluent limitations and standards contained in effluent guidelines and standards provide that they shall be applied on a net basis; or

2. The discharger demonstrates that the control system it proposes or used to meet applicable technology-based limitations and standards would, if properly installed and operated, meet the limitations and standards in the absence of pollutants in the intake waters.

(b) Credit for generic pollutants such as biochemical oxygen demand (BOD) or total suspended solids (TSS) should not be granted unless the permittee demonstrates that the constituents of the generic measure in the effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.

(c) Credit shall be granted only to the extent necessary to meet the applicable limitation or standard, up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with permit limits.

(d) Credit shall be granted only if the discharger demonstrates that the intake water is drawn from the same body of water into which the discharge is made. The Executive Secretary may waive

this requirement if he finds that no environmental degradation will result.

(e) This section does not apply to the discharge of raw water clarifier sludge generated from the treatment of intake water.

(8) Internal Waste Streams.

(a) When permit effluent limitations or standards imposed at the point of discharge are impractical or infeasible, effluent limitations or standards for discharges of pollutants may be imposed on internal waste streams before mixing with other waste streams or cooling water streams. In those instances, the monitoring required by R317-8-4.2(8) shall also be applied to the internal waste streams.

(b) Limits on internal waste streams will be imposed only when the fact sheet under R317-8-6.4 sets forth the exceptional circumstances which make such limitations necessary, such as when the final discharge point is inaccessible, for example, under 10 meters of water, the wastes at the point of discharge are so diluted as to make monitoring impracticable, or the interferences among pollutants at the point of discharge would make detection or analysis impracticable.

(9) Disposal of Pollutants Into Wells, Into POTWs, or by Land Application. Permit limitations and standards shall be calculated as provided in R317-8-2.6.

(10) Secondary Treatment Information. Permit conditions that involve secondary treatment will be written as provided in 40 CFR Part 133, except that Utah effluent limits for secondary treatment will be used.

4.4 STAYS OF CONTESTED PERMIT CONDITIONS.

(1) Stays

(a) If a request to the Executive Director for review of a UPDES permit is granted or if conditions of a RCRA or UIC permit are consolidated for reconsideration in a hearing on a UPDES permit, the effect of the contested permit conditions shall be stayed and shall not be subject to judicial review pending final action by the Executive Director. If the permit involves a new source, new discharger or a recommencing discharger, the applicant shall be without a permit for the proposed new facility, source or discharger pending final action by the Executive Director.

(b) Uncontested conditions which are not severable from those contested shall be stayed together with the contested conditions. Stayed provisions of permits for existing facilities and sources shall be identified by the Executive Director. All other provisions of the permit for the existing facility or source shall remain fully effective and enforceable.

(2) Stays based on cross effects. A stay may be granted based on the grounds that an appeal to the Executive Director of one permit may result in changes to another state-issued permit only when each of the permits involved has been appealed to the Executive Director and he or she has accepted each appeal.

**KEY: water pollution, discharge permits  
2001**

**Notice of Continuation December 12, 1997**

**19-5**

**19-5-104**

**40 CFR 503**



## NOTICES OF 120-DAY (EMERGENCY) RULES

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An agency may file a 120-DAY (EMERGENCY) RULE when it finds that the regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (*Utah Code* Subsection 63-46a-7(1) (2001)).

As with a PROPOSED RULE, a 120-DAY RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the 120-DAY RULE including the name of a contact person, justification for filing a 120-DAY RULE, anticipated cost impact of the rule, and legal cross-references. A row of dots in the text (. . . .) indicates that unaffected text was removed to conserve space.

A 120-DAY RULE is effective at the moment the Division of Administrative Rules receives the filing, or on a later date designated by the agency. A 120-DAY RULE is effective for 120 days or until it is superseded by a permanent rule.

Because 120-DAY RULES are effective immediately, the law does not require a public comment period. However, when an agency files a 120-DAY RULE, it usually files a PROPOSED RULE at the same time, to make the requirements permanent. Comment may be made on the proposed rule. Emergency or 120-DAY RULES are governed by *Utah Code* Section 63-46a-7 (2001); and *Utah Administrative Code* Section R15-4-8.

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### Human Services, Administration, Administrative Services, Licensing **R501-12** Foster Care Rules

NOTICE OF 120-DAY (EMERGENCY) RULE  
DAR FILE No.: 24072  
FILED: 09/26/2001, 10:18

#### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** To clarify Subsection R501-12-8(E) on firearm safety. A questionnaire was mailed to all foster care providers for input on firearm safety. After receiving the responses from foster care providers, discussion with the Licensing Board, and presentation to Legislative Administrative Rules Committee, firearm safety was re-written to clarify precautions for foster care providers.

**SUMMARY OF THE RULE OR CHANGE:** Firearm safety was re-written to clarify what is securely locked, ways to render a firearm inoperable, and storing ammunition and firearms separately.

**STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Sections 62A-2-101 through 62A-2-121

**ANTICIPATED COST OR SAVINGS TO:**

- ❖ **THE STATE BUDGET:** There is no anticipated cost to the State, or local government. Firearm safety was clarified.
- ❖ **LOCAL GOVERNMENTS:** There is no cost or savings to local government as this rule does not apply to local government.

❖ **OTHER PERSONS:** There should be no cost to other persons. If a foster care provider stores their firearms in a display case, they only need to store the ammunition separately and remove the bolts from the firearms.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There should be no change in compliance costs for affected persons. If a foster care provider has firearms in the home, they could render them inoperable by removing the bolts and storing the ammunition separately. The changes to the section on firearm safety gives providers several options that should not incur any costs.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** There would be no impact on businesses unless they chose to purchase a vault for their firearms. However, the changes to the section on firearm safety gives foster care providers several options so the purchase of a vault is not necessary. If foster care providers choose to keep their display cases for firearms, then the guns could be rendered inoperable by removing the bolts and storing the ammunition separately.

**EMERGENCY RULE REASON AND JUSTIFICATION:** REGULAR RULEMAKING PROCEDURES WOULD T  
Rule change needed to clarify gun safety in foster homes.

**THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:**

HUMAN SERVICES  
ADMINISTRATION, ADMINISTRATIVE SERVICES,  
LICENSING  
120 N 200 W  
SALT LAKE CITY UT 84103-1500, or  
at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

April Demill at the above address, by phone at 801-538-4155, by FAX at 801-538-4553, or by Internet E-mail at ademill@hs.state.ut.us

THIS RULE IS EFFECTIVE ON: 09/26/2001

AUTHORIZED BY: Robin Arnold-Williams, Executive Director

**R501. Human Services, Administration, Administrative Services, Licensing.**

**R501-12. Child Foster Care.**

**R501-12-1. Authority.**

Pursuant to 62A-2-101 et seq., the Office of Licensing, hereinafter referred to as Office, shall license child foster care services according to the following rules. Child foster care services are provided pursuant to 62A-4a-106 for the Division of Child and Family Services, hereinafter referred to as DCF, and 62A-7-104 for the Division of Youth Corrections, hereinafter referred to as DY.

**R501-12-2. Purpose Statement.**

The purpose of these rules is to establish the minimum requirements for licensure of child foster homes and proctor homes for children in the custody of the Department of Human Services, herein after referred to as DHS. Rules applying to child foster care are also applicable to proctor care unless otherwise specified below.

**R501-12-3. Definitions.**

A. "Child foster care" means the provision of care which is conducive to the physical, social, emotional and mental health of children or adjudicated youth who are temporarily unable to remain in their own homes.

B. "Proctor care" means the provision of foster care for only one youth at a time placed in a licensed foster home. The youth shall be adjudicated to the custody of DY.

C. "Foster care agency" is any authorized licensed private agency certifying providers for foster care services, hereinafter referred to as Agency.

D. "Child" means anyone under 18 years of age with the exception of DY proctor care where custody and guardianship may be maintained to 21 years of age.

**R501-12-4. Licensing and Renewal.**

A. Application: An individual or legally married couple age 21 and over may apply to be foster parents. The applicant shall be provided with an application and a copy of the foster care licensing rules. The application shall require the applicant to list each member of the applicant's household.

**B. Medical Information:**

1. At the time of application, each potential foster parent shall obtain and submit to the Agency or the Office, a medical reference letter, completed by a licensed health care professional, which assesses the physical ability of the individual to be a foster parent. On an annual basis thereafter, each foster parent shall submit a personal health status statement.

2. A psychological examination of a potential or current foster parent may be required by the Office or the Agency if there are questions regarding the individual's mental stability which may

impair functioning as a foster parent. The psychological examination shall be arranged and paid for by the foster parent.

**C. References:**

The applicant shall submit the names of individuals not related to the applicant who may be contacted by the Agency or the Office for a reference. The named individuals, such as neighbors, school personnel, or clergy, shall be knowledgeable of the ability of the potential foster parents to nurture children. Three acceptable letters of reference must be received by the Agency or the Office before a license will be issued.

**D. Background Screening:**

1. Pursuant to 62A-2-120, criminal background screening, referred to as CBS, requires that all child foster care applicants or persons 18 years of age or older living in the home must have the criminal background screening successfully completed. This shall be completed on initial home approval and yearly thereafter. In accordance with 62A-2-120, no applicant can be licensed to provide foster care services when the applicant has been convicted of a felony.

2. Pursuant to 62A-2-121, the child abuse data base shall also be screened for each applicant or persons 18 years of age or older living in the home to see if a report of alleged abuse and neglect has been substantiated. This shall be done on initial home approval and yearly thereafter.

a. In accordance with 62A-4a-116(2)(b) the following types of abuse and neglect shall be considered for licensing purposes:

- 1) physical abuse,
- 2) sexual abuse,
- 3) sexual exploitation,
- 4) abandonment, medical neglect resulting in death, disability, or serious illness, or
- 5) chronic or severe neglect.

b. In accordance with 62A-2-121, if the name of any individual living in the home appears on the child abuse data base as substantiated, a license may be denied, approved, or renewed based on a comprehensive review of the individual circumstances, conducted by DHS, in accordance with R501-18.

E. Home Study: There shall be a current home study report on record prepared, or reviewed and signed off, by a licensed Social Worker. A home study shall be completed for each potential foster home. The home study shall be updated annually with a home visit.

F. Provider Code of Conduct: Each foster care applicant shall read, abide by, and sign a current copy of the DHS Provider Code of Conduct.

G. Training: Each foster care applicant shall complete the required pre-service training as specified in R501-12-5 prior to receiving a license.

**H. Approval or Denial:**

1. Following pre-service training and submission of all required documentation, the home study and assessment of an applicant shall be completed.

2. A license shall be issued for applicants who meet Foster Care Licensing Rules. In addition, the applicants shall be responsible to identify and meet any local ordinances applicable to the type of care.

3. The decision to approve or deny the applicant shall be made on the basis of observable facts and the professional judgement of the Agency or the Office regarding the safety and sanitation conditions of the home.

4. No person may be denied a foster care license on the basis of race, color, or national origin of the person, or a child, involved, pursuant to the Social Security Act, Section 471(a)(18)(A).

5. The provider shall be evaluated annually for compliance with rules when renewing a license.

6. Kinship and Specific Home Approval: An applicant may be licensed for placement of one specific child or sibling group. The home study shall be completed and all licensing requirements met. This license is valid for the duration of the specific placement only and must be renewed annually.

7. Licensure approval is not a guarantee that a child will be placed in the home. Additional requirements for adoptive parents and adoptive assessments for children in State custody are included in R512-41(3)(4).

8. Providers shall not be licensed or certified to provide foster care for children in the same home in which they are providing child care, as defined in UCA 26-39-102, or a licensed human service program, as defined in UCA 62A-2-101.

9. The Office Director or designee may grant a variance to a rule if it is in the best interest of the specific child.

10. All providers shall report any major changes as listed in a. through e. in their lives to the Office or Agency within 48 hours. These changes shall be re-evaluated within one month of the change by the Office or Agency. A major change in the lives of the foster parents shall include, but is not limited to the following;

- a. death or serious illness among the members of the foster family,
- b. separation or divorce,
- c. loss of employment,
- d. change of residence, or
- e. suspected abuse or neglect of any child in the foster home.

#### **R501-12-5. Training.**

A. Applicants shall attend training required by the applicable DHS Division or other approved entity and submit verification of completed training to the Office or Agency.

B. At least one spouse shall complete the entire training series in order for the home to be licensed. The other spouse shall attend at least one third of the training.

C. Providers associated with an Agency that is contracted to provide foster care or proctor care services shall meet the training requirements specified by the contract.

#### **R501-12-6. Foster Parent Requirements.**

A. Personal characteristics of foster parents shall include the following:

1. Foster parents shall be in good health, able to provide physical and emotional care to the child.
2. Foster parents shall be emotionally stable and responsible persons over 21 years of age. Legally married couples and single individuals, may be foster parents.
3. Foster parents shall have the ability to help the child grow and change in behavior.
4. Foster parents shall not be dependent on the foster care payment for their expenses beyond those associated with foster care, and shall allocate funds as directed by Division policy. Verification of income shall be submitted with the application to the Office or Agency on an annual basis.
5. Division employees shall not be approved as foster parents to care for children in the custody of their respective Divisions. An employee may provide care for children in the custody of a different

Division with approval of the Regional Director in accordance with DHS conflict of interest policy.

6. Owners, directors, and members of the governing body for foster care agencies shall not serve as foster parents.

7. Foster parents shall follow Agency rules and work cooperatively with the Agency, State Court, and law enforcement officials.

B. Family Composition shall meet the following:

1. The number, ages, and gender of persons in the home shall be taken into consideration as they may be affected by or have an effect upon the child.

2. Variance requests for the following must address why a variance is in the best interests of the child, and how basic health and safety requirements will be maintained, in accordance with R501-1-8.

a. No more than two children under the age of two, shall reside in a foster home, including natural children.

b. No more than two non-ambulatory children shall be in a foster home including infants under the age of two.

c. No more than four foster children shall be in any one home.

d. No more than six children shall be in a foster home including the foster parent's children under the age of 18.

e. No more than one foster child shall be in any one home designated for proctor care by agencies contracted with DYC.

#### **R501-12-7. Physical Aspects of Home.**

A. The foster home shall be located in a vicinity in which school, church, recreation, and other community facilities are reasonably available.

B. The physical facilities of the foster home shall be clean, in good repair, and shall provide for normal comforts in accordance with accepted community standards.

C. The foster home shall be free from health and fire hazards. Each foster home shall have a working smoke detector on each floor and at least one approved fire extinguisher. An approved fire extinguisher shall be inspected annually and be a minimum of 2A:10BC five point, rated multi-purpose, dry chemical fire extinguisher.

D. There shall be sufficient bedroom space to provide for the following:

1. rooms are not shared by children of the opposite sex, except infants under the age of two years,

2. children do not sleep in the parents' room, except infants under the age of two years,

3. each child has his or her own solidly constructed bed adequate to the child's size,

4. a minimum of 80 square feet is provided in a single occupant bedroom and a minimum of 60 square feet per child is provided in a multiple occupant bedroom excluding storage space, and

5. no more than four children are housed in a single bedroom.

E. Sleeping areas shall have a source of natural light and shall be ventilated by mechanical means or equipped with a screened window that opens.

F. Closet and dresser space shall be provided within the bedroom for the children's personal possessions and for a reasonable degree of privacy.

G. There shall be adequate indoor and outdoor space for recreational activities.

H. Foster homes shall offer sufficiently balanced meals to meet the child's needs.

I. All indoor and outdoor areas shall be maintained to ensure a safe physical environment.

J. Areas determined to be unsafe, including steep grades, cliffs, open pits, swimming pools, high voltage boosters, or high speed roads, shall be fenced off or have natural barriers.

K. Equipment: All furniture and equipment shall be maintained in a clean and safe condition. Furniture and equipment shall be of sufficient quantity, variety, and quality to meet individual needs.

L. Exits: There shall be at least two means of exit on each level of the foster home.

#### **R501-12-8. Safety.**

A. Foster families shall conduct and document fire drills at least quarterly.

B. Foster parents shall provide training to children regarding response to fire warnings and other instructions for life safety.

C. The foster home shall have a telephone. Telephone numbers for emergency assistance shall be posted next to the telephone.

D. The foster home shall have an adequately supplied first aid kit.

E. Foster parents ~~[maintaining]~~who have firearms or ammunition ~~[in the home]~~shall assure that ~~[the firearms]~~they are inaccessible to children at all times. Firearms and ammunition that are stored together shall be kept securely locked in security vaults or locked cases, not in glass fronted display cases, [shall be securely locked.] Firearms that are stored in display cases shall be rendered inoperable with trigger locks, bolts removed or other disabling methods, [kept in the home or on the premises will be rendered inoperable when possible-] Ammunition for those firearms shall be kept securely locked in a separate location.

F. No firearms shall be allowed in foster homes that contract with DYC.

G. Foster parents who have alcoholic beverages in their home shall assure that the beverages are kept inaccessible to children at all times.

H. There shall be locked storage for hazardous chemicals and materials.

#### **R501-12-9. Emergency Plans.**

A. Foster parents shall have a written plan of action for emergencies and disaster to include the following:

1. evacuation with a pre-arranged site for relocation,
2. transportation and relocation of children when necessary,
3. supervision of children after evacuation or relocation, and
4. notification of appropriate authorities.

B. Foster parents shall have a written plan for medical emergencies, including arrangements for medical transportation, treatment and care.

C. Foster parents shall immediately report any serious illness, injury or death of a foster child to the appropriate Division or Agency and the Office.

#### **R501-12-10. Infectious Disease.**

Foster parents shall abide by policies and procedures designed to prevent or control infectious and communicable diseases in the home.

#### **R501-12-11. Medication.**

A. Foster parents shall administer prescribed medication, according to the written directions of a licensed physician. Medicine shall only be given to the child for whom it was prescribed.

B. Medication shall not be discontinued without the approval of the licensed physician, side effects shall be reported to the licensed physician.

C. Non-prescriptive medications may be administered by foster parents according to manufacturer's instructions.

D. Medications shall not be administered by the foster child.

E. Medication shall not be used for behavior management or restraint unless prescribed by a licensed physician with notification to the Division or Agency worker.

F. There shall be locked storage for medication.

#### **R501-12-12. Transportation.**

A. Foster parents shall provide routine transportation. In case of an emergency a means of transportation shall be arranged by the foster parents.

B. Drivers of vehicles shall have a valid Utah Drivers License and follow safety requirements of the State.

C. Transportation shall be provided in an enclosed vehicle which has been safety inspected and equipped with seatbelts and an appropriate restraint for infants and young children.

D. An emergency telephone number shall be in the vehicle used to transport children.

E. Each vehicle shall be equipped with an adequately supplied first aid kit.

#### **R501-12-13. Behavior Management.**

A. Foster parents shall provide appropriate supervision at all times.

B. Foster parents shall not use, nor permit the use of corporal punishment, physical or chemical restraint, infliction of bodily harm or discomfort, deprivation of meals, rest or visits with family, humiliating or frightening methods to control the actions of children.

C. The foster parents' methods of discipline shall be constructive. In exercising discipline, the child's age, emotional make-up, intelligence and past experiences shall be considered.

D. Passive restraint shall be used only in behaviorally related situations as a temporary means of physical containment to protect the child, other persons, or property from harm. Passive restraint shall not be associated with punishment in any way.

E. Foster parents shall inform the Division or Agency worker of any extreme or repeated behavioral problems of a child placed in the foster home.

#### **R501-12-14. Child's Rights in Foster Care.**

A. The foster parent shall adhere to the following:

1. allow the child to eat meals with the family, and to eat the same food as the family unless the child has a special prescribed diet,
2. allow the child to participate in family activities,
3. protect privacy of information,
4. not make copies of the child's records,
5. explain the child's responsibilities, including household tasks, privileges, and rules of conduct,
6. not allow discrimination,

7. treat the child with dignity,
8. allow the child to communicate with family, attorney, physician, clergyman, and others, except where documented otherwise,
9. follow visitation rights as provided by DHS or Agency worker,
10. allow the child to send and receive mail providing that security and general health and safety requirements are met, foster parents may only censor or monitor a foster child's mail or phone calls by court order,
11. provide for personal needs and clothing allowance, and
12. respect the child's religious and cultural practices.

**R501-12-15. Record Keeping.**

- A. Foster parents shall maintain the following:
  1. current license certificate,
  2. copy of each contract with DHS,
  3. record of money provided to each foster child,
  4. record of expenditures for each foster child, and
  5. documentation of special need payments on behalf of the foster child.
- B. Foster parents shall maintain the out of home placement information record for each child in their care to include the following:

1. placement information for each child in out of home care,
2. biographical information, including an emergency contact name and telephone number,
3. documentation of the health care record of each child, including the following:
  - a. immunizations,
  - b. physical, mental, visual, and dental examinations,
  - c. emergencies requiring medical treatment, and
  - d. medication, when applicable, and
4. summary of family visits and contacts, when appropriate, according to the service plan.
- C. Foster parents shall ensure that the out of home record accompanies the child or is returned to the Agency upon relocation of the child.
- D. The Office staff shall maintain a separate record for each child foster care home or Agency.

**KEY: licensing, human services, foster care**  
**September 26, 2001**  
**62A-2-101 et seq.**



**End of the Notices of 120-Day (Emergency) Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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Within five years of an administrative rule's original enactment or last five-year review, the responsible agency is required to review the rule. This review is designed to remove obsolete rules from the *Utah Administrative Code*.

Upon reviewing a rule, an agency may: repeal the rule by filing a PROPOSED RULE; continue the rule as it is by filing a NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (NOTICE); or amend the rule by filing a PROPOSED RULE and by filing a NOTICE. By filing a NOTICE, the agency indicates that the rule is still necessary.

NOTICES are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the *Utah Administrative Code*. The rule text may also be inspected at the agency or the Division of Administrative Rules. NOTICES are effective when filed. NOTICES are governed by *Utah Code* Section 63-46a-9 (1998).

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## Community and Economic Development, Community Development, History **R212-3** Memberships, Sales, Gifts, Bequests, Endowments

### FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24073  
FILED: 09/26/2001, 11:14

### NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THOSE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 9-8-206 and 9-8-207 authorize us to establish rules for handling the disposition of proceeds and membership dues and make adjustments to prices of various publications.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Law is active. Hundreds annually renew or establish memberships. Prices for the sale of historical magazines, books published by the division, microfilm, photos, and other published documents need to be established annually by the director in consultation with the board. The society is authorized to receive gifts, grants, donations, bequests, devises, and endowments of money or property.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMUNITY DEVELOPMENT, HISTORY  
300 RIO GRANDE  
SALT LAKE CITY UT 84101-1182, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Alycia Aldrich at the above address, by phone at 801-533-3556, by FAX at 801-533-3503, or by Internet E-mail at [aaldrich@history.state.ut.us](mailto:aaldrich@history.state.ut.us)

AUTHORIZED BY: Wilson Martin, Program Manager-  
Preservation

EFFECTIVE: 09/26/2001



## Community and Economic Development, Community Development, History **R212-4** Archaeological and Paleontological Permits

### FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24074  
FILED: 09/26/2001, 11:14

### NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THOSE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 9-8-305 provides that the division shall make rules for the issuance of permits for the survey and excavation of archaeological resources.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Law is active. Hundreds annually seek archaeological permits.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

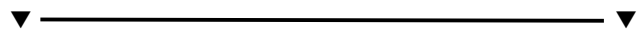
COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMUNITY DEVELOPMENT, HISTORY  
300 RIO GRANDE  
SALT LAKE CITY UT 84101-1182, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Alycia Aldrich at the above address, by phone at 801-533-3556, by FAX at 801-533-3503, or by Internet E-mail at [aaldrich@history.state.ut.us](mailto:aaldrich@history.state.ut.us)

AUTHORIZED BY: Wilson Martin, Program Manager-Preservation

EFFECTIVE: 09/26/2001



**Community and Economic  
Development, Community  
Development, History  
R212-6**

**State Register for Historic Resources  
and Archaeological Sites**

**FIVE YEAR NOTICE OF REVIEW AND  
STATEMENT OF CONTINUATION**  
DAR FILE No.: 24075  
FILED: 09/26/2001, 11:15

**NOTICE OF REVIEW AND  
STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THOSE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 9-8-306, 9-8-401, 9-8-402, and 9-8-403 establish standards for state landmarks and establish compatibility between the State and National Register.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Law is active. Dozens of

people annually seek National and State Register standing for historic properties or landmarks.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMUNITY DEVELOPMENT, HISTORY  
300 RIO GRANDE  
SALT LAKE CITY UT 84101-1182, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Alycia Aldrich at the above address, by phone at 801-533-3556, by FAX at 801-533-3503, or by Internet E-mail at [aaldrich@history.state.ut.us](mailto:aaldrich@history.state.ut.us)

AUTHORIZED BY: Wilson Martin, Program Manager-Preservation

EFFECTIVE: 09/26/2001



**Community and Economic  
Development, Community  
Development, History  
R212-7  
Cultural Resource Management**

**FIVE YEAR NOTICE OF REVIEW AND  
STATEMENT OF CONTINUATION**  
DAR FILE No.: 24076  
FILED: 09/26/2001, 11:15

**NOTICE OF REVIEW AND  
STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THOSE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 9-8-404; 36 CFR 800; and 16 USC 470 Section 110 of the National Historic Preservation act as amended establish time frames and procedures in response to state and federal agency requests in conformance with applicable state and federal cultural resource management laws.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Law is active. Thousands annually seek cultural resource management mitigation.



THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

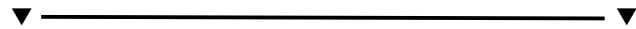
COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMUNITY DEVELOPMENT, HISTORY  
300 RIO GRANDE  
SALT LAKE CITY UT 84101-1182, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Alycia Aldrich at the above address, by phone at 801-533-3556, by FAX at 801-533-3503, or by Internet E-mail at aaldrich@history.state.ut.us

AUTHORIZED BY: Wilson Martin, Program Manager-Preservation

EFFECTIVE: 09/26/2001



Health, Epidemiology and Laboratory  
Services, Epidemiology  
**R386-703**  
Injury Reporting Rule

**FIVE YEAR NOTICE OF REVIEW AND  
STATEMENT OF CONTINUATION**

DAR FILE No.: 24062  
FILED: 09/18/2001, 10:53

**NOTICE OF REVIEW AND  
STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THOSE PROVISIONS

AUTHORIZE OR REQUIRE THE RULE: The Department has the power (Sections 26-1-30 and 26-6-3) to require reporting for the control of diseases or health hazards.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Identify causes of major injury which can be reduced or eliminated, thereby reducing morbidity and mortality.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HEALTH  
EPIDEMIOLOGY AND LABORATORY SERVICES,  
EPIDEMIOLOGY  
CANNON HEALTH BLDG  
288 N 1460 W  
SALT LAKE CITY UT 84116-3231, or  
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Charles Brokopp at the above address, by phone at 801-584-8406, by FAX at 801-584-8486, or by Internet E-mail at cbrokopp@doh.state.ut.us

AUTHORIZED BY: Rod Betit, Executive Director

EFFECTIVE: 09/18/2001



**End of the Five-Year Notices of Review and Statements of Continuation Section**

## NOTICES OF RULE EFFECTIVE DATES

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These are the effective dates of PROPOSED RULES or CHANGES IN PROPOSED RULES published in earlier editions of the *Utah State Bulletin*. These effective dates are at least 31 days and not more than 120 days after the date the following rules were published.

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### Abbreviations

AMD = Amendment  
CPR = Change in Proposed Rule  
NEW = New Rule  
R&R = Repeal and Reenact  
REP = Repeal

Health Systems Improvement, Community Health Nursing (Changed to Health Systems Improvement, Primary Care and Rural Health)  
No. 23849 (AMD): R425-1 (Changed to R434-50).  
Nurse Education Financial Assistance.  
Published: July 1, 2001  
Effective: October 1, 2001

### Administrative Services

Facilities Construction and Management  
No. 23952 (AMD): R23-2. Procurement of Architect-Engineer Services.  
Published: August 15, 2001  
Effective: September 15, 2001

### Human Services

Child and Family Services  
No. 23884 (AMD): R512-75. Rules Governing Adjudication of Consumer Complaints.  
Published: August 1, 2001  
Effective: September 18, 2001

### Commerce

Occupational and Professional Licensing  
No. 23954 (AMD): R156-11a.  
Cosmetologist/Barber Licensing Act Rules.  
Published: August 15, 2001  
Effective: September 17, 2001  
  
No. 23953 (AMD): R156-38-401. Requirements for a Letter of Credit and/or Evidence of a Cash Deposit as Alternate Security for Mechanics' Lien.  
Published: August 15, 2001  
Effective: September 17, 2001

### Recovery Services

No. 23924 (AMD): R527-201. Medical Support Services.  
Published: August 15, 2001  
Effective: September 17, 2001  
  
No. 23930 (AMD): R527-800. Enforcement Procedures.  
Published: August 15, 2001  
Effective: September 18, 2001

### Education

Administration  
No. 23963 (REP): R277-415. Strategic Planning Programs.  
Published: August 15, 2001  
Effective: September 20, 2001  
  
No. 23964 (NEW): R277-480. Advanced Readers at Risk.  
Published: August 15, 2001  
Effective: September 20, 2001

### Insurance

Administration  
No. 23559 (CPR): R590-207. Health Agent Commissions for Small Employer Groups.  
Published: July 1, 2001  
Effective: September 30, 2001

### Health

Health Care Financing, Coverage and Reimbursement Policy  
No. 23922 (AMD): R414-304. Income and Budgeting.  
Published: August 15, 2001  
Effective: September 26, 2001

### Natural Resources

Oil, Gas and Mining Board  
No. 23812 (CPR): R641-105. Filing and Service.  
Published: August 15, 2001  
Effective: October 1, 2001  
  
Oil, Gas and Mining; Coal  
No. 23815 (CPR): R645-301-800. Bonding and Insurance.  
Published: August 15, 2001  
Effective: October 1, 2001  
  
Oil, Gas and Mining; Non-Coal  
No. 23816 (CPR): R647-2-111. Surety.  
Published: August 15, 2001  
Effective: October 1, 2001

No. 23817 (CPR): R647-4-113. Surety.  
Published: August 15, 2001  
Effective: October 1, 2001

Oil, Gas and Mining; Oil and Gas  
No. 23818 (CPR): R649-3-1. Bonding.  
Published: August 15, 2001  
Effective: October 1, 2001

Workforce Services

Employment Development  
No. 23970 (AMD): R986-700-713. Amount of CC  
Payment.  
Published: August 15, 2001  
Effective: September 20, 2001

**End of the Notices of Rule Effective Dates Section**

# RULES INDEX BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)

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The *Rules Index* is a cumulative index that reflects all effective changes to Utah's administrative rules. The current *Index* lists changes made effective from January 2, 2001, including notices of effective date received through October 1, 2001, the effective dates of which are no later than October 15, 2001. The *Rules Index* is published in the *Utah State Bulletin* and in the annual *Index of Changes*. Nonsubstantive changes, while not published in the *Bulletin*, do become part of the *Utah Administrative Code (Code)* and are included in this *Index*, as well as 120-Day (Emergency) rules that do not become part of the *Code*. The rules are indexed by Agency (Code Number) and Keyword (Subject).

A copy of the *Rules Index* is available for public inspection at the Division of Administrative Rules (4120 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (<http://www.rules.state.ut.us/>).

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## RULES INDEX - BY AGENCY (CODE NUMBER)

### ABBREVIATIONS

AMD = Amendment	NSC = Nonsubstantive rule change
CPR = Change in proposed rule	REP = Repeal
EMR = Emergency rule (120 day)	R&R = Repeal and reenact
NEW = New rule	* = Text too long to print in <i>Bulletin</i> , or repealed text not printed in <i>Bulletin</i>
5YR = Five-Year Review	
EXD = Expired	

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<b>ADMINISTRATIVE SERVICES</b>					
<u>Debt Collection</u>					
R21-3	Debt Collection Through Administrative Offset	23682	NSC	05/01/2001	Not Printed
<u>Facilities Construction and Management</u>					
R23-1	Procurement of Construction	23870	AMD	08/15/2001	2001-14/5
R23-2	Procurement of Architect-Engineer Services	23952	AMD	09/15/2001	2001-16/4
R23-6	Value Engineering and Life Cycle Costing of State Owned Facilities Rules and Regulations	23697	NSC	05/01/2001	Not Printed
<u>Finance</u>					
R25-7	Travel-Related Reimbursements for State Employees	23699	AMD	07/01/2001	2001-10/5
R25-14	Payment of Attorneys Fees in Death Penalty Cases	23366	AMD	01/22/2001	2000-24/5
<u>Fleet Operations</u>					
R27-2	Fleet Operations Adjudicative Proceedings	23522	5YR	02/08/2001	2001-5/39
R27-7	Safety and Loss Prevention of State Vehicles	23345	NEW	01/31/2001	2000-24/6

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CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Fleet Operations, Surplus Property</u>					
R28-2	Surplus Firearms	23523	5YR	02/08/2001	2001-5/39
<u>Information Technology Services</u>					
R29-1	Division of Information Technology Services Adjudicative Proceedings	23944	5YR	07/26/2001	2001-16/48
<b>AGRICULTURE AND FOOD</b>					
<u>Administration</u>					
R51-1	Public Petitions for Declaratory Rulings	23584	5YR	03/30/2001	2001-8/83
R51-2-11	Appearance and Representation	23928	NSC	08/01/2001	Not Printed
R51-3	Government Records Access and Management Act	23958	5YR	07/31/2001	2001-16/48
R51-4	ADA Complaint Procedure	23959	5YR	07/31/2001	2001-16/49
<u>Animal Industry</u>					
R58-2	Diseases, Inspections and Quarantines	23557	NSC	04/01/2001	Not Printed
R58-10	Meat and Poultry Inspection	23306	AMD	01/03/2001	2000-23/9
R58-11	Slaughter of Livestock	23585	5YR	03/30/2001	2001-8/83
R58-12	Record Keeping and Carcass Identification at Meat Exempt (Custom Cut) Establishments	23586	5YR	03/30/2001	2001-8/84
R58-13	Custom Exempt Slaughter	23587	5YR	03/30/2001	2001-8/84
R58-15	Collection of Annual Fees for the Wildlife Damage Prevention Act	23588	5YR	03/30/2001	2001-8/85
R58-16	Swine Garbage Feeding	23589	5YR	03/30/2001	2001-8/85
R58-17	Aquaculture and Aquatic Animal Health	23534	AMD	04/17/2001	2001-6/34
<u>Chemistry Laboratory</u>					
R63-1	Fee Schedule	23404	5YR	01/10/2001	2001-3/94
<u>Marketing and Conservation</u>					
R65-1	Utah Apple Marketing Order	23543	5YR	03/06/2001	2001-7/45
R65-3	Utah Turkey Marketing Order	23544	5YR	03/06/2001	2001-7/45
R65-4	Utah Egg Marketing Order	23545	5YR	03/06/2001	2001-7/46
R65-8	Management of the Junior Livestock Show Appropriation	24003	5YR	08/24/2001	2001-18/56
<u>Plant Industry</u>					
R68-1	Utah Bee Inspection Act Governing Inspection of Bees	23434	5YR	01/16/2001	2001-3/94
R68-2	Utah Commercial Feed Act Governing Feed	23435	5YR	01/16/2001	2001-3/95
R68-4	Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products	23960	5YR	07/31/2001	2001-16/49
R68-6	Utah Nursery Act	23436	5YR	01/16/2001	2001-3/95
R68-7	Utah Pesticide Control Act	23973	5YR	08/07/2001	2001-17/46
R68-8	Utah Seed Law	23961	5YR	07/31/2001	2001-16/50
R68-10	Quarantine Pertaining to the European Corn Borer	23437	5YR	01/16/2001	2001-3/96
R68-12	Quarantine Pertaining to Mint Wilt	23438	5YR	01/16/2001	2001-3/96

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R68-18	Quarantine Pertaining to Karnal Bunt	24004	5YR	08/24/2001	2001-18/56
<b>Regulatory Services</b>					
R70-101	Bedding, Upholstered Furniture and Quilted Clothing	23541	5YR	03/06/2001	2001-7/46
R70-101	Bedding, Upholstered Furniture and Quilted Clothing	23542	AMD	05/02/2001	2001-7/6
R70-101-14	Rules and Regulations for Filling Material	23653	NSC	06/01/2001	Not Printed
R70-330	Raw Milk for Retail	24005	5YR	08/24/2001	2001-18/57
R70-370	Butter	24006	5YR	08/24/2001	2001-18/57
R70-380	Grade A Condensed and Dry Milk Products and Condensed and Dry Whey	24007	5YR	08/24/2001	2001-18/58
R70-410	Grading and Inspection of Shell Eggs With Standard Grade and Weight Classes	24046	5YR	09/12/2001	2001-19/43
R70-420	Chickens	23428	REP	03/06/2001	2001-3/5
R70-430	Turkeys	23429	REP	03/06/2001	2001-3/6
R70-610	Uniform Retail Wheat Standards of Identity	23430	5YR	01/16/2001	2001-3/96
R70-610	Uniform Retail Wheat Standards and Identity	23431	NSC	02/01/2001	Not Printed
R70-620	Enrichment of Flour and Cereal Products	23432	5YR	01/16/2001	2001-3/97
R70-620	Enrichment of Flour and Cereal Products	23433	AMD	03/06/2001	2001-3/7
R70-910	Voluntary Registration of Servicemen and Service Agencies for Commercial Weighing and Measuring Devices	23728	5YR	05/03/2001	2001-11/116
R70-950	Uniform National Type Evaluation	23729	5YR	05/03/2001	2001-11/116
<b><u>ALCOHOLIC BEVERAGE CONTROL</u></b>					
<b><u>Administration</u></b>					
R81-1	Scope of Definitions, and General Provisions	23981	EMR	08/09/2001	2001-17/39
R81-3-9	Advertising	23983	EMR	08/09/2001	2001-17/43
R81-4A-12	Menus; Price Lists	23982	EMR	08/09/2001	2001-17/44
R81-4B	Airport Lounges	23591	5YR	04/02/2001	2001-8/85
R81-4B	Airport Lounges	23603	NSC	05/01/2001	Not Printed
R81-10	On Premise Beer Retailer	23592	5YR	04/02/2001	2001-8/86
R81-10	On-Premise Beer Retailer	23604	NSC	05/01/2001	Not Printed
<b><u>CAPITOL PRESERVATION BOARD (STATE)</u></b>					
<b><u>Administration</u></b>					
R131-4	Procurement of Construction	23578	NEW	05/16/2001	2001-8/7
<b><u>CAREER SERVICE REVIEW BOARD</u></b>					
<b><u>Administration</u></b>					
R137-1	Grievance Procedure Rules	23979	5YR	08/08/2001	2001-17/46
<b><u>COMMERCE</u></b>					
<b><u>Administration</u></b>					
R151-46b	Department of Commerce Administrative Procedures Act Rules	23537	5YR	02/28/2001	2001-6/49
R151-46b	Department of Commerce Administrative Procedures Act Rules	23945	5YR	07/27/2001	2001-16/50

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Consumer Protection</u>					
R152-1	Utah Division of Consumer Protection: "Buyer Beware List"	23457	5YR	01/29/2001	2001-4/61
R152-1	Utah Division of Consumer Protection: "Buyer Beware List"	23789	AMD	07/30/2001	2001-12/7
R152-7 (Changed to R152-23)	Utah Health Spa Services	23791	AMD	07/30/2001	2001-12/12
R152-15	Business Opportunity Disclosure Act Rules	23792	AMD	07/30/2001	2001-12/14
R152-16	Motor Fuel Marketing Act Rules	23793	REP	07/30/2001	2001-12/15
R152-22	Charitable Solicitations Act	23794	AMD	07/30/2001	2001-12/17
R152-26	Telephone Fraud Prevention Act	23795	AMD	07/30/2001	2001-12/19
<u>Corporations and Commercial Code</u>					
R154-2	Utah Uniform Commercial Code, Revised Article 9 Rules	23672	NEW	07/26/2001	2001-9/3
R154-2	Utah Uniform Commercial Code, Revised Article 9 Rules	23858	NSC	08/01/2001	Not Printed
R154-10	Utah Digital Signature Act Rules	23595	AMD	05/18/2001	2001-8/15
<u>Occupational and Professional Licensing</u>					
R156-1-308a	Renewal Dates	23798	AMD	07/17/2001	2001-12/22
R156-1-308c	Renewal of Licensure Procedures	23909	AMD	09/04/2001	2001-15/4
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R156-3a	Architect Licensing Act Rules	23837	5YR	06/11/2001	2001-13/85
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R156-9a	Uniform Athlete Agents Act Rules	23796	NEW	07/17/2001	2001-12/25
R156-11a	Cosmetologist/Barber Licensing Act Rules	23260	AMD	see CPR	2000-22/5
R156-11a	Cosmetologist/Barber Licensing Act Rules	23260	CPR	03/06/2001	2001-3/79
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R156-28	Veterinary Practice Act Rules	23309	CPR	03/08/2001	2001-3/80
R156-31b	Nurse Practice Act Rules	23631	AMD	see CPR	2001-9/10
R156-31b	Nurse Practice Act Rules	23631	CPR	09/04/2001	2001-15/40
R156-37-502	Unprofessional Conduct	23401	NSC	02/01/2001	Not Printed
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R156-47b	Massage Therapy Practice Act Rules	23539	AMD	see CPR	2001-6/42
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R156-54-302b	Examination Requirements - Radiology Practical Technician	23602	NSC	05/01/2001	Not Printed
R156-55b	Electricians Licensing Rules	23374	AMD	04/30/2001	2001-1/4
R156-55c-102	Definitions	23375	AMD	04/30/2001	2001-1/5
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R156-60b	Marriage and Family Therapist Licensing Act Rules	23620	AMD	06/01/2001	2001-9/13
R156-60c	Professional Counselor Licensing Act Rules	23679	AMD	06/19/2001	2001-10/11
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R156-67	Utah Medical Practice Act Rules	23925	5YR	07/19/2001	2001-16/51
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R315-3	Application and Permit Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	23411	CPR	06/15/2001	2001-9/130
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R315-316	Infectious Waste Requirements	23651	AMD	07/01/2001	2001-9/89
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R315-320-7	Reimbursement for the Removal of an Abandoned Tire Pile or a Tire Pile at a Landfill Owned by a Governmental Entity	23876	NSC	07/30/2001	Not Printed

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R325-2	Utah State Fair Commercial Exhibitor Rules	23891	5YR	07/12/2001	2001-15/50
R325-3	Utah State Fair Patron Rules	23892	5YR	07/12/2001	2001-15/51
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R432-2	General Licensing Provisions	23478	NSC	04/01/2001	Not Printed
R432-3	General Health Care Facility Rules Inspection and Enforcement	23479	NSC	04/01/2001	Not Printed
R432-4	General Construction	23480	NSC	04/01/2001	Not Printed
R432-5	Nursing Facility Construction	23481	NSC	04/01/2001	Not Printed
R432-6	Assisted Living Facility General Construction	23482	NSC	04/01/2001	Not Printed
R432-7	Specialty Hospital - Psychiatric Hospital Construction	23483	NSC	04/01/2001	Not Printed
R432-8	Specialty Hospital - Chemical Dependency/Substance Abuse Construction	23484	NSC	04/01/2001	Not Printed
R432-9	Specialty Hospital - Rehabilitation Construction Rule	23485	NSC	04/01/2001	Not Printed
R432-10	Specialty Hospital - Chronic Disease Construction Rule	23486	NSC	04/01/2001	Not Printed
R432-11	Orthopedic Hospital Construction	23487	NSC	04/01/2001	Not Printed
R432-12	Small Health Care Facility (Four to Sixteen Beds) Construction Rule	23488	NSC	04/01/2001	Not Printed
R432-13	Freestanding Ambulatory Surgical Center Construction Rule	23489	NSC	04/01/2001	Not Printed
R432-14	Birthing Center Construction Rule	23490	NSC	04/01/2001	Not Printed
R432-16	Hospice Inpatient Facility Construction	23491	NSC	04/01/2001	Not Printed
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R432-101	Specialty Hospital - Psychiatric	23495	NSC	04/01/2001	Not Printed
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R432-103	Specialty Hospital - Rehabilitation	23497	NSC	04/01/2001	Not Printed
R432-104	Specialty Hospital - Chronic Disease	23498	NSC	04/01/2001	Not Printed
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R432-106	Specialty Hospital-Critical Access	23292	NEW	01/23/2001	2000-23/31
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R432-151	Mental Disease Facility	23501	NSC	04/01/2001	Not Printed
R432-152	Mental Retardation Facility	23502	NSC	04/01/2001	Not Printed
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R432-300	Small Health Care Facility - Type N	23506	NSC	04/01/2001	Not Printed
R432-500	Freestanding Ambulatory Surgical Center Rules	23567	NSC	04/01/2001	Not Printed
R432-500	Freestanding Ambulatory Surgical Center Rules	23564	AMD	08/13/2001	2001-8/63
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R432-600	Abortion Clinic Rule	23508	NSC	04/01/2001	Not Printed
R432-650	End Stage Renal Disease Facility Rules	23562	NSC	04/01/2001	Not Printed
R432-700	Home Health Agency Rule	23509	NSC	04/01/2001	Not Printed
R432-750	Hospice Rule	23510	NSC	04/01/2001	Not Printed
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R612-2-5	Regulation of Medical Practitioner Fees	23548	EMR	03/08/2001	2001-7/43
R612-2-5	Regulation of Medical Practitioner Fees	23549	AMD	05/03/2001	2001-7/21
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R657-37	Cooperative Wildlife Management Units for Big Game	23808	AMD	07/18/2001	2001-12/67
R657-38	Dedicated Hunter Program	23360	AMD	01/16/2001	2000-24/53
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R657-40	Wildlife Rehabilitation	23531	5YR	02/15/2001	2001-5/42
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R657-43	Landowner Permits	23675	AMD	06/04/2001	2001-9/119
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#### **PIONEER SESQUICENTENNIAL CELEBRATION COORDINATING COUNCIL (UTAH)**

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R686-100	Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings	23547	NSC	04/01/2001	Not Printed

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R708-18	Regulatory and Administrative Fees	23957	5YR	07/30/2001	2001-16/59
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R708-34	Medical Waivers for Intrastate Commercial Driver Licenses	23597	AMD	05/16/2001	2001-8/74
R708-38	Anatomical Gift	23741	NEW	07/03/2001	2001-11/110
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R710-3	Assisted Living Facilities	23881	AMD	09/04/2001	2001-15/26
R710-4	Buildings Under the Jurisdiction of the State Fire Prevention Board	23339	AMD	01/16/2001	2000-24/61
R710-4	Buildings Under the Jurisdiction of the State Fire Prevention Board	23580	AMD	05/16/2001	2001-8/77
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R710-6	Liquefied Petroleum Gas Rules	23880	5YR	07/05/2001	2001-15/55
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R710-9	Rules Pursuant to the Utah Fire Prevention Law	23340	AMD	01/16/2001	2000-24/64
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R722-2 (Changed to R722-900)	Review and Challenge of Criminal Record	23444	NSC	02/01/2001	Not Printed
<u>Law Enforcement and Technical Services, Regulatory Licensing (Changed to Criminal Investigations and Technical Services, Criminal Identification--02/01/2001)</u>					
R724-4 (Changed to R722-300)	Concealed Firearm Permit Rule	23445	NSC	02/01/2001	Not Printed
R724-6 (Changed to 722-340)	Emergency Vehicles	23446	NSC	02/01/2001	Not Printed
R724-7 (Changed to R722-320)	Undercover Identification	23447	NSC	02/01/2001	Not Printed
R724-9 (Changed to R722-330)	Licensing of Private Investigations	23448	NSC	02/01/2001	Not Printed
R724-10 (Changed to R722-310)	Regulation of Bail Bond Recovery and Enforcement Agents	23449	NSC	02/01/2001	Not Printed
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R728-409	Refusal, Suspension or Revocation of Peace Officer Certification	23629	NSC	05/01/2001	Not Printed
R728-500	Utah Peace Officer Standards and Training In-Service Training Certification Procedures	23630	NSC	05/01/2001	Not Printed

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R746-340	Service Quality for Telecommunications Corporations	23328	CPR	03/27/2001	2001-4/56
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R746-352	Price Cap Regulation	23232	CPR (First)	see CPR (Second)	2001-5/32
R746-352	Price Cap Regulation	23232	CPR (Second)	06/15/2001	2001-7/38
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R861-1A-36	Signatures Defined Pursuant to Utah Code Ann. Sections 41-1a-209, 59-10-512, and 59-12-107	23403	AMD	04/11/2001	2001-3/76
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R865-19S-90	Telephone Service Defined Pursuant to Utah Code Ann. Section 59-12-103	23911	AMD	09/05/2001	2001-15/34
R865-19S-98	Sales to Nonresidents of Vehicles, Off-highway Vehicles, and Boats Required to be Registered, and Sales to Nonresidents of Boat Trailers and Outboard Motors Pursuant to Utah Code Ann. Section 59-12-104	23912	AMD	09/05/2001	2001-15/35
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R933-3	Relocation of Modification of Existing Authorized Access Openings or Granting New Access Openings on Limited Access Highways	23619	NSC	05/01/2001	Not Printed
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R986-900-902	Options and Waivers	23727	AMD	07/01/2001	2001-10/79
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R994-403- 102a	Filing a New Claim	23824	AMD	08/09/2001	2001-13/78
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## RULES INDEX - BY KEYWORD (SUBJECT)

### ABBREVIATIONS

AMD = Amendment  
 CPR = Change in proposed rule  
 EMR = Emergency rule (120 day)  
 NEW = New rule  
 5YR = Five-Year Review  
 EXD = Expired

NSC = Nonsubstantive rule change  
 REP = Repeal  
 R&R = Repeal and reenact  
 \* = Text too long to print in *Bulletin*, or  
 repealed text not printed in *Bulletin*

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	23407	R307-103-2	AMD	04/12/2001	2001-3/13
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	23836	R307-223	NEW	09/10/2001	2001-13/18
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Administrative Services, Information Technology Services	23944	R29-1	5YR	07/26/2001	2001-16/48
Agriculture and Food, Administration	23928	R51-2-11	NSC	08/01/2001	Not Printed
Corrections, Administration	23967	R251-104	5YR	08/01/2001	2001-16/52
Workforce Services, Workforce Information and Payment Services	23525	R994-406-304	AMD	04/05/2001	2001-5/28
<b><u>APPLIED TECHNOLOGY EDUCATION</u></b>					
Education, Administration	23671	R277-911	AMD	06/05/2001	2001-9/21
	23920	R277-914	EXD	07/16/2001	2001-16/61
<b><u>APPRAISAL</u></b>					
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
	23847	R884-24P-66	AMD	08/02/2001	2001-13/77
<b><u>AQUACULTURE</u></b>					
Agriculture and Food, Animal Industry	23534	R58-17	AMD	04/17/2001	2001-6/34
<b><u>ARC (Accident Review Committee)</u></b>					
Administrative Services, Fleet Operations	23345	R27-7	NEW	01/31/2001	2000-24/6

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<b><u>ARCHAEOLOGY</u></b>					
Community and Economic Development, Community Development, History	23606	R212-4	NSC	05/01/2001	Not Printed
	24074	R212-4	5YR	09/26/2001	2001-20/65
<b><u>ARCHITECTS</u></b>					
Administrative Services, Facilities Construction and Management	23952	R23-2	AMD	09/15/2001	2001-16/4
Commerce, Occupational and Professional Licensing	23550	R156-3a	AMD	05/03/2001	2001-7/9
	23730	R156-3a	NSC	06/01/2001	Not Printed
	23837	R156-3a	5YR	06/11/2001	2001-13/85
<b><u>ASSISTED LIVING FACILITIES</u></b>					
Public Safety, Fire Marshal	23579	R710-3	AMD	05/16/2001	2001-8/75
	23881	R710-3	AMD	09/04/2001	2001-15/26
<b><u>ATHLETE AGENT</u></b>					
Commerce, Occupational and Professional Licensing	23796	R156-9a	NEW	07/17/2001	2001-12/25
<b><u>ATHLETICS</u></b>					
Education, Administration	23749	R277-517	5YR	05/14/2001	2001-11/118
<b><u>ATTORNEYS</u></b>					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
<b><u>BAIL BOND ENFORCEMENT AGENT</u></b>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23449	R724-10 (Changed to R722-310)	NSC	02/01/2001	Not Printed
<b><u>BAIL BOND RECOVERY AGENT</u></b>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23449	R724-10 (Changed to R722-310)	NSC	02/01/2001	Not Printed
<b><u>BAIT DEALERS</u></b>					
Natural Resources, Wildlife Resources	23601	R657-14	AMD	05/17/2001	2001-8/71
<b><u>BANKING</u></b>					
Commerce, Corporations and Commercial Code	23672	R154-2	NEW	07/26/2001	2001-9/3
<b><u>BANKING LAW</u></b>					
Commerce, Corporations and Commercial Code	23858	R154-2	NSC	08/01/2001	Not Printed
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
	23841	R628-10	AMD	08/27/2001	2001-13/71
<b><u>BANKS AND BANKING</u></b>					
Human Services, Recovery Services	23389	R527-928	AMD	02/15/2001	2001-2/7
<b><u>BARBERS</u></b>					
Commerce, Occupational and Professional Licensing	23260	R156-11a	AMD	see CPR	2000-22/5
	23260	R156-11a	CPR	03/06/2001	2001-3/79

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<b><u>BASIC ACADEMY RULES</u></b>					
Public Safety, Peace Officer Standards and Training	23628	R728-404	NSC	05/01/2001	Not Printed
<b><u>BEAR</u></b>					
Natural Resources, Wildlife Resources	23393	R657-33	AMD	02/15/2001	2001-2/8
<b><u>BEEKEEPING</u></b>					
Agriculture and Food, Plant Industry	23434	R68-1	5YR	01/16/2001	2001-3/94
<b><u>BENEFITS</u></b>					
Community and Economic Development, Community Development, Community Services	23690	R202-205	NSC	05/01/2001	Not Printed
	23692	R202-207	NSC	05/01/2001	Not Printed
<b><u>BIDS</u></b>					
Transportation, Operations, Construction	23608	R916-2	NSC	05/01/2001	Not Printed
<b><u>BIG GAME</u></b>					
Natural Resources, Wildlife Resources	23676	R657-44	AMD	06/04/2001	2001-9/122
<b><u>BIG GAME SEASONS</u></b>					
Natural Resources, Wildlife Resources	23356	R657-5	AMD	01/16/2001	2000-24/40
	23528	R657-5	AMD	04/03/2001	2001-5/19
	23806	R657-5	AMD	07/18/2001	2001-12/63
	23675	R657-43	AMD	06/04/2001	2001-9/119
<b><u>BIRDS</u></b>					
Natural Resources, Wildlife Resources	24023	R657-9	5YR	08/30/2001	2001-18/59
<b><u>BIRTH</u></b>					
Health, Center for Health Data, Vital Records and Statistics	24014	R436-5	5YR	08/28/2001	2001-18/58
<b><u>BIRTH DEFECT REPORTING</u></b>					
Health, Community and Family Health Services, Health Education Services	23731	R402-5	AMD	08/09/2001	2001-11/58
<b><u>BIRTH DEFECTS</u></b>					
Health, Community and Family Health Services, Health Education Services	23731	R402-5	AMD	08/09/2001	2001-11/58
<b><u>BLOCK GRANT FUNDING</u></b>					
Education, Administration	23853	R277-478	NEW	08/01/2001	2001-13/9
<b><u>BOATING</u></b>					
Natural Resources, Parks and Recreation	23441	R651-101	5YR	01/18/2001	2001-4/62
	23439	R651-205	AMD	03/20/2001	2001-4/37
	23974	R651-206	5YR	08/07/2001	2001-17/47
	23975	R651-215	5YR	08/07/2001	2001-17/48
	23440	R651-219	AMD	03/20/2001	2001-4/38
	23976	R651-222	5YR	08/07/2001	2001-17/48
	23977	R651-224	5YR	08/07/2001	2001-17/49
<b><u>BOILERS</u></b>					
Labor Commission, Safety	23310	R616-2-3	AMD	01/03/2001	2000-23/42
<b><u>BONDING REQUIREMENTS</u></b>					
Workforce Services, Workforce Information and Payment Services	23745	R994-308	5YR	05/11/2001	2001-11/120



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<b><u>BOXING</u></b>					
Commerce, Occupational and Professional Licensing (Changed to Commerce, Administration)	23859	R156-66 (Changed to R151-33)	EMR	07/01/2001	2001-14/54
<b><u>BRACHYTHERAPY</u></b>					
Environmental Quality, Radiation Control	23829	R313-32	AMD	09/14/2001	2001-13/45
<b><u>BRIDGES</u></b>					
Transportation, Administration	23623	R907-63-1	NSC	05/01/2001	Not Printed
<b><u>BROAD SCOPE</u></b>					
Environmental Quality, Radiation Control	23828	R313-22	AMD	09/14/2001	2001-13/40
<b><u>BUDGETING</u></b>					
Health, Health Care Financing, Coverage and Reimbursement Policy	23397	R414-304	EMR	01/03/2001	2001-3/89
	23753	R414-304	AMD	07/06/2001	2001-11/62
	23922	R414-304	AMD	09/26/2001	2001-16/26
<b><u>BUILDING CODES</u></b>					
Commerce, Occupational and Professional Licensing	23577	R156-56	AMD	07/01/2001	2001-8/18
	23788	R156-56-704	NSC	06/26/2001	Not Printed
<b><u>BUILDING INSPECTION</u></b>					
Commerce, Occupational and Professional Licensing	23577	R156-56	AMD	07/01/2001	2001-8/18
	23788	R156-56-704	NSC	06/26/2001	Not Printed
<b><u>BURGLAR ALARMS</u></b>					
Commerce, Occupational and Professional Licensing	23524	R156-55d-603	AMD	04/03/2001	2001-5/8
<b><u>BUS BENCHES</u></b>					
Transportation, Preconstruction, Right-of-Way Acquisition	23536	R933-4	AMD	04/18/2001	2001-6/45
<b><u>BUSES</u></b>					
Transportation, Preconstruction, Right-of-Way Acquisition	23536	R933-4	AMD	04/18/2001	2001-6/45
<b><u>BUS SHELTERS</u></b>					
Transportation, Preconstruction, Right-of-Way Acquisition	23536	R933-4	AMD	04/18/2001	2001-6/45
<b><u>CAPITAL PUNISHMENT</u></b>					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
<b><u>CASH MANAGEMENT</u></b>					
Money Management Council, Administration	23805	R628-16	AMD	08/27/2001	2001-12/55
<b><u>CERTIFICATION</u></b>					
Labor Commission, Safety	23310	R616-2-3	AMD	01/03/2001	2000-23/42
	23473	R616-3-3	AMD	03/20/2001	2001-4/36
Public Safety, Peace Officer Standards and Training	23629	R728-409	NSC	05/01/2001	Not Printed
<b><u>CERTIFICATION OF INSTRUCTORS</u></b>					
Human Services, Substance Abuse	23732	R544-4	AMD	07/03/2001	2001-11/105
<b><u>CERTIFIED NURSE MIDWIFE</u></b>					

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Commerce, Occupational and Professional Licensing	23734	R156-44a	AMD	07/05/2001	2001-11/3
<b><u>CHARITIES</u></b>					
Tax Commission, Auditing	23714	R865-19S-4	AMD	09/05/2001	2001-10/45
	23716	R865-19S-85	AMD	07/04/2001	2001-10/46
	23911	R865-19S-90	AMD	09/05/2001	2001-15/34
	23912	R865-19S-98	AMD	09/05/2001	2001-15/35
	23913	R865-19S-106	AMD	09/05/2001	2001-15/37
<b><u>CHARITY</u></b>					
Commerce, Consumer Protection	23794	R152-22	AMD	07/30/2001	2001-12/17
<b><u>CHARTER SCHOOLS</u></b>					
Education, Administration	23852	R277-470	AMD	08/01/2001	2001-13/6
<b><u>CHEMICAL TESTING</u></b>					
Agriculture and Food, Chemical Laboratory	23404	R63-1	5YR	01/10/2001	2001-3/94
<b><u>CHILD CARE</u></b>					
Workforce Services, Employment Development	23726	R986-700	AMD	07/01/2001	2001-10/77
	23969	R986-700-705	NSC	08/01/2001	Not printed
	23970	R986-700-713	AMD	09/20/2001	2001-16/34
<b><u>CHILD CARE FACILITIES</u></b>					
Health, Health Systems Improvement, Child Care Licensing	23450	R430-6	R&R	04/17/2001	2001-4/15
	23451	R430-100	AMD	04/17/2001	2001-4/20
	23811	R430-100	AMD	07/31/2001	2001-12/48
<b><u>CHILD PLACING</u></b>					
Human Services, Administration, Administrative Services, Licensing	23121	R501-7	AMD	see CPR	2000-18/65
	23121	R501-7	CPR	01/16/2001	2000-23/59
<b><u>CHILDREN'S HEALTH BENEFITS</u></b>					
Health, Children's Health Insurance Program	23458	R382-10	AMD	04/04/2001	2001-4/6
<b><u>CHILD SUPPORT</u></b>					
Human Services, Recovery Services	23733	R527-200	5YR	05/07/2001	2001-11/118
	23924	R527-201	AMD	09/17/2001	2001-16/29
	23956	R527-475	NSC	08/01/2001	Not Printed
<b><u>CHILD WELFARE</u></b>					
Human Services, Administration	23863	R495-880	NEW	08/15/2001	2001-14/43
Human Services, Child and Family Services	23866	R512-43	EMR	06/29/2001	2001-14/65
Human Services, Recovery Services	23955	R527-302	NSC	08/01/2001	Not Printed
<b><u>CHIROPRACTIC PHYSICIANS</u></b>					
Commerce, Occupational and Professional Licensing	23390	R156-73	AMD	02/15/2001	2001-2/2
	23743	R156-73	AMD	07/05/2001	2001-11/8
	23879	R156-73	5YR	07/05/2001	2001-15/48
<b><u>CHIROPRACTORS</u></b>					
Commerce, Occupational and	23390	R156-73	AMD	02/15/2001	2001-2/2

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Professional Licensing	23743	R156-73	AMD	07/05/2001	2001-11/8
	23879	R156-73	5YR	07/05/2001	2001-15/48
<b><u>CIVIL PROCEDURE</u></b>					
Human Services, Recovery Services	23929	R527-800	5YR	07/23/2001	2001-16/55
	23930	R527-800	AMD	09/18/2001	2001-16/33
<b><u>CLASS I AREA</u></b>					
Environmental Quality, Air Quality	23760	R307-405-1	AMD	07/12/2001	2001-11/21
<b><u>CLEAN</u></b>					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
<b><u>CLEARINGHOUSE</u></b>					
Governor, Planning and Budget	23408	R361-1	5YR	01/11/2001	2001-3/97
<b><u>CLIENT RIGHTS</u></b>					
Community and Economic Development, Community Development, Community Services	23686	R202-201	NSC	05/01/2001	Not Printed
<b><u>COAL MINES</u></b>					
Natural Resources; Oil, Gas and Mining; Coal	23385	R645-100-200	AMD	04/02/2001	2001-1/25
	23386	R645-301-500	AMD	04/02/2001	2001-1/26
	23387	R645-301-700	AMD	see CPR	2001-1/29
	23387	R645-301-700	CPR	05/03/2001	2001-7/26
	23815	R645-301-800	AMD	see CPR	2001-12/58
	23815	R645-301-800	CPR	10/01/2001	2001-16/40
<b><u>COAL MINING</u></b>					
Natural Resources, Oil, Gas and Mining; Coal	23926	R645-106	5YR	07/19/2001	2001-16/56
<b><u>COMMERCE</u></b>					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
<b><u>COMMERCIALIZATION OF AQUATIC LIFE</u></b>					
Natural Resources, Wildlife Resources	23601	R657-14	AMD	05/17/2001	2001-8/71
<b><u>COMMUNICABLE DISEASES</u></b>					
Corrections, Administration	23313	R251-102	AMD	01/04/2001	2000-23/18
	23511	R251-102	5YR	02/05/2001	2001-5/40
Health, Epidemiology and Laboratory Services; HIV/AIDS, Tuberculosis Control/Refugee Health	23303	R388-804	AMD	02/02/2001	2000-23/29
Human Services, Administration	23605	R495-862	5YR	04/04/2001	2001-9/142
<b><u>COMPENSATORY TIME</u></b>					
Human Resource Management, Administration	23775	R477-8	AMD	07/03/2001	2001-11/90
<b><u>CONCEALED FIREARM PERMIT</u></b>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety,	23445	R724-4 (Changed to R722-300)	NSC	02/01/2001	Not Printed

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Criminal Investigations and Technical Services, Criminal Identification)					
<b><u>CONDEMNATION</u></b>					
Transportation, Preconstruction, Right-of-Way Acquisition	23637	R933-1	NSC	05/01/2001	Not Printed
<b><u>CONDUCT</u></b>					
Professional Practice Advisory Commission, Administration	23427	R686-100	AMD	03/06/2001	2001-3/67
	23547	R686-100	NSC	04/01/2001	Not Printed
<b><u>CONFIDENTIALITY OF INFORMATION</u></b>					
Community and Economic Development, Community Development, Community Services	23686	R202-201	NSC	05/01/2001	Not Printed
Human Resource Management, Administration	23771	R477-2	AMD	07/03/2001	2001-11/82
<b><u>CONNECTIONS</u></b>					
Environmental Quality, Drinking Water	23661	R309-211 (Changed to R309-550)	AMD	08/15/2001	2001-9/50
<b><u>CONSTRUCTION</u></b>					
Transportation, Operations, Construction	23750	R916-3	5YR	05/14/2001	2001-11/119
	23609	R916-3	NSC	05/01/2001	Not Printed
<b><u>CONSTRUCTION COSTS</u></b>					
Administrative Services, Facilities Construction and Management	23697	R23-6	NSC	05/01/2001	Not Printed
<b><u>CONSUMER</u></b>					
Commerce, Consumer Protection	23795	R152-26	AMD	07/30/2001	2001-12/19
<b><u>CONSUMER HEARING PANEL</u></b>					
Human Services, Child and Family Services	23884	R512-75	AMD	09/18/2001	2001-15/10
<b><u>CONSUMER PROTECTION</u></b>					
Commerce, Consumer Protection	23457	R152-1	5YR	01/29/2001	2001-4/61
	23789	R152-1	AMD	07/30/2001	2001-12/7
	23791	R152-7 (Changed to R152-23)	AMD	07/30/2001	2001-12/12
	23792	R152-15	AMD	07/30/2001	2001-12/14
	23793	R152-16	REP	07/30/2001	2001-12/15
	23794	R152-22	AMD	07/30/2001	2001-12/17
<b><u>CONTAMINATION</u></b>					
Environmental Quality, Radiation Control	23827	R313-15	AMD	09/14/2001	2001-13/29
<b><u>CONTESTS</u></b>					
Commerce, Occupational and Professional Licensing (Changed to Commerce, Administration)	23859	R156-66 (Changed to R151-33)	EMR	07/01/2001	2001-14/54
<b><u>CONTRACTORS</u></b>					
Commerce, Occupational and Professional Licensing	23799	R156-38	AMD	07/17/2001	2001-12/26
	23953	R156-38-401	AMD	09/17/2001	2001-16/23
	23374	R156-55b	AMD	04/30/2001	2001-1/4
	23577	R156-56	AMD	07/01/2001	2001-8/18

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	23788	R156-56-704	NSC	06/26/2001	Not Printed
<b><u>CONTRACTS</u></b>					
Administrative Services, Facilities Construction and Management	23870	R23-1	AMD	08/15/2001	2001-14/5
Capitol Preservation Board (State), Administration	23578	R131-4	NEW	05/16/2001	2001-8/7
Transportation, Operations, Construction	23608	R916-2	NSC	05/01/2001	Not Printed
	23609	R916-3	NSC	05/01/2001	Not Printed
	23750	R916-3	5YR	05/14/2001	2001-11/119
<b><u>CONTROLLED SUBSTANCES</u></b>					
Commerce, Occupational and Professional Licensing	23401	R156-37-502	NSC	02/01/2001	Not Printed
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
<b><u>COOPERATIVE WILDLIFE MANAGEMENT UNIT</u></b>					
Natural Resources, Wildlife Resources	23808	R657-37	AMD	07/18/2001	2001-12/67
<b><u>CORRECTIONS</u></b>					
Corrections, Administration	23966	R251-101	5YR	08/01/2001	2001-16/51
	23967	R251-104	5YR	08/01/2001	2001-16/52
	23512	R251-301	5YR	02/05/2001	2001-5/40
	23400	R251-301	AMD	03/13/2001	2001-3/8
	23968	R251-702	5YR	08/01/2001	2001-16/52
	23901	R251-708	5YR	07/12/2001	2001-15/48
	23570	R251-709	5YR	03/27/2001	2001-8/87
	23540	R251-709	AMD	05/15/2001	2001-7/12
	23902	R251-711	5YR	07/12/2001	2001-15/49
	23903	R251-712	5YR	07/12/2001	2001-15/49
<b><u>COSMETOLOGISTS</u></b>					
Commerce, Occupational and Professional Licensing	23260	R156-11a	AMD	see CPR	2000-22/5
	23260	R156-11a	CPR	03/06/2001	2001-3/79
<b><u>COSMETOLOGISTS/BARBERS</u></b>					
Commerce, Occupational and Professional Licensing	23954	R156-11a	AMD	09/17/2001	2001-16/11
<b><u>COUGAR</u></b>					
Natural Resources, Wildlife Resources	24021	R657-10	5YR	08/30/2001	2001-18/60
<b><u>COUNSELORS</u></b>					
Commerce, Occupational and Professional Licensing	23679	R156-60c	AMD	06/19/2001	2001-10/11
<b><u>COURT</u></b>					
Health, Center for Health Data, Vital Records and Statistics	24014	R436-5	5YR	08/28/2001	2001-18/58
<b><u>COVERAGE GROUPS</u></b>					
Health, Health Care Financing, Coverage and Reimbursement Policy	23396	R414-303	EMR	01/03/2001	2001-3/87
	23420	R414-303	AMD	03/13/2001	2001-3/52
	23752	R414-303	AMD	07/06/2001	2001-11/59
<b><u>CRIMINAL INVESTIGATION</u></b>					
Public Safety, Law Enforcement and	23447	R724-7 (Changed to	NSC	02/01/2001	Not Printed

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Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)		R722-320)			
<b><u>CRIMINAL RECORDS</u></b>					
Public Safety, Law Enforcement and Technical Services, Criminal Identification (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23444	R722-2 (Changed to R722-900)	NSC	02/01/2001	Not Printed
<b><u>CULTURAL RESOURCE</u></b>					
Community and Economic Development, Community Development, History	24076	R212-7	5YR	09/26/2001	2001-20/66
<b><u>DAMAGES</u></b>					
Transportation, Administration	23623	R907-63-1	NSC	05/01/2001	Not Printed
<b><u>DAMS</u></b>					
Natural Resources, Water Rights	23895	R655-10	5YR	07/12/2001	2001-15/54
	23896	R655-11	5YR	07/12/2001	2001-15/54
	23897	R655-12	5YR	07/12/2001	2001-15/55
<b><u>DAM SAFETY</u></b>					
Natural Resources, Water Rights	23895	R655-10	5YR	07/12/2001	2001-15/54
	23897	R655-12	5YR	07/12/2001	2001-15/55
<b><u>DEBT</u></b>					
Human Services, Recovery Services	23887	R527-936	5YR	07/10/2001	2001-15/53
	23821	R527-936	AMD	08/03/2001	2001-13/70
<b><u>DECOMMISSIONING</u></b>					
Environmental Quality, Radiation Control	23828	R313-22	AMD	09/14/2001	2001-13/40
<b><u>DEFINITIONS</u></b>					
Environmental Quality, Air Quality	23759	R307-101-2	AMD	07/12/2001	2001-11/10
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
Human Resource Management, Administration	23770	R477-1	AMD	07/03/2001	2001-11/76
<b><u>DEMONSTRATING</u></b>					
Health, Health Care Financing, Coverage and Reimbursement Policy	23452	R414-310	REP	04/04/2001	2001-4/13
<b><u>DENTAL HYGIENISTS</u></b>					
Commerce, Occupational and Professional Licensing	23141	R156-69	AMD	see CPR	2000-19/10
	23141	R156-69	CPR	02/15/2001	2001-2/17
	23878	R156-69	5YR	07/05/2001	2001-15/47
	23737	R156-69-305	AMD	07/05/2001	2001-11/6
<b><u>DENTISTS</u></b>					
Commerce, Occupational and Professional Licensing	23141	R156-69	AMD	see CPR	2000-19/10
	23141	R156-69	CPR	02/15/2001	2001-2/17
	23878	R156-69	5YR	07/05/2001	2001-15/47
	23737	R156-69-305	AMD	07/05/2001	2001-11/6

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<b><u>DEPOSITORY</u></b>					
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
	23841	R628-10	AMD	08/27/2001	2001-13/71
<b><u>DEPREDEATION</u></b>					
Natural Resources, Wildlife Resources	23676	R657-44	AMD	06/04/2001	2001-9/122
<b><u>DESIGN/BUILD</u></b>					
Transportation, Operations, Construction	23750	R916-3	5YR	05/14/2001	2001-11/119
	23609	R916-3	NSC	05/01/2001	Not Printed
<b><u>DEVELOPMENT</u></b>					
School and Institutional Trust Lands, Administration	24053	R850-140	5YR	09/14/2001	2001-19/45
<b><u>DEVELOPMENTALLY DISABLED</u></b>					
Agriculture and Food, Administration	23959	R51-4	5YR	07/31/2001	2001-16/49
Tax Commission, Administration	23846	R861-1A-9	AMD	08/02/2001	2001-13/75
	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
<b><u>DIGITAL SIGNATURE</u></b>					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
<b><u>DIRECT FILTRATION</u></b>					
Environmental Quality, Drinking Water	23659	R309-207 (Changed to R309-530)	AMD	08/15/2001	2001-9/43
<b><u>DISABILITY INSURANCE</u></b>					
Human Resource Management, Administration	23775	R477-8	AMD	07/03/2001	2001-11/90
<b><u>DISCHARGE PERMITS</u></b>					
Environmental Quality, Water Quality	23161	R317-8	AMD	see CPR	2000-19/40
	23161	R317-8	CPR	01/23/2001	2000-24/78
<b><u>DISCIPLINARY ACTION</u></b>					
Education, Administration	23546	R277-514	NSC	04/01/2001	Not Printed
<b><u>DISCIPLINE OF EMPLOYEES</u></b>					
Human Resource Management, Administration	23777	R477-11	AMD	07/03/2001	2001-11/99
	23778	R477-14	AMD	07/03/2001	2001-11/101
<b><u>DISCLOSURE REQUIREMENTS</u></b>					
Tax Commission, Administration	23846	R861-1A-9	AMD	08/02/2001	2001-13/75
	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
<b><u>DISCRIMINATION</u></b>					
Agriculture and Food, Administration	23959	R51-4	5YR	07/31/2001	2001-16/49
Labor Commission. Antidiscrimination and Labor, Antidiscrimination	23515	R606-1-3	AMD	04/03/2001	2001-5/17
<b><u>DISMISSAL OF EMPLOYEES</u></b>					
Human Resource Management	23777	R477-11	AMD	07/03/2001	2001-11/99
<b><u>DIVERSION PROGRAMS</u></b>					
Commerce, Occupational and Professional Licensing	23798	R156-1-308a	AMD	07/17/2001	2001-12/22

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	23909	R156-1-308c	AMD	09/04/2001	2001-15/4
	23295	R156-1-308d	AMD	01/04/2001	2000-23/9
<b><u>DRINKING WATER</u></b>					
Environmental Quality, Drinking Water	23662	R309-101	5YR	04/16/2001	2001-9/140
	23663	R309-102	5YR	04/16/2001	2001-9/140
	23664	R309-103	5YR	04/16/2001	2001-9/141
	23665	R309-104	5YR	04/16/2001	2001-9/141
	23755	R309-115	NEW	08/24/2001	2001-11/23
	23252	R309-150	AMD	01/04/2001	2000-22/33
	23655	R309-201 (Changed to R309-500)	AMD	08/15/2001	2001-9/22
	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
	23657	R309-203 (Changed to R309-510)	AMD	08/15/2001	2001-9/29
	23658	R309-206 (Changed to R309-525)	AMD	08/15/2001	2001-9/32
	23659	R309-207 (Changed to R309-530)	AMD	08/15/2001	2001-9/43
	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
	23660	R309-209 (Changed to R309-540)	AMD	08/15/2001	2001-9/46
	23661	R309-211 (Changed to R309-550)	AMD	08/15/2001	2001-9/50
	23845	R309-605	AMD	08/27/2001	2001-13/20
<b><u>DRIVER EDUCATION</u></b>					
Public safety, Driver License	23957	R708-18	5YR	07/30/2001	2001-16/59
<b><u>DRUG ABUSE</u></b>					
Human Resource Management, Administration	23778	R477-14	AMD	07/03/2001	2001-11/101
<b><u>DRUG/ALCOHOL EDUCATION</u></b>					
Human Resource Management, Administration	23778	R477-14	AMD	07/03/2001	2001-11/101
<b><u>DRUG STAMPS</u></b>					
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
<b><u>DUI PROGRAMS</u></b>					
Human Services, Substance Abuse	23732	R544-4	AMD	07/03/2001	2001-11/105
<b><u>DUMPING OF WASTES</u></b>					
Environmental Quality, Water Quality	23600	R317-550-7	AMD	see CPR	2001-8/45
	23600	R317-550-7	CPR	08/29/2001	2001-14/49
<b><u>EARTHQUAKES</u></b>					
Natural Resources, Water Rights	23896	R655-11	5YR	07/12/2001	2001-15/54
<b><u>ECONOMIC DEVELOPMENT</u></b>					
Workforce Services, Employment Development	23723	R986-601	REP	07/01/2001	2001-10/57
<b><u>EDUCATION</u></b>					
Education, Administration	23852	R277-470	AMD	08/01/2001	2001-13/6
	23964	R277-480	NEW	09/20/2001	2001-16/25



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	23855	R277-526	AMD	08/01/2001	2001-13/13
	23670	R277-709	AMD	06/05/2001	2001-9/19
<b><u>EDUCATIONAL EXPENDITURES</u></b>					
Education, Administration	23851	R277-456	REP	08/01/2001	2001-13/6
	23853	R277-478	NEW	08/01/2001	2001-13/9
	23854	R277-479	NEW	08/01/2001	2001-13/11
<b><u>EDUCATIONAL FACILITIES</u></b>					
Education, Administration	24040	R277-432	5YR	09/04/2001	2001-19/43
	23850	R277-451	AMD	08/01/2001	2001-13/4
<b><u>EDUCATIONAL PLANNING</u></b>					
Education, Administration	23747	R277-415	5YR	05/14/2001	2001-11/117
	23963	R277-415	REP	09/20/2001	2001-16/24
<b><u>EDUCATION FINANCE</u></b>					
Education, Administration	24040	R277-432	5YR	09/04/2001	2001-19/43
	23850	R277-451	AMD	08/01/2001	2001-13/4
<b><u>EDUCATION TUITION</u></b>					
Human Resource Management, Administration	23776	R477-10	AMD	07/03/2001	2001-11/98
<b><u>EFFLUENT STANDARDS</u></b>					
Environmental Quality, Water Quality	23766	R317-1	AMD	08/24/2001	2001-11/32
	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
	23599	R317-1-6	AMD	08/13/2001	2001-8/44
<b><u>ELECTRIC ASSISTED BICYCLE HEADGEAR</u></b>					
Public Safety, Driver License	23833	R708-33	5YR	06/07/2001	2001-13/87
<b><u>ELECTRICIANS</u></b>					
Commerce, Occupational and Professional Licensing	23374	R156-55b	AMD	04/30/2001	2001-1/4
<b><u>ELECTROLOGISTS</u></b>					
Commerce, Occupational and Professional Licensing	23954	R156-11a	AMD	09/17/2001	2001-16/11
<b><u>ELECTRONIC COMMERCE</u></b>					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
<b><u>ELECTRONIC COMMUNICATION</u></b>					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
<b><u>ELEVATORS</u></b>					
Labor Commission, Safety	23473	R616-3-3	AMD	03/20/2001	2001-4/36
<b><u>EMERGENCY MEDICAL SERVICES</u></b>					
Health, Health Systems Improvement, Emergency Medical Services	23344	R426-2	AMD	01/23/2001	2000-24/32
	23185	R426-6	AMD	01/17/2001	2000-20/27
	23186	R426-7	NEW	01/30/2001	2000-20/29
	23202	R426-8	NEW	01/30/2001	2000-21/14
<b><u>EMERGENCY VEHICLES</u></b>					
Public Safety, Law Enforcement and Technical Services, Regulatory	23446	R724-6 (Changed to R722-340)	NSC	02/01/2001	Not Printed

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Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)					
<b><u>EMPLOYEE BENEFITS</u></b>					
Human Resource Management, Administration	23774	R477-7	AMD	07/03/2001	2001-11/87
<b><u>EMPLOYEE PERFORMANCE EVALUATION</u></b>					
Human Resource Management, Administration	23776	R477-10	AMD	07/03/2001	2001-11/98
<b><u>EMPLOYEE PRODUCTIVITY</u></b>					
Human Resource Management, Administration	23776	R477-10	AMD	07/03/2001	2001-11/98
<b><u>EMPLOYER LIABILITY</u></b>					
Workforce Services, Workforce Information and Payment Services	23744	R994-302	5YR	05/11/2001	2001-11/119
<b><u>EMPLOYMENT</u></b>					
Human Resource Management, Administration	23773	R477-5	AMD	07/03/2001	2001-11/86
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	23515	R606-1-3	AMD	04/03/2001	2001-5/17
Workforce Services, Employment Development	23723	R986-601	REP	07/01/2001	2001-10/57
	23724	R986-602	REP	07/01/2001	2001-10/67
	23725	R986-603	REP	07/01/2001	2001-10/75
<b><u>ENERGY ASSISTANCE</u></b>					
Community and Economic Development, Community Development, Community Services	23687	R202-201	NSC	05/01/2001	Not Printed
	23688	R202-203	NSC	05/01/2001	Not Printed
	23689	R202-204	NSC	05/01/2001	Not Printed
	23690	R202-205	NSC	05/01/2001	Not Printed
	23691	R202-206	NSC	05/01/2001	Not Printed
	23692	R202-207	NSC	05/01/2001	Not Printed
	23693	R202-208	NSC	05/01/2001	Not Printed
<b><u>ENERGY INDUSTRIES</u></b>					
Community and Economic Development, Community Development, Community Services	23693	R202-208	NSC	05/01/2001	Not Printed
<b><u>ENFORCEMENT</u></b>					
Agriculture and Food, Animal Industry	23588	R58-15	5YR	03/30/2001	2001-8/85
Environmental Quality, Radiation Control	23668	R313-14	AMD	06/08/2001	2001-9/55
	23933	R313-14	5YR	07/23/2001	2001-16/53
Human Services, Recovery Services	23929	R527-800	5YR	07/23/2001	2001-16/55
	23930	R527-800	AMD	09/18/2001	2001-16/33
<b><u>ENGINEERING</u></b>					
Education, Administration	23856	R277-717	NEW	08/01/2001	2001-13/16
<b><u>ENGINEERS</u></b>					
Administrative Services, Facilities Construction and Management	23952	R23-2	AMD	09/15/2001	2001-16/4
Commerce, Occupational and	23517	R156-22	AMD	see CPR	2001-5/4

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Professional Licensing	23517	R156-22	CPR	05/17/2001	2001-8/81
<b><u>ENTERPRISE ZONES</u></b>					
Tax Commission, Auditing	23910	R865-9I-14	AMD	09/05/2001	2001-15/33
<b><u>ENVIRONMENTAL PROTECTION</u></b>					
Environmental Quality, Drinking Water	23662	R309-101	5YR	04/16/2001	2001-9/140
	23664	R309-103	5YR	04/16/2001	2001-9/141
	23665	R309-104	5YR	04/16/2001	2001-9/141
	23252	R309-150	AMD	01/04/2001	2000-22/33
	23845	R309-605	AMD	08/27/2001	2001-13/20
<b><u>EQUIPMENT LEASING</u></b>					
Commerce, Corporations and Commercial Code	23672	R154-2	NEW	07/26/2001	2001-9/3
	23858	R154-2	NSC	08/01/2001	Not Printed
<b><u>ESTHETICIANS</u></b>					
Commerce, Occupational and Professional Licensing	23954	R156-11a	AMD	09/17/2001	2001-16/11
<b><u>ETHICS</u></b>					
Natural Resources, Wildlife Resources	23360	R657-38	AMD	01/16/2001	2000-24/53
<b><u>EXEMPTIONS</u></b>					
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
	23312	R313-19	AMD	01/26/2001	2000-23/19
<b><u>EXHIBITIONS</u></b>					
Agriculture and Food, Marketing and Conservation	24003	R65-8	5YR	08/24/2001	2001-18/56
<b><u>EXTENDED AREA SERVICE</u></b>					
Public Service Commission, Administration	23844	R746-347	REP	08/01/2001	2001-13/73
<b><u>FACILITY</u></b>					
Human Services, Mental Health, State Hospital	23666	R525-8	NEW	06/04/2001	2001-9/98
<b><u>FACULTY</u></b>					
Education, Administration	23855	R277-526	AMD	08/01/2001	2001-13/13
<b><u>FAIR EMPLOYMENT PRACTICES</u></b>					
Human Resource Management, Administration	23771	R477-2	AMD	07/03/2001	2001-11/82
	23773	R477-5	AMD	07/03/2001	2001-11/86
<b><u>FAIRS</u></b>					
Fair Corporation (Utah State), Administration	23890	R325-1	5YR	07/12/2001	2001-15/50
	23891	R325-2	5YR	07/12/2001	2001-15/50
	23892	R325-3	5YR	07/12/2001	2001-15/51
	23893	R325-4	5YR	07/12/2001	2001-15/51
	23894	R325-5	5YR	07/12/2001	2001-15/52
<b><u>FAMILY EMPLOYMENT</u></b>					
Workforce Services, Employment	23271	R986-200	AMD	07/01/2001	2001-10/49

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Development					
<b><u>FEED CONTAMINATION</u></b>					
Agriculture and Food, Plant Industry	23435	R68-2	5YR	01/16/2001	2001-3/95
<b><u>FEES</u></b>					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
Health, Center for Health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed
Labor Commission, Industrial Accidents	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23746	R612-2-5	AMD	07/05/2001	2001-11/108
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/33
	23468	R612-2-17	NSC	02/15/2001	Not Printed
	23469	R612-2-22	AMD	03/20/2001	2001-4/33
	23470	R612-2-23	NSC	02/15/2001	Not Printed
	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
Natural Resources, Parks and Recreation	23978	R651-611	5YR	08/07/2001	2001-17/49
Public Safety, Driver License	23957	R708-18	5YR	07/30/2001	2001-16/59
<b><u>FILING DEADLINES</u></b>					
Labor Commission, Industrial Accidents	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
Workforce Services, Workforce Information and Payment Services	23824	R994-403-102a	AMD	08/09/2001	2001-13/78
<b><u>FILING DOCUMENTS</u></b>					
Commerce, Corporations and Commercial Code	23672	R154-2	NEW	07/26/2001	2001-9/3
	23858	R154-2	NSC	08/01/2001	Not Printed
<b><u>FILTRATION</u></b>					
Environmental Quality, Drinking Water	23658	R309-206 (Changed to R309-525)	AMD	08/15/2001	2001-9/32
<b><u>FINANCIAL DISCLOSURE</u></b>					
Community and Economic Development, Community Development, Community Services	23689	R202-204	NSC	05/01/2001	Not Printed
Health, Health Care Financing, Coverage and Reimbursement Policy	23397	R414-304	EMR	01/03/2001	2001-3/89
	23753	R414-304	AMD	07/06/2001	2001-11/62
	23922	R414-304	AMD	09/26/2001	2001-16/26
<b><u>FIRE</u></b>					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81
<b><u>FIREARMS</u></b>					
Administrative Services, Fleet Operations, Surplus Property	23523	R28-2	5YR	02/08/2001	2001-5/39

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<b><u>FIRE PREVENTION</u></b>					
Public Safety, Fire Marshal	23339	R710-4	AMD	01/16/2001	2000-24/61
	23580	R710-4	AMD	05/16/2001	2001-8/77
<b><u>FIRE PREVENTION LAW</u></b>					
Public Safety, Fire Marshal	23340	R710-9	AMD	01/16/2001	2000-24/64
<b><u>FISH</u></b>					
Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
<b><u>FISHING</u></b>					
Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
<b><u>FLOCCULATION</u></b>					
Environmental Quality, Drinking Water	23658	R309-206 (Changed to R309-525)	AMD	08/15/2001	2001-9/32
<b><u>FLOODS</u></b>					
Natural Resources, Water Rights	23896	R655-11	5YR	07/12/2001	2001-15/54
<b><u>FOOD INSPECTION</u></b>					
Agriculture and Food, Animal Industry	23306	R58-10	AMD	01/03/2001	2000-23/9
	23585	R58-11	5YR	03/30/2001	2001-8/83
	23586	R58-12	5YR	03/30/2001	2001-8/84
	23587	R58-13	5YR	03/30/2001	2001-8/84
	23589	R58-16	5YR	03/30/2001	2001-8/85
Agriculture and Food, Plant Industry	23960	R68-4	5YR	07/31/2001	2001-16/49
Agriculture and Food, Regulatory Services	24005	R70-330	5YR	08/24/2001	2001-18/57
	24006	R70-370	5YR	08/24/2001	2001-18/57
	23007	R70-380	5YR	08/24/2001	2001-18/58
	24046	R70-410	5YR	09/12/2001	2001-19/43
	23428	R70-420	REP	03/06/2001	2001-3/5
	23429	R70-430	REP	03/06/2001	2001-3/6
	23430	R70-610	5YR	01/16/2001	2001-3/96
	23431	R70-610	NSC	02/01/2001	Not Printed
	23432	R70-620	5YR	01/16/2001	2001-3/97
	23433	R70-620	AMD	03/06/2001	2001-3/7
<b><u>FOOD STAMPS</u></b>					
Workforce Services, Employment Development	23474	R986-900-902	AMD	03/20/2001	2001-4/47
	23727	R986-900-902	AMD	07/01/2001	2001-10/79
<b><u>FORENSIC</u></b>					
Human Services, Mental Health, State Hospital	23666	R525-8	NEW	06/04/2001	2001-9/98
<b><u>FOSTER CARE</u></b>					
Human Services, Administration, Administrative Services, Licensing	23626	R501-12	AMD	08/09/2001	2001-9/94
	24072	R501-12	EMR	09/26/2001	2001-20/60
Human Services, Child and Family Services	23866	R512-43	EMR	06/29/2001	2001-14/65
<b><u>FRANCHISES</u></b>					
Commerce, Consumer Protection	23792	R152-15	AMD	07/30/2001	2001-12/14

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Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
<b><u>FRAUD</u></b>					
Commerce, Consumer Protection	23795	R152-26	AMD	07/30/2001	2001-12/19
Human Services, Recovery Services	23389	R527-928	AMD	02/15/2001	2001-2/7
<b><u>FREEDOM OF INFORMATION</u></b>					
Agriculture and Food, Administration	23958	R51-3	5YR	07/31/2001	2001-16/48
<b><u>FUEL</u></b>					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
<b><u>FUEL PRICES</u></b>					
Commerce, Consumer Protection	23793	R152-16	REP	07/30/2001	2001-12/15
<b><u>GAME LAWS</u></b>					
Natural Resources, Wildlife Resources	23356	R657-5	AMD	01/16/2001	2000-24/40
	23528	R657-5	AMD	04/03/2001	2001-5/19
	23806	R657-5	AMD	07/18/2001	2001-12/63
	24021	R657-10	5YR	08/30/2001	2001-18/60
	23601	R657-14	AMD	05/17/2001	2001-8/71
	23358	R657-17	AMD	01/16/2001	2000-24/51
	23810	R657-23	5YR	05/30/2001	2001-12/74
	23807	R657-23	AMD	07/18/2001	2001-12/66
	23393	R657-33	AMD	02/15/2001	2001-2/8
<b><u>GASOLINE</u></b>					
Environmental quality, Air Quality	23919	R307-301-3	AMD	09/10/2001	2001-15/7
<b><u>GOVERNMENT DOCUMENTS</u></b>					
Agriculture and Food, Administration	23958	R51-3	5YR	07/31/2001	2001-16/48
Community and Economic Development, Community Development, Community Services	23692	R202-207	NSC	05/01/2001	Not Printed
<b><u>GOVERNMENT HEARINGS</u></b>					
Agriculture and Food, Administration	23928	R51-2-11	NSC	08/01/2001	Not Printed
Commerce, Administration	23537	R151-46b	5YR	02/28/2001	2001-6/49
	23945	R151-46b	5YR	07/27/2001	2001-16/50
Commerce, Occupational and Professional Licensing	23839	R156-46b	5YR	06/11/2001	2001-13/85
Human Resource Management, Administration	23777	R477-11	AMD	07/03/2001	2001-11/99
Transportation, Preconstruction	23616	R930-2	NSC	05/01/2001	Not Printed
<b><u>GOVERNMENT INFORMATION RESOURCES</u></b>					
Transportation, Administration	23634	R907-40	NSC	05/01/2001	Not Printed
<b><u>GRANTS</u></b>					
Community and Economic Development, Community Development	23231	R199-8	AMD	01/23/2001	2000-21/3
	23575	R199-9	NSC	03/28/2001	Not Printed
Environmental Quality, Water Quality	23785	R317-100	AMD	08/24/2001	2001-12/31
Health, Health Systems Improvement,	23849	R425-1 (Changed	AMD	10/01/2001	2001-13/65

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Community Health Nursing (Changed to Health, Health Systems Improvement, Primary Care and Rural Health)		to R434-50)			
Health, Health Systems Improvement, Primary Care and Rural Health	23888	R434-30	5YR	07/11/2001	2001-15/52
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23742	R674-2	EXD	05/09/2001	2001-11/121
<b><u>GRIEVANCE PROCEDURES</u></b>					
Career Service Review Board, Administration	23979	R137-1	5YR	08/08/2001	2001-17/46
Human Services, Child and Family Services	23884	R512-75	AMD	09/18/2001	2001-15/10
Tax Commission, Administration	23846	R861-1A-9	AMD	08/02/2001	2001-13/75
	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
<b><u>GRIEVANCES</u></b>					
Agriculture and Food, Administration	23959	R51-4	5YR	07/31/2001	2001-16/49
Human Resource Management, Administration	23772	R477-4	AMD	07/03/2001	2001-11/85
	23777	R477-11	AMD	07/03/2001	2001-11/99
<b><u>HABITAT DESIGNATION</u></b>					
Natural Resources, Wildlife Resources	23677	R657-48	NEW	06/13/2001	2001-9/124
<b><u>HALFWAY HOUSES</u></b>					
Corrections, Administration	23512	R251-301	5YR	02/05/2001	2001-5/40
	23400	R251-301	AMD	03/13/2001	2001-3/8
<b><u>HAZARDOUS MATERIALS TRANSPORTATION</u></b>					
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
	23857	R909-75	AMD	08/15/2001	2001-14/43
<b><u>HAZARDOUS SUBSTANCES</u></b>					
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
	23857	R909-75	AMD	08/15/2001	2001-14/43
<b><u>HAZARDOUS WASTE</u></b>					
Environmental Quality, Solid and Hazardous Waste	23409	R315-1	AMD	04/20/2001	2001-3/14
	23410	R315-2	AMD	04/20/2001	2001-3/16
	23763	R315-2	AMD	see CPR	2001-11/27
	23763	R315-2	CPR	09/04/2001	2001-15/42
	23521	R315-2-2	AMD	06/15/2001	2001-5/15
	23411	R315-3	AMD	see CPR	2001-3/22
	23411	R315-3	CPR	06/15/2001	2001-9/130
	23947	R315-3	NSC	08/01/2001	Not Printed
	23764	R315-3-1	AMD	07/20/2001	2001-11/29
	23412	R315-5-3	AMD	04/20/2001	2001-3/30
	23413	R315-7	AMD	see CPR	2001-3/31
	23413	R315-7	CPR	06/15/2001	2001-9/131
	23414	R315-8	AMD	see CPR	2001-3/36
	23414	R315-8	CPR	06/15/2001	2001-9/133
	23415	R315-13-1	AMD	04/20/2001	2001-3/40

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	23416	R315-14-7	AMD	04/20/2001	2001-3/41
	23417	R315-16	AMD	04/20/2001	2001-3/42
	23951	R315-16-5	NSC	08/01/2001	Not Printed
	23418	R315-50	AMD	04/20/2001	2001-3/50
	23554	R315-101	AMD	see CPR	2001-7/15
	23554	R315-101	CPR	09/20/2001	2001-15/44
	23419	R315-101-7	AMD	see CPR	2001-3/51
	23419	R315-101-7	CPR	07/20/2001	2001-11/113
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
	23857	R909-75	AMD	08/15/2001	2001-14/43
<b>HEALTH CARE</b>					
Health, Community and Family Health Services, Children with Special Health Care Needs	23834	R398-1	AMD	08/07/2001	2001-13/61
<b>HEALTH FACILITIES</b>					
Health, Health Systems Improvement, Health Facility Licensure	23292	R432-106	NEW	01/23/2001	2000-23/31
Health, Health Systems Improvement, Health Facility Licensure (Changed to Health, Health Systems Improvement, Licensing)	23477	R432-1	NSC	04/01/2001	Not Printed
	23784	R432-1-3	AMD	08/07/2001	2001-12/51
	23478	R432-2	NSC	04/01/2001	Not Printed
	23479	R432-3	NSC	04/01/2001	Not Printed
	23480	R432-4	NSC	04/01/2001	Not Printed
	23481	R432-5	NSC	04/01/2001	Not Printed
	23482	R432-6	NSC	04/01/2001	Not Printed
	23483	R432-7	NSC	04/01/2001	Not Printed
	23484	R432-8	NSC	04/01/2001	Not Printed
	23485	R432-9	NSC	04/01/2001	Not Printed
	23486	R432-10	NSC	04/01/2001	Not Printed
	23487	R432-11	NSC	04/01/2001	Not Printed
	23488	R432-12	NSC	04/01/2001	Not Printed
	23489	R432-13	NSC	04/01/2001	Not Printed
	23490	R432-14	NSC	04/01/2001	Not Printed
	23491	R432-16	NSC	04/01/2001	Not Printed
	23492	R432-30	NSC	04/01/2001	Not Printed
	23493	R432-35	NSC	04/01/2001	Not Printed
	23494	R432-100	NSC	04/01/2001	Not Printed
	23495	R432-101	NSC	04/01/2001	Not Printed
	23496	R432-102	NSC	04/01/2001	Not Printed
	23497	R432-103	NSC	04/01/2001	Not Printed
	23498	R432-104	NSC	04/01/2001	Not Printed
	23499	R432-105	NSC	04/01/2001	Not Printed
	23561	R432-106	NSC	04/01/2001	Not Printed
	23500	R432-150	NSC	04/01/2001	Not Printed
	23501	R432-151	NSC	04/01/2001	Not Printed
	23502	R432-152	NSC	04/01/2001	Not Printed



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	23503	R432-200	NSC	04/01/2001	Not Printed
	23504	R432-201	NSC	04/01/2001	Not Printed
	23505	R432-270	NSC	04/01/2001	Not Printed
	23380	R432-270	AMD	03/30/2001	2001-1/10
	23506	R432-300	NSC	04/01/2001	Not Printed
	23567	R432-500	NSC	04/01/2001	Not Printed
	23564	R432-500	AMD	08/13/2001	2001-8/63
	23507	R432-550	NSC	04/01/2001	Not Printed
	23508	R432-600	NSC	04/01/2001	Not Printed
	23562	R432-650	NSC	04/01/2001	Not Printed
	23509	R432-700	NSC	04/01/2001	Not Printed
	23510	R432-750	NSC	04/01/2001	Not Printed
	23563	R432-950	NSC	04/01/2001	Not Printed
<b><u>HEALTH INSURANCE</u></b>					
Human Services, Recovery Services	23924	R527-201	AMD	09/17/2001	2001-16/29
<b><u>HEALTH SPAS</u></b>					
Commerce, Consumer Protection	23791	R152-7 (Changed to R152-23)	AMD	07/30/2001	2001-12/12
<b><u>HEARING AIDS</u></b>					
Commerce, Occupational and Professional Licensing	23735	R156-46a-308	AMD	07/05/2001	2001-11/4
<b><u>HEARINGS</u></b>					
Community and Economic Development, Community Development, Community Services	23686	R202-201	NSC	05/01/2001	Not Printed
Environmental Quality, Air Quality	23442	R307-103-1	NSC	02/01/2001	Not Printed
	23407	R307-103-2	AMD	04/12/2001	2001-3/13
	23755	R309-115	NEW	08/24/2001	2001-11/23
Professional Practices Advisory Commission, Administration	23427	R686-100	AMD	03/06/2001	2001-3/67
	23547	R686-100	NSC	04/01/2001	Not Printed
<b><u>HIGHER EDUCATION</u></b>					
Regents (Board Of), Administration	23907	R765-608	NEW	09/01/2001	2001-15/31
	23596	R765-649	NEW	05/16/2001	2001-8/78
	23782	R765-649	AMD	07/17/2001	2001-12/71
<b><u>HIGH QUALITY GROUND WATER</u></b>					
Environmental Quality, Drinking Water	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
<b><u>HIGHWAY BEAUTIFICATION</u></b>					
Transportation, Preconstruction, Right- of-Way Acquisition	23637	R933-1	NSC	05/01/2001	Not Printed
<b><u>HIGHWAY FINANCE</u></b>					
Transportation, Program Development	23613	R926-3	NSC	05/01/2001	Not Printed
	23614	R926-5	NSC	05/01/2001	Not Printed
<b><u>HIGHWAY HEARINGS</u></b>					
Transportation, Preconstruction	23616	R930-2	NSC	05/01/2001	Not Printed
<b><u>HIGHWAY PLANNING</u></b>					
Transportation, Program Development	23612	R926-2	NSC	05/01/2001	Not Printed

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<b><u>HIGHWAY ROADS</u></b>					
Transportation, Program Development	23613	R926-3	NSC	05/01/2001	Not Printed
<b><u>HIGHWAYS</u></b>					
Transportation, Operations, Construction	23609	R916-3	NSC	05/01/2001	Not Printed
	23750	R916-3	5YR	05/14/2001	2001-11/119
<b><u>HIRING PRACTICES</u></b>					
Human Resource Management, Administration	23773	R477-5	AMD	07/03/2001	2001-11/86
<b><u>HISTORICAL SOCIETY</u></b>					
Community and Economic Development, Community Development, History	24073	R212-3	5YR	09/26/2001	2001-20/65
<b><u>HISTORIC PRESERVATION</u></b>					
Community and Economic Development, Community Development, History	24076	R212-7	5YR	09/26/2001	2001-20/66
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
	23910	R865-9I-14	AMD	09/05/2001	2001-15/33
<b><u>HISTORIC SITES</u></b>					
Community and Economic Development, Community Development, History	24075	R212-6	5YR	09/26/2001	2001-20/66
<b><u>HOSTILE WORK ENVIRONMENT</u></b>					
Human Resource Management, Administration	23779	R477-15	AMD	07/03/2001	2001-11/103
<b><u>HOUSING</u></b>					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
<b><u>HUMAN SERVICES</u></b>					
Human Services, Administration, Administrative Services, Licensing	23121	R501-7	AMD	see CPR	2000-18/65
	23121	R501-7	CPR	01/16/2001	2000-23/59
	23322	R501-8	AMD	01/16/2001	2000-23/33
	23406	R501-8	NSC	02/01/2001	Not Printed
	23626	R501-12	AMD	08/09/2001	2001-9/94
	24072	R501-12	EMR	09/26/2001	2001-20/60
	23783	R501-14	5YR	05/18/2001	2001-12/75
	23323	R501-17	AMD	01/16/2001	2000-23/39
	23923	R501-22	NSC	08/01/2001	Not Printed
<b><u>HUNTER EDUCATION</u></b>					
Natural Resources, Wildlife Resources	23810	R657-23	5YR	05/30/2001	2001-12/74
	23807	R657-23	AMD	07/18/2001	2001-12/66
<b><u>HUNTING</u></b>					
Natural Resources, Wildlife Resources	23360	R657-38	AMD	01/16/2001	2000-24/53
<b><u>HUNTING AND FISHING LICENSES</u></b>					
Natural Resources, Wildlife Resources	23358	R657-17	AMD	01/16/2001	2000-24/51
<b><u>HYDROPNEUMATIC SYSTEMS</u></b>					
Environmental Quality, Drinking Water	23660	R309-209 (Changed to R309-540)	AMD	08/15/2001	2001-9/46
<b><u>IMMUNIZATION</u></b>					

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Health, Community and Family Health Services, Immunization	23762	R396-100	R&R	07/19/2001	2001-11/52
<b><u>IMPACTED AREA PROGRAMS</u></b>					
Community and Economic Development, Community Development	23576	R199-10	NSC	04/01/2001	Not Printed
<b><u>IMPORT RESTRICTIONS</u></b>					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143
<b><u>INCIDENTS</u></b>					
Administrative Services, Fleet Operations	23345	R27-7	NEW	01/31/2001	2000-24/6
<b><u>INCOME</u></b>					
Community and Economic Development, Community Development, Community Services	23688	R202-203	NSC	05/01/2001	Not Printed
Health, Health Care Financing, Coverage and Reimbursement Policy	23396	R414-303	EMR	01/03/2001	2001-3/87
	23420	R414-303	AMD	03/13/2001	2001-3/52
	23752	R414-303	AMD	07/06/2001	2001-11/59
	23397	R414-304	EMR	01/03/2001	2001-3/89
	23753	R414-304	AMD	07/06/2001	2001-11/62
	23922	R414-304	AMD	09/26/2001	2001-16/26
	23452	R414-310	REP	04/04/2001	2001-4/13
<b><u>INCOME ELIGIBILITY</u></b>					
Community and Economic Development, Community Development, Community Services	23688	R202-203	NSC	05/01/2001	Not Printed
<b><u>INCOME TAX</u></b>					
Tax Commission, Auditing	23910	R865-9I-14	AMD	09/05/2001	2001-15/33
<b><u>INCOME WITHHOLDING FEES</u></b>					
Human Services, Recovery Services	23955	R527-302	NSC	08/01/2001	Not Printed
<b><u>INDIAN AFFAIRS</u></b>					
Community and Economic Development, Indian Affairs	23476	R230-1	5YR	02/01/2001	2001-4/61
<b><u>INDIGENT</u></b>					
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85
	23703	R420-1	AMD	06/25/2001	2001-10/19
<b><u>INDIVIDUAL HOME BOOSTER PUMPS</u></b>					
Environmental Quality, Drinking Water	23660	R309-209 (Changed to R309-540)	AMD	08/15/2001	2001-9/46
<b><u>INDUSTRIAL WASTE</u></b>					
Environmental Quality, Water Quality	23766	R317-1	AMD	08/24/2001	2001-11/32
	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
	23599	R317-1-6	AMD	08/13/2001	2001-8/44
<b><u>INDUSTRY</u></b>					
Environmental Quality, Radiation Control	23552	R313-36	AMD	05/11/2001	2001-7/13
<b><u>INFORMATION TECHNOLOGY</u></b>					

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Administrative Services, Information Technology Services	23944	R29-1	5YR	07/26/2001	2001-16/48
<b><u>INJURY</u></b>					
Health, Epidemiology and Laboratory Services, Epidemiology	24062	R386-703	5YR	09/18/2001	2001-20/67
<b><u>INMATES</u></b>					
Corrections, Administration	23968	R251-702	5YR	08/01/2001	2001-16/52
<b><u>IN-SERVICE TRAINING</u></b>					
Public Safety, Peace Officer Standards and Training	23630	R728-500	NSC	05/01/2001	Not Printed
<b><u>INSPECTIONS</u></b>					
Agriculture and Food, Plant Industry	23973	R68-7	5YR	08/07/2001	2001-17/46
	23961	R68-8	5YR	07/31/2001	2001-16/50
Agriculture and Food, Regulatory Services	23728	R70-910	5YR	05/03/2001	2001-11/116
	23729	R70-950	5YR	05/03/2001	2001-11/116
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
	23934	R313-16	5YR	07/23/2001	2001-16/54
	23936	R313-18	5YR	07/23/2001	2001-16/55
<b><u>INSTRUCTIONAL MATERIALS</u></b>					
Education, Administration	23426	R277-469	AMD	03/06/2001	2001-3/9
<b><u>INSURANCE</u></b>					
Human Resource Management, Administration	23774	R477-7	AMD	07/03/2001	2001-11/87
Insurance, Administration	23582	R590-144	5YR	03/30/2001	2001-8/88
	23583	R590-144	NSC	05/01/2001	Not Printed
	23598	R590-146	AMD	05/23/2001	2001-8/65
	23765	R590-155	AMD	08/20/2001	2001-11/106
	23369	R590-175	AMD	see CPR (First)	2000-24/36
	23369	R590-175	CPR (First)	see CPR (Second)	2001-9/35
	23369	R590-175	CPR (Second)	08/23/2001	2001-14/50
	23713	R590-177	5YR	04/30/2001	2001-10/91
<b><u>INSURANCE BENEFITS</u></b>					
Insurance, Administration	23378	R590-204	NEW	02/09/2001	2001-1/23
<b><u>INSURANCE CERTIFICATE OF AUTHORITY</u></b>					
Insurance, Administration	23560	R590-208	NEW	06/12/2001	2001-7/20
<b><u>INSURANCE LAW</u></b>					
Insurance, Administration	23904	R590-136	5YR	07/13/2001	2001-15/53
	24051	R590-178	5YR	09/12/2001	2001-19/44
	22923	R590-200	NEW	see CPR (First)	2000-13/51
	22923	R590-200	CPR (First)	see CPR (Second)	2000-19/159
	22923	R590-200	CPR	see CPR	2000-23/60

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			(Second)	(Third)	
	22923	R590-200	CPR (Third)	04/30/2001	2001-3/84
	23720	R590-206	NEW	07/01/2001	2001-10/23
	23559	R590-207	NEW	see CPR	2001-7/18
	23559	R590-207	CPR	09/30/2001	2001-13/83
<b><u>INSURANCE LAW PRIVACY</u></b>					
Insurance, Administration	23247	R590-205	NEW	01/11/2001	2000-22/35
	23864	R590-210	EMR	07/01/2001	2001-14/70
<b><u>INTERNET ACCESS</u></b>					
Community and Economic Development, Community Development, Library	23352	R223-2	NEW	02/15/2001	2000-24/11
	23519	R223-2	NSC	02/23/2001	Not Printed
	23694	R223-2	AMD	09/07/2001	2001-10/14
<b><u>INTRASTATE DRIVER LICENSE WAIVERS</u></b>					
Public Safety, Driver License	23597	R708-34	AMD	05/16/2001	2001-8/74
<b><u>INVESTIGATIONS</u></b>					
Public Safety, Peace Officer Standards and Training	23629	R728-409	NSC	05/01/2001	Not Printed
<b><u>IRON AND MANGANESE CONTROL</u></b>					
Environmental Quality, Drinking Water	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
<b><u>IRRADIATOR</u></b>					
Environmental Quality, Radiation Control	23830	R313-34	AMD	09/14/2001	2001-13/47
<b><u>JOB DESCRIPTION</u></b>					
Human Resource Management, Administration	23772	R477-4	AMD	07/03/2001	2001-11/85
<b><u>JUDGES</u></b>					
Judicial Conduct Commission, Administration	23908	R595-1	NSC	07/30/2001	Not printed
<b><u>JUDICIAL ETHICS</u></b>					
Judicial Conduct Commission, Administration	23908	R595-1	NSC	07/30/2001	Not Printed
<b><u>JURISDICTION</u></b>					
Workforce Services, Workforce Information and Payment Services	23525	R994-406-304	AMD	04/05/2001	2001-5/28
<b><u>JUVENILE COURTS</u></b>					
Education, Administration	23670	R277-709	AMD	06/05/2001	2001-9/19
<b><u>LABOR</u></b>					
Labor Commission, Antidiscrimination and Labor, Labor	23861	R610-1-3	NSC	07/05/2001	Not Printed
<b><u>LAND EXCHANGE</u></b>					
Natural Resources, Forestry, Fire and State Lands	23941	R652-80	5YR	07/23/2001	2001-16/59
<b><u>LAND MANAGER</u></b>					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81
<b><u>LANDOWNER PERMITS</u></b>					

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Natural Resources, Wildlife Resources	23675	R657-43	AMD	06/04/2001	2001-9/119
<b><u>LANDSALE</u></b>					
School and Institutional Trust Lands, Administration	24053	R850-140	5YR	09/14/2001	2001-19/45
<b><u>LAW</u></b>					
Human Services, Aging and Adult Services	23453	R510-1	5YR	01/23/2001	2001-4/62
	23538	R510-1	AMD	04/17/2001	2001-6/45
	23822	R510-1	5YR	06/04/2001	2001-13/86
Public Safety, Fire Marshal	23340	R710-9	AMD	01/16/2001	2000-24/64
<b><u>LAW ENFORCEMENT</u></b>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23447	R724-7 (Changed to R722-320)	NSC	02/01/2001	Not Printed
Public Safety, Peace Officer Standards and Training	23628	R728-404	NSC	05/01/2001	Not Printed
	23629	R728-409	NSC	05/01/2001	Not Printed
<b><u>LAW ENFORCEMENT OFFICERS</u></b>					
Public Safety, Peace Officer Standards and Training	23630	R728-500	NSC	05/01/2001	Not Printed
<b><u>LEAVE</u></b>					
Human Resource Management, Administration	23775	R477-8	AMD	07/03/2001	2001-11/90
<b><u>LEGITIMATION</u></b>					
Health, Center for Health Data, Vital Records and Statistics	24014	R436-5	5YR	08/28/2001	2001-18/58
<b><u>LIBRARIES</u></b>					
Community and Economic Development, Community Development, Library	23352	R223-2	NEW	02/15/2001	2000-24/11
	23519	R223-2	NSC	02/23/2001	Not Printed
	23694	R223-2	AMD	09/07/2001	2001-10/14
<b><u>LICENSE</u></b>					
Environmental Quality, Radiation Control	23312	R313-19	AMD	01/26/2001	2000-23/19
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23448	R724-9 (Changed to R722-330)	NSC	02/01/2001	Not Printed
	23449	R724-10 (Changed to R722-310)	NSC	02/01/2001	Not Printed
<b><u>LICENSE PLATES</u></b>					
Tax Commission, Motor Vehicle	23718	R873-22M-35	AMD	07/04/2001	2001-10/48
<b><u>LICENSING</u></b>					
Commerce, Occupational and Professional Licensing	23798	R156-1-308a	AMD	07/17/2001	2001-12/22
	23909	R156-1-308c	AMD	09/04/2001	2001-15/4
	23295	R156-1-308d	AMD	01/04/2001	2000-23/9
	23550	R156-3a	AMD	05/03/2001	2001-7/9
	23730	R156-3a	NSC	06/01/2001	Not Printed

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	23837	R156-3a	5YR	06/11/2001	2001-13/85
	23797	R156-5a	AMD	07/17/2001	2001-12/24
	23796	R156-9a	NEW	07/17/2001	2001-12/25
	23260	R156-11a	AMD	see CPR	2000-22/5
	23260	R156-11a	CPR	03/06/2001	2001-3/79
	23566	R156-16a	AMD	05/17/2001	2001-8/16
	23695	R156-17a	5YR	04/26/2001	2001-10/89
	23678	R156-24a	AMD	see CPR	2001-10/0
	23678	R156-24a	CPR	08/16/2001	2001-14/46
	23296	R156-26a	AMD	01/04/2001	2000-23/11
	23309	R156-28	AMD	see CPR	2000-23/15
	23309	R156-28	CPR	03/08/2001	2001-3/80
	23631	R156-31b	AMD	see CPR	2001-9/10
	23631	R156-31b	CPR	09/04/2001	2001-15/40
	23401	R156-37-502	NSC	02/01/2001	Not Printed
	23799	R156-38	AMD	07/17/2001	2001-12/26
	23953	R156-38-401	AMD	09/17/2001	2001-16/23
	23734	R156-44a	AMD	07/05/2001	2001-11/3
	23735	R156-46a-308	AMD	07/05/2001	2001-11/4
	23535	R156-47b	5YR	02/26/2001	2001-6/49
	23539	R156-47b	AMD	see CPR	2001-6/42
	23539	R156-47b	CPR	08/16/2001	2001-14/47
	23696	R156-50	5YR	04/26/2001	2001-10/90
	23518	R156-54-302b	AMD	04/03/2001	2001-5/7
	23602	R156-54-302b	NSC	05/01/2001	Not Printed
	23374	R156-55b	AMD	04/30/2001	2001-1/4
	23375	R156-55c-102	AMD	04/30/2001	2001-1/5
	23885	R156-55c-302c	AMD	09/04/2001	2001-15/5
	23524	R156-55d-603	AMD	04/03/2001	2001-5/8
	23577	R156-56	AMD	07/01/2001	2001-8/18
	23788	R156-56-704	NSC	06/26/2001	Not Printed
	23883	R156-59-102	NSC	07/30/2001	Not printed
	23620	R156-60b	AMD	06/01/2001	2001-9/13
	23679	R156-60c	AMD	06/19/2001	2001-10/11
	23838	R156-60d	5YR	06/11/2001	2001-13/86
	23632	R156-61	AMD	06/01/2001	2001-9/16
	23925	R156-67	5YR	07/19/2001	2001-16/51
	23736	R156-68-305	AMD	07/05/2001	2001-11/5
	23141	R156-69	AMD	see CPR	2000-10/10
	23141	R156-69	CPR	02/15/2001	2001-2/17
	23878	R156-69	5YR	07/05/2001	2001-15/47
	23737	R156-69-305	AMD	07/05/2001	2001-11/6
	23738	R156-71	AMD	07/05/2001	2001-11/7
	23390	R156-73	AMD	02/15/2001	2001-2/2
	23879	R156-73	5YR	07/05/2001	2001-15/48
	23743	R156-73	AMD	07/05/2001	2001-11/8
Commerce, Occupational and		R156-66 (Changed)			

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Professional Licensing (Changed to Commerce, Administration)	23859	to R151-33)	EMR	07/01/2001	2001-14/54
Commerce, Real Estate	23321	R162-102	AMD	02/07/2001	2000-23/17
Environmental Quality, Radiation Control	23936	R313-18	5YR	07/23/2001	2001-16/55
	23552	R313-36	AMD	05/11/2001	2001-7/13
Human Services, Administration, Administrative Services, Licensing	23121	R501-7	AMD	see CPR	2000-18/65
	23121	R501-7	CPR	01/16/2001	2000-23/59
	23322	R501-8	AMD	01/16/2001	2000-23/33
	23406	R501-8	NSC	02/01/2001	Not Printed
	23626	R501-12	AMD	08/09/2001	2001-9/94
	24072	R501-12	EMR	09/26/2001	2001-20/60
	23783	R501-14	5YR	05/18/2001	2001-12/73
	23323	R501-17	AMD	01/16/2001	2000-23/39
	23923	R501-22	NSC	08/01/2001	Not Printed
Natural Resources, Wildlife Resources	23455	R657-27	AMD	03/26/2001	2001-4/39
Public Safety, Driver License	23957	R708-18	5YR	07/30/2001	2001-16/59
<b><u>LICENSING (TRADEMARK)</u></b>					
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23740	R674-3	EXD	05/07/2001	2001-11/121
<b><u>LIENS</u></b>					
Commerce, Occupational and Professional Licensing	23799	R156-38	AMD	07/17/2001	2001-12/26
	23953	R156-38-401	AMD	09/17/2001	2001-16/23
<b><u>LIFELINE RATES</u></b>					
Public Service Commission, Administration	23376	R746-341	AMD	03/01/2001	2001-1/30
<b><u>LIMITED ACCESS HIGHWAYS</u></b>					
Transportation, Preconstruction, Right- of-Way Acquisition	23619	R933-3	NSC	05/01/2001	Not Printed
<b><u>LIQUEFIED PETROLEUM GAS</u></b>					
Public Safety, Fire Marshal	23367	R710-6	AMD	01/16/2001	2000-24/63
	23880	R710-6	5YR	07/05/2001	2001-15/55
	23995	R710-6	EMR	08/16/2001	2001-18/53
<b><u>LIVESTOCK</u></b>					
Agriculture and Food, Marketing and Conservation	24003	R65-8	5YR	08/24/2001	2001-18/56
<b><u>LOAN PROGRAM</u></b>					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
<b><u>LOANS</u></b>					
Environmental Quality, Water Quality	23786	R317-101	AMD	08/24/2001	2001-12/33
	23787	R317-102	AMD	08/24/2001	2001-12/37
<b><u>LOCAL GOVERNMENT</u></b>					
Health, Center for Health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed



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<b><u>LOSS RECOVERY</u></b>					
Transportation, Administration	23623	R907-63-1	NSC	05/01/2001	Not Printed
<b><u>LOW QUALITY GROUND WATER</u></b>					
Environmental Quality, Drinking Water	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
<b><u>MAMMOGRAPHY</u></b>					
Health, Health Systems Improvement, Health Facility Licensure (Changed to Health Systems Improvement, Licensing)	23563	R432-950	NSC	04/01/2001	Not Printed
<b><u>MANAGEMENT</u></b>					
Community and Economic Development, Community Development, History	24076	R212-7	5YR	09/26/2001	2001-20/66
Natural Resources; Forestry, Fire and State Lands	23940	R652-41	5YR	07/23/2001	2001-16/58
<b><u>MARKETING</u></b>					
Commerce, Consumer Protection	23792	R152-15	AMD	07/30/2001	2001-12/14
<b><u>MARRIAGE AND FAMILY THERAPIST</u></b>					
Commerce, Occupational and Professional Licensing	23620	R156-60b	AMD	06/01/2001	2001-9/13
<b><u>MASSAGE</u></b>					
Commerce, Occupational and Professional Licensing	23535	R156-47b	5YR	02/26/2001	2001-6/49
	23539	R156-47b	AMD	see CPR	2001-6/42
	23539	R156-47b	CPR	08/16/2001	2001-14/47
<b><u>MATHEMATICS</u></b>					
Education, Administration	23856	R277-717	NEW	08/01/2001	2001-13/16
<b><u>MEDICAID</u></b>					
Health, Health Care Financing, Coverage and Reimbursement Policy	23823	R414-61	AMD	08/08/2001	2001-13/63
	23347	R414-63	NEW	01/17/2001	2000-24/23
	23551	R414-63	AMD	05/07/2001	2001-7/17
	23421	R414-304	AMD	03/13/2001	2001-3/56
	23398	R414-305	EMR	01/03/2001	2001-3/91
	23422	R414-305	AMD	03/13/2001	2001-3/60
	23754	R414-305	AMD	07/06/2001	2001-11/72
	23802	R414-501	AMD	07/18/2001	2001-12/40
	23803	R414-502	AMD	07/18/2001	2001-12/43
	23804	R414-503	AMD	07/18/2001	2001-12/46
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85
	23703	R420-1	AMD	06/25/2001	2001-10/19
Human Services, Recovery Services	23924	R527-201	AMD	09/17/2001	2001-16/29
	23929	R527-800	5YR	07/23/2001	2001-16/55
	23930	R527-800	AMD	09/18/2001	2001-16/33
	23887	R527-936	5YR	07/10/2001	2001-15/53
	23821	R527-936	AMD	08/03/2001	2001-13/70
<b><u>MEDICALLY UNDERSERVED</u></b>					

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Health, Health Systems Improvement, Primary Care and Rural Health	23888	R434-30	5YR	07/11/2001	2001-15/52
<b><u>MEDICAL PRACTITIONER</u></b>					
Labor Commission, Industrial Accidents	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23746	R612-2-5	AMD	07/05/2001	2001-11/108
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/32
	23468	R612-2-17	NSC	02/15/2001	Not Printed
	23469	R612-2-22	AMD	03/20/2001	2001-4/33
	23470	R612-2-23	NSC	02/15/2001	Not Printed
	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
<b><u>MEDICAL RECORDS</u></b>					
Corrections, Administration	23313	R251-102	AMD	01/04/2001	2000-23/18
	23511	R251-102	5YR	02/05/2001	2001-5/40
<b><u>MEMBRANE TECHNOLOGY</u></b>					
Environmental Quality, Drinking Water	23659	R309-207 (Changed to R309-530)	AMD	08/15/2001	2001-9/43
<b><u>MENTAL HEALTH</u></b>					
Commerce, Occupational and Professional Licensing	23679	R156-60c	AMD	06/19/2001	2001-10/11
Corrections, Administration	23568	R251-109	5YR	03/27/2001	2001-8/86
Human Services, Mental Health, State Hospital	23666	R525-8	NEW	06/04/2001	2001-9/98
<b><u>METHADONE PROGRAMS</u></b>					
Human Services, Substance Abuse	23706	R544-2	5YR	04/30/2001	2001-10/90
<b><u>MIDWIFERY</u></b>					
Commerce, Occupational and Professional Licensing	23734	R156-44a	AMD	07/05/2001	2001-11/3
<b><u>MIGRATORY BIRDS</u></b>					
Natural Resources, Wildlife Resources	24023	R657-9	5YR	08/30/2001	2001-18/59
<b><u>MINERALS RECLAMATION</u></b>					
Natural Resources; Oil, Gas and Mining; Non-Coal	23816	R647-2-111	AMD	see CPR	2001-12/60
	23816	R647-2-111	CPR	10/01/2001	2001-16/41
	23817	R647-4-113	AMD	see CPR	2001-12/61
	23817	R647-4-113	CPR	10/01/2001	2001-16/43
<b><u>MINIMUM SIZING</u></b>					
Environmental Quality, Drinking Water	23657	R309-203 (Changed to R309-510)	AMD	08/15/2001	2001-9/29
<b><u>MINORITY EDUCATION</u></b>					
Education, Administration	23856	R277-717	NEW	08/01/2001	2001-13/16
<b><u>MINORS</u></b>					
Labor Commission, Antidiscrimination	23861	R610-1-3	NSC	07/05/2001	Not Printed

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and Labor, Labor					
<b><u>MISCELLANEOUS TREATMENT</u></b>					
Environmental Quality, Drinking Water	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
<b><u>MODIFIED CENTENNIAL SCHOOLS</u></b>					
Education, Administration	24041	R277-466	5YR	09/04/2001	2001-19/44
<b><u>MOTORBOAT NOISE</u></b>					
Natural Resources, Parks and Recreation	23976	R651-222	5YR	08/07/2001	2001-17/48
<b><u>MOTOR VEHICLES</u></b>					
Commerce, Consumer Protection	23793	R152-16	REP	07/30/2001	2001-12/15
Environmental Quality, Air Quality	23919	R307-301-3	AMD	09/10/2001	2001-15/7
Tax Commission, Motor Vehicle	23718	R873-22M-35	AMD	07/04/2001	2001-10/48
Transportation, Motor Carrier, Ports of Entry	23698	R912-8	5YR	04/27/2001	2001-10/91
<b><u>MUNICIPAL WASTE INCINERATORS</u></b>					
Environmental Quality, Air Quality	23836	R307-223	NEW	09/10/2001	2001-13/18
<b><u>NAIL TECHNICIANS</u></b>					
Commerce, Occupational and Professional Licensing	23954	R156-11a	AMD	09/17/2001	2001-16/11
<b><u>NATIONAL REGISTER</u></b>					
Community and Economic Development, Community Development, History	24075	R212-6	5YR	09/26/2001	2001-20/66
<b><u>NATIVE AMERICAN REMAINS</u></b>					
Community and Economic Development, Indian Affairs	23476	R230-1	5YR	02/01/2001	2001-4/61
<b><u>NATURAL RESOURCES</u></b>					
Natural Resources; Forestry, Fire and State Lands	23940	R652-41	5YR	07/23/2001	2001-16/58
<b><u>NATUROPATHIC PHYSICIANS</u></b>					
Commerce, Occupational and Professional Licensing	23738	R156-71	AMD	07/05/2001	2001-11/7
<b><u>NATUROPATHS</u></b>					
Commerce, Occupational and Professional Licensing	23738	R156-71	AMD	07/05/2001	2001-11/7
<b><u>NEWBORN SCREENING</u></b>					
Health, Community and Family Health Services, Children with Special Health Care Needs	23834	R398-1	AMD	08/07/2001	2001-13/61
	23860	R398-2	AMD	09/01/2001	2001-14/29
<b><u>NEW SOURCE REVIEW</u></b>					
Environmental Quality, Air Quality	23987	R307-210	5YR	08/15/2001	2001-17/47
<b><u>NOISE ABATEMENT</u></b>					
Transportation, Preconstruction	23617	R930-3	NSC	05/01/2001	Not Printed
<b><u>NOISE CONTROL</u></b>					
Transportation, Preconstruction	23617	R930-3	NSC	05/01/2001	Not Printed
<b><u>NOISE WALL</u></b>					
Transportation, Preconstruction	23617	R930-3	NSC	05/01/2001	Not Printed
<b><u>NOTIFICATION</u></b>					

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Corrections, Administration	23571	R251-110	5YR	03/27/2001	2001-8/87
	23571	R251-110	AMD	08/09/2001	2001-8/43
<b><u>NUCLEAR MEDICINE</u></b>					
Environmental Quality, Radiation Control	23829	R313-32	AMD	09/14/2001	2001-13/45
<b><u>NURSERIES (AGRICULTURAL)</u></b>					
Agriculture and Food, Plant Industry	23436	R68-6	5YR	01/16/2001	2001-3/95
<b><u>NURSES</u></b>					
Commerce, Occupational and Professional Licensing	23631	R156-31b	AMD	see CPR	2001-9/10
	23631	R156-31b	CPR	09/04/2001	2001-15/40
Health, Health Systems Improvement, Community Health Nursing (Changed to Health, Health Systems Improvement, Primary Care and Rural Health)	23849	R425-1 (Changed to R434-50)	AMD	10/01/2001	2001-13/65
<b><u>OCCUPATIONAL LICENSING</u></b>					
Commerce, Occupational and Professional Licensing	23798	R156-1-308a	AMD	07/17/2001	2001-12/22
	23909	R156-1-308c	AMD	09/04/2001	2001-15/4
	23295	R156-1-308d	AMD	01/04/2001	2000-23/9
	23839	R156-46b	5YR	06/11/2001	2001-13/85
	23374	R156-55b	AMD	04/30/2001	2001-1/4
	23375	R156-55c-102	AMD	04/30/2001	2001-1/5
	23885	R156-55c-302c	AMD	09/04/2001	2001-15/5
<b><u>OFF-HIGHWAY VEHICLES</u></b>					
Natural Resources, Parks and Recreation	23707	R651-401	AMD	06/15/2001	2001-10/37
	23708	R651-403	AMD	06/15/2001	2001-10/38
	23709	R651-404	AMD	06/15/2001	2001-10/39
<b><u>OIL AND GAS LAW</u></b>					
Natural Resources; Oil, Gas and Mining; Oil and Gas	23818	R649-3-1	AMD	see CPR	2001-12/62
	23818	R649-3-1	CPR	10/01/2001	2001-16/44
	23304	R649-4	NEW	01/03/2001	2001-23/43
	23927	R649-10	5YR	07/19/2001	2001-16/56
<b><u>OLDER AMERICANS ACT</u></b>					
Human Services, Aging and Adult Services	23453	R510-1	5YR	01/23/2001	2001-4/62
	23538	R510-1	AMD	04/17/2001	2001-6/45
	23822	R510-1	5YR	06/04/2001	2001-13/86
<b><u>ONSITE WASTEWATER SYSTEMS</u></b>					
Environmental Quality, Water Quality	23768	R317-4	AMD	08/28/2001	2001-11/34
<b><u>OPERATION AND MAINTENANCE REQUIREMENTS</u></b>					
Environmental Quality, Drinking Water	23655	R309-201 (Changed to R309-500)	AMD	08/15/2001	2001-9/22
<b><u>OPTOMETRIST</u></b>					
Commerce, Occupational and Professional Licensing	23566	R156-16a	AMD	05/17/2001	2001-8/16
<b><u>ORDERS</u></b>					
Environmental Quality, Radiation Control	23935	R313-17	5YR	07/23/2001	2001-16/54

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<b><u>OSTEOPATHIC PHYSICIANS</u></b>					
Commerce, Occupational and Professional Licensing	23736	R156-68-305	AMD	07/05/2001	2001-11/5
<b><u>OSTEOPATHS</u></b>					
Commerce, Occupational and Professional Licensing	23736	R156-68-305	AMD	07/05/2001	2001-11/5
<b><u>OVERPAYMENTS</u></b>					
Human Services, Recovery Services	23733	R527-200	5YR	05/07/2001	2001-11/118
Workforce Services, Workforce Information and Payment Services	23525	R994-406-304	AMD	04/05/2001	2001-5/28
<b><u>OZONE</u></b>					
Environmental Quality, Air Quality	23918	R307-110-12	AMD	09/10/2001	2001-15/6
	23756	R307-110-31	AMD	08/02/2001	2001-11/18
	23757	R307-110-33	AMD	08/02/2001	2001-11/19
<b><u>PARKS</u></b>					
Natural Resources, Parks and Recreation	23423	R651-601	AMD	03/06/2001	2001-3/62
	23710	R651-601	AMD	06/15/2001	2001-10/40
	23711	R651-603	AMD	06/15/2001	2001-10/41
	23424	R651-608-2	AMD	03/06/2001	2001-3/63
	23978	R651-611	5YR	08/07/2001	2001-17/49
	23712	R651-620	AMD	06/15/2001	2001-10/42
	23848	R651-620	AMD	08/06/2001	2001-13/72
	23654	R651-635	NEW	06/11/2001	2001-9/99
<b><u>PARTICULATE MATTER</u></b>					
Environmental Quality, Air Quality	23918	R307-110-12	AMD	09/10/2001	2001-15/6
	23756	R307-110-31	AMD	08/02/2001	2001-11/18
	23757	R307-110-33	AMD	08/02/2001	2001-11/19
<b><u>PAYMENT DETERMINATION</u></b>					
Community and Economic Development, Community Development, Community Services	23688	R202-203	NSC	05/01/2001	Not Printed
<b><u>PEACE OFFICER</u></b>					
Public Safety, Peace Officer Standards and Training	23627	R728-205	NSC	05/01/2001	Not Printed
<b><u>PEER REVIEW</u></b>					
Commerce, Occupational and Professional Licensing	23296	R156-26a	AMD	01/04/2001	2000-23/11
<b><u>PENALTIES</u></b>					
Environmental Quality, Radiation Control	23668	R313-14	AMD	06/08/2001	2001-9/55
	23933	R313-14	5YR	07/23/2001	2001-16/53
<b><u>PER DIEM ALLOWANCE</u></b>					
Administrative Services, Finance	23699	R25-7	AMD	07/01/2001	2001-10/5
<b><u>PERMITS</u></b>					
Environmental Quality, Air Quality	23781	R307-501	EMR	05/15/2001	2001-11/114
Environmental Quality, Drinking Water	23655	R309-201 (Changed to R309-500)	AMD	08/15/2001	2001-9/22
Natural Resources; Forestry, Fire and	23621	R652-70-2400	AMD	06/11/2001	2001-9/100

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State Lands					
Natural Resources, Wildlife Resources	23364	R657-42	AMD	01/16/2001	2000-24/60
	23533	R657-42-6	AMD	04/03/2001	2001-5/27
	23809	R657-42-8	AMD	07/18/2001	2001-12/70
<b><u>PERSONAL PROPERTY</u></b>					
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
	23847	R884-24P-66	AMD	08/02/2001	2001-13/77
<b><u>PERSONNEL MANAGEMENT</u></b>					
Human Resource Management, Administration	23770	R477-1	AMD	07/03/2001	2001-11/76
	23774	R477-7	AMD	07/03/2001	2001-11/87
	23778	R477-14	AMD	07/03/2001	2001-11/101
<b><u>PETROLEUM</u></b>					
Environmental Quality, Air Quality	23919	R307-301-3	AMD	09/10/2001	2001-15/7
<b><u>PHARMACIES</u></b>					
Commerce, Occupational and Professional Licensing	23695	R156-17a	5YR	04/26/2001	2001-10/89
<b><u>PHARMACISTS</u></b>					
Commerce, Occupational and Professional Licensing	23695	R156-17a	5YR	04/26/2001	2001-10/89
<b><u>PHYSICAL THERAPY</u></b>					
Commerce, Occupational and Professional Licensing	23678	R156-24a	AMD	see CPR	2001-10/9
	23678	R156-24a	CPR	08/16/2001	2001-14/46
<b><u>PHYSICIANS</u></b>					
Commerce, Occupational and Professional Licensing	23925	R156-67	5YR	07/19/2001	2001-16/51
<b><u>PIPELINE</u></b>					
Public Service Commission, Administration	23705	R746-409	AMD	06/28/2001	2001-10/42
<b><u>PLANNING</u></b>					
Governor, Planning and Budget	23408	R361-1	5YR	01/11/2001	2001-3/97
<b><u>PLAN REVIEW</u></b>					
Environmental Quality, Drinking Water	23655	R309-201 (Changed to R309-500)	AMD	08/15/2001	2001-9/22
<b><u>PLANT DISEASES</u></b>					
Agriculture and Food, Plant Industry	23437	R68-10	5YR	01/16/2001	2001-3/96
	23438	R68-12	5YR	01/16/2001	2001-3/96
	24004	R68-18	5YR	08/24/2001	2001-18/56
<b><u>PLUMBERS</u></b>					
Commerce, Occupational and Professional Licensing	23375	R156-55c-102	AMD	04/30/2001	2001-1/5
	23885	R156-55c-302c	AMD	09/04/2001	2001-15/5
<b><u>PLUMBING</u></b>					
Commerce, Occupational and Professional Licensing	23375	R156-55c-102	AMD	04/30/2001	2001-1/5

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<b><u>PODIATRIC PHYSICIAN</u></b>					
Commerce, Occupational and Professional Licensing	23797	R156-5a	AMD	07/17/2001	2001-12/24
<b><u>PODIATRIST</u></b>					
Commerce, Occupational and Professional Licensing	23797	R156-5a	AMD	07/17/2001	2001-12/24
<b><u>POINT SYSTEM</u></b>					
Public Safety, Driver License	23514	R708-3	NSC	02/22/2001	Not Printed
	23402	R708-3	AMD	03/06/2001	2001-3/75
<b><u>PORTABLE ELECTRICITY GENERATOR SETS</u></b>					
Environmental Quality, Air Quality	23781	R307-501	EMR	05/15/2001	2001-11/114
<b><u>POSITION CLASSIFICATION</u></b>					
Human Resource Management, Administration	23772	R477-4	AMD	07/03/2001	2001-11/85
<b><u>POSTAL SERVICE</u></b>					
Transportation, Preconstruction	23615	R930-1	NSC	05/01/2001	Not Printed
<b><u>POST CONVICTION</u></b>					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
<b><u>PRESERVATION</u></b>					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
<b><u>PRICE INDEXES</u></b>					
Public Service Commission, Administration	23232	R746-352	NEW	see CPR (First)	2000-21/26
	23232	R746-352	CPR (First)	see CPR (Second)	2001-5/32
	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
<b><u>PRIMARY HEALTH CARE</u></b>					
Health, Health Systems Improvement, Primary Care and Rural Health	23888	R434-30	5YR	07/11/2001	2001-15/52
<b><u>PRISONS</u></b>					
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	23901	R251-708	5YR	07/12/2001	2001-15/48
	23570	R251-709	5YR	03/27/2001	2001-8/87
	23540	R251-709	AMD	05/15/2001	2001-7/12
	23902	R251-711	5YR	07/12/2001	2001-15/49
	23903	R251-712	5YR	07/12/2001	2001-15/49
<b><u>PRIVATE INVESTIGATORS</u></b>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23448	R724-9 (Changed to R722-330)	NSC	02/01/2001	Not Printed
<b><u>PRIVATE PROBATION PROVIDER</u></b>					
Commerce, Occupational and Professional Licensing	23696	R156-50	5YR	04/26/2001	2001-10/90
<b><u>PROBATION</u></b>					

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	23328	R746-340	AMD	see CPR	2000-23/49
	23328	R746-340	CPR	03/26/2001	2001-4/56
<b><u>PROCEEDINGS</u></b>					
Judicial Conduct Commission, Administration	23908	R595-1	NSC	07/30/2001	Not Printed
<b><u>PROCUREMENT</u></b>					
Administrative Services, Facilities Construction and Management	23870	R23-1	AMD	08/15/2001	2001-14/5
	23952	R23-2	AMD	09/15/2001	2001-16/4
Capitol Preservation Board (State), Administration	23578	R131-4	NEW	05/16/2001	2001-8/7
<b><u>PROFESSIONAL COMPETENCY</u></b>					
Education, Administration	23748	R277-513	5YR	05/14/2001	2001-11/117
	23546	R277-514	NSC	04/01/2001	Not Printed
	23855	R277-526	AMD	08/01/2001	2001-13/13
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
	23841	R628-10	AMD	08/27/2001	2001-13/71
<b><u>PROFESSIONAL COUNSELORS</u></b>					
Commerce, Occupational and Professional Licensing	23679	R156-60c	AMD	06/19/2001	2001-10/11
<b><u>PROFESSIONAL EMPLOYER ORGANIZATION</u></b>					
Commerce, Occupational and Professional Licensing	23883	R156-59-102	NSC	07/30/2001	Not Printed
<b><u>PROFESSIONAL ENGINEERS</u></b>					
Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
<b><u>PROFESSIONAL LAND SURVEYORS</u></b>					
Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
<b><u>PROGRAM BENEFITS</u></b>					
Health, Health Care Financing, Coverage and Reimbursement Policy	23459	R414-306	AMD	04/04/2001	2001-4/11
	23943	R414-306	EMR	07/26/2001	2001-16/46
<b><u>PROMOTIONS</u></b>					
Agriculture and Food, Marketing and Conservation	23543	R65-1	5YR	03/06/2001	2001-7/45
	23544	R65-3	5YR	03/06/2001	2001-7/45
	23545	R65-4	5YR	03/06/2001	2001-7/46
<b><u>PROPERTY TAX</u></b>					
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11



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	23847	R884-24P-66	AMD	08/02/2001	2001-13/77
<b><u>PROVIDER CONDUCT</u></b>					
Human Services, Administration	23867	R495-876	5YR	07/02/2001	2001-14/73
	23868	R495-876	AMD	08/15/2001	2001-14/38
	24027	R495-876	5YR	08/30/2001	2001-18/59
<b><u>PSD (Prevention of Significant Deterioration of Air Quality)</u></b>					
Environmental Quality, Air Quality	23760	R307-405-1	AMD	07/12/2001	2001-11/21
<b><u>PSYCHIATRIC PERSONNEL</u></b>					
Corrections, Administration	23568	R251-109	5YR	03/27/2001	2001-8/86
<b><u>PSYCHOLOGISTS</u></b>					
Commerce, Occupational and Professional Licensing	23632	R156-61	AMD	06/01/2001	2001-9/16
<b><u>PSYCHOTHERAPY</u></b>					
Corrections, Administration	23568	R251-109	5YR	03/27/2001	2001-8/86
<b><u>PUBLIC ASSISTANCE</u></b>					
Workforce Services, Employment Development	23474	R986-900-902	AMD	03/20/2001	2001-4/47
	23727	R986-900-902	AMD	07/01/2001	2001-10/79
<b><u>PUBLIC ASSISTANCE PROGRAMS</u></b>					
Human Services, Recovery Services	23389	R527-928	AMD	02/15/2001	2001-2/7
<b><u>PUBLIC BUILDINGS</u></b>					
Administrative Services, Facilities Construction and Management	23870	R23-1	AMD	08/15/2001	2001-14/5
	23697	R23-6	NSC	05/01/2001	Not Printed
Capitol Preservation Board (State), Administration	23578	R131-4	NEW	05/16/2001	2001-8/7
Public Safety, Fire Marshal	23339	R710-4	AMD	01/16/2001	2000-24/61
	23580	R710-4	AMD	05/16/2001	2001-8/77
<b><u>PUBLIC COMMENT</u></b>					
Environmental Quality, Radiation Control	23935	R313-17	5YR	07/23/2001	2001-16/54
<b><u>PUBLIC EDUCATION</u></b>					
Education, Administration	24041	R277-466	5YR	09/04/2001	2001-19/44
<b><u>PUBLIC HEARINGS</u></b>					
Environmental Quality, Radiation Control	23935	R313-17	5YR	07/23/2001	2001-16/54
Transportation, Preconstruction	23616	R930-2	NSC	05/01/2001	Not Printed
<b><u>PUBLIC INFORMATION</u></b>					
Human Resource Management, Administration	23771	R477-2	AMD	07/03/2001	2001-11/82
Transportation, Administration	23634	R907-40	NSC	05/01/2001	Not Printed
<b><u>PUBLIC INVESTMENTS</u></b>					
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
	23841	R628-10	AMD	08/27/2001	2001-13/71
	23805	R628-16	AMD	08/27/2001	2001-12/55
<b><u>PUBLIC LIBRARY</u></b>					
Community and Economic Development, Community Development, Library	23352	R223-2	NEW	02/15/2001	2000-24/11

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	23694	R223-2	AMD	09/07/2001	2001-10/14
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Natural Resources, Wildlife Resources	23529	R657-39	5YR	02/15/2001	2001-5/41
	23530	R657-39	AMD	04/03/2001	2001-5/20
<b><u>PUBLIC RECORDS</u></b>					
Agriculture and Food, Administration	23958	R51-3	5YR	07/31/2001	2001-16/48
<b><u>PUBLIC SAFETY</u></b>					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
<b><u>PUBLIC UTILITIES</u></b>					
Public Service Commission, Administration	23353	R746-200	AMD	02/15/2001	2000-24/66
	23844	R746-347	REP	08/01/2001	2001-13/73
	23232	R746-352	NEW	see CPR (First)	2000-21/26
	23232	R746-352	CPR (First)	see CPR (Second)	2001-5/32
	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
	23271	R746-360	AMD	02/15/2001	2000-22/45
	23886	R746-360-4	AMD	09/01/2001	2001-15/28
<b><u>PUMPS</u></b>					
Environmental Quality, Drinking Water	23660	R309-209 (Changed to R309-540)	AMD	08/15/2001	2001-9/46
<b><u>QUALITY CONTROL</u></b>					
Agriculture and Food, Regulatory Services	23541	R70-101	5YR	03/06/2001	2001-7/46
	23542	R70-101	AMD	05/02/2001	2001-7/6
	23653	R70-101-14	NSC	06/01/2001	Not Printed
<b><u>QUARANTINES</u></b>					
Agriculture and Food, Animal Industry	23557	R58-2	NSC	04/01/2001	Not Printed
<b><u>RADIATION</u></b>					
Environmental Quality, Radiation Control	23830	R313-34	AMD	09/14/2001	2001-13/47
<b><u>RADIATION SAFETY</u></b>					
Environmental Quality, Radiation Control	23936	R313-18	5YR	07/23/2001	2001-16/55
	23830	R313-34	AMD	09/14/2001	2001-13/47
<b><u>RADIOACTIVE MATERIAL</u></b>					
Environmental Quality, Radiation Control	23827	R313-15	AMD	09/14/2001	2001-13/29
	23936	R313-18	5YR	07/23/2001	2001-16/55
	23828	R313-22	AMD	09/14/2001	2001-13/40
	23829	R313-32	AMD	09/14/2001	2001-13/45
	23552	R313-36	AMD	05/11/2001	2001-7/13
	23831	R313-38	R&R	09/14/2001	2001-13/48
<b><u>RADIOACTIVE WASTE GENERATOR PERMIT</u></b>					
Environmental Quality, Radiation Control	23669	R313-26	NEW	06/08/2001	2001-9/58
<b><u>RADIOLOGY</u></b>					
Commerce, Occupational and	23518	R156-54-302b	AMD	04/03/2001	2001-5/7

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Professional Licensing					
<b><u>RADIOLOGY PRACTICAL TECHNICIAN</u></b>					
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	23602	R156-54b-302b	NSC	05/01/2001	Not Printed
<b><u>RADIOLOGY TECHNOLOGIST</u></b>					
Commerce, Occupational and Professional Licensing	23602	R156-54b-302b	NSC	05/01/2001	Not Printed
<b><u>RADIOPHARMACEUTICAL</u></b>					
Environmental Quality, Radiation Control	23829	R313-32	AMD	09/14/2001	2001-13/45
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Transportation, Preconstruction	23618	R930-5	NSC	05/01/2001	Not Printed
<b><u>RAILROADS</u></b>					
Transportation, Operations, Traffic and Safety	23635	R920-2	NSC	05/01/2001	Not Printed
Transportation, Preconstruction	23618	R930-5	NSC	05/01/2001	Not Printed
<b><u>RANGE MANAGEMENT</u></b>					
School and Institutional Trust Lands, Administration	23558	R850-50-400	AMD	05/02/2001	2001-7/22
<b><u>RATES</u></b>					
Labor Commission, Industrial Accidents	23520	R612-4	5YR	02/08/2001	2001-5/41
<b><u>READING</u></b>					
Education, Administration	23964	R277-480	NEW	09/20/2001	2001-16/25
<b><u>REAL ESTATE</u></b>					
School and Institutional Trust Lands, Administration	24053	R850-140	5YR	09/14/2001	2001-19/45
<b><u>REAL ESTATE APPRAISAL</u></b>					
Commerce, Real Estate	23321	R162-102	AMD	02/07/2001	2000-23/17
<b><u>RECIPROCITY</u></b>					
Environmental Quality, Radiation Control	23312	R313-19	AMD	01/26/2001	2000-23/19
<b><u>RECLAMATION</u></b>					
Natural Resources; Oil, Gas and Mining; Coal	23385	R645-100-200	AMD	04/02/2001	2001-1/25
	23926	R645-106	5YR	07/19/2001	2001-16/56
	23386	R645-301-500	AMD	04/02/2001	2001-1/26
	23387	R645-301-700	AMD	see CPR	2001-1/29
	23387	R645-301-700	CPR	05/03/2001	2001-7/26
	23815	R645-301-800	AMD	see CPR	2001-12/58
	23815	R645-301-800	CPR	10/01/2001	2001-16/40
<b><u>RECREATION</u></b>					
Natural Resources, Wildlife Resources	23360	R657-38	AMD	01/16/2001	2000-24/53
<b><u>RADIOACTIVE WASTE GENERATOR PERMIT</u></b>					
Environmental Quality, Radiation Control	23905	R313-26	AMD	09/14/2001	2001-15/9
<b><u>REGIONAL ADVISORY COUNCILS</u></b>					
Natural Resources, Wildlife Resources	23529	R657-39	5YR	02/15/2001	2001-5/41
	23530	R657-39	AMD	04/03/2001	2001-5/20
<b><u>REGIONAL SERVICE CENTERS</u></b>					

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<b><u>REGISTRATION</u></b>					
Workforce Services, Workforce Information and Payment Services	23824	R994-403-102a	AMD	08/09/2001	2001-13/78
<b><u>REGULATION STOCK BROKERS</u></b>					
Money Management Council, Administration	23805	R628-16	AMD	08/27/2001	2001-12/55
<b><u>REHABILITATION</u></b>					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
Natural Resources, Wildlife Resources	23531	R657-40	5YR	02/15/2001	2001-5/42
	23532	R657-40	AMD	04/03/2001	2001-5/22
<b><u>RELIGIOUS ACTIVITIES</u></b>					
Tax Commission, Auditing	23714	R865-19S-4	AMD	09/05/2001	2001-10/45
	23716	R865-19S-85	AMD	07/04/2001	2001-10/46
	23911	R865-19S-90	AMD	09/05/2001	2001-15/34
	23912	R865-19S-98	AMD	09/05/2001	2001-15/35
	23913	R865-19S-106	AMD	09/05/2001	2001-15/37
<b><u>RESERVOIRS</u></b>					
Natural Resources, Water Rights	23895	R655-10	5YR	07/12/2001	2001-15/54
	23896	R655-11	5YR	07/12/2001	2001-15/54
	23897	R655-12	5YR	07/12/2001	2001-15/55
<b><u>RESIDENCY REQUIREMENTS</u></b>					
Community and Economic Development, Community Development, Community Services	23687	R202-201	NSC	05/01/2001	Not Printed
<b><u>RESIDENTIAL MORTGAGE LOAN ORIGINATION</u></b>					
Commerce, Real Estate	23526	R162-209	NEW	04/13/2001	2001-5/9
<b><u>RESOURCE COORDINATION</u></b>					
Governor, Planning and Budget	23408	R361-1	5YR	01/11/2001	2001-3/97
<b><u>RETIREMENT</u></b>					
Public Safety, Peace Officer Standards and Training	23627	R728-205	NSC	05/01/2001	Not Printed
<b><u>REVOCAION</u></b>					
Natural Resources, Wildlife Resources	24025	R657-26	5YR	08/30/2001	2001-18/60
<b><u>RIGHT OF PETITION</u></b>					
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Natural Resources; Forestry, Fire and State Lands	23939	R652-9	5YR	07/23/2001	2001-16/58
<b><u>RIGHT-OF-WAY</u></b>					
Transportation, Program Development	23311	R926-6	AMD	01/03/2001	2000-23/55
Transportation, Preconstruction, Right-of-Way Acquisition	23637	R933-1	NSC	05/01/2001	Not Printed
	23536	R933-4	AMD	04/18/2001	2001-6/45
<b><u>RULES</u></b>					
Public Service Commission, Administration	23353	R746-200	AMD	02/15/2001	2000-24/66
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	23891	R325-2	5YR	07/12/2001	2001-15/50
	23892	R325-3	5YR	07/12/2001	2001-15/51
	23893	R325-4	5YR	07/12/2001	2001-15/51
	23894	R325-5	5YR	07/12/2001	2001-15/52
Health, Epidemiology and Laboratory Services, Epidemiology	24062	R386-703	5YR	09/18/2001	2001-20/67
Health, Community and Family Health Services, Immunization	23762	R396-100	R&R	07/19/2001	2001-11/52
Human Resource Management, Administration	23770	R477-1	AMD	07/03/2001	2001-11/76
Natural Resources; Forestry, Fire and State Lands	23937	R652-2	5YR	07/23/2001	2001-16/57
Natural Resources, Wildlife Resources	23455	R657-27	AMD	03/26/2001	2001-4/39
Public Safety, Peace Officer Standards and Training	23629	R728-409	NSC	05/01/2001	Not Printed
Public Service Commission, Administration	23376	R746-341	AMD	03/01/2001	2001-1/30
	23705	R746-409	AMD	06/28/2001	2001-10/42
<b><u>SAFETY</u></b>					
Environmental Quality, Radiation Control	23827	R313-15	AMD	09/14/2001	2001-13/29
Labor Commission, Occupational Safety and Health	23372	R614-1-4	AMD	02/01/2001	2001-1/24
	23516	R614-1-4	NSC	02/22/2001	Not Printed
Labor Commission, Safety	23310	R616-2-3	AMD	01/03/2001	2000-23/42
	23473	R616-3-3	AMD	03/20/2001	2001-4/36
Public Service Commission, Administration	23705	R746-409	AMD	06/28/2001	2001-10/42
Transportation, Motor Carrier, Ports of Entry	23625	R912-16	NSC	05/01/2001	Not Printed
<b><u>SAFETY REGULATION</u></b>					
Transportation, Motor Carrier	23565	R909-4	NSC	04/01/2001	Not Printed
	23461	R909-75	AMD	03/20/2001	2001-4/45
	23857	R909-75	AMD	08/15/2001	2001-14/43
<b><u>SALARIES</u></b>					
Human Resource Management, Administration	23774	R477-7	AMD	07/03/2001	2001-11/87
<b><u>SALES TAX</u></b>					
Tax Commission, Auditing	23714	R865-19S-4	AMD	09/05/2001	2001-10/45
	23716	R865-19S-85	AMD	07/04/2001	2001-10/46
	23911	R865-19S-90	AMD	09/05/2001	2001-15/34
	23912	R865-19S-98	AMD	09/05/2001	2001-15/35
	23913	R865-19S-106	AMD	09/05/2001	2001-15/37
<b><u>SANCTIONS</u></b>					
Judicial Conduct Commission, Administration	23908	R595-1	NSC	07/30/2001	Not Printed
<b><u>SCHOLARSHIPS</u></b>					
Health, Health Systems Improvement, Community Health Nursing (Changed to .....)	23849	R425-1 (Changed to R434-50)	AMD	10/01/2001	2001-13/65

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Health, Health Systems Improvement, Primary Care and Rural Health)					
<b><u>SCHOOL DISTRICT SERVICES</u></b>					
Education, Administration	23854	R277-479	NEW	08/01/2001	2001-13/11
<b><u>SCHOOL PERSONNEL</u></b>					
Education, Administration	23748	R277-513	5YR	05/14/2001	2001-11/117
<b><u>SCIENCE</u></b>					
Education, Administration	23856	R277-717	NEW	08/01/2001	2001-13/16
<b><u>SCREENING</u></b>					
Health, Epidemiology and Laboratory Services; HIV/AIDS, Tuberculosis Control/Refugee Health	23303	R388-804	AMD	02/02/2001	2000-23/29
<b><u>SECONDARY EDUCATION</u></b>					
Education, Administration	23920	R277-914	EXD	07/16/2001	2001-16/61
<b><u>SECURITIES</u></b>					
Money Management Council, Administration	23805	R628-16	AMD	08/27/2001	2001-12/55
<b><u>SECURITY MEASURES</u></b>					
Corrections, Administration	23901	R251-708	5YR	07/12/2001	2001-15/48
	23570	R251-709	5YR	03/27/2001	2001-8/87
	23540	R251-709	AMD	05/15/2001	2001-7/12
<b><u>SEDIMENTATION</u></b>					
Environmental Quality, Drinking Water	23658	R309-206 (Changed to R309-525)	AMD	08/15/2001	2001-9/32
<b><u>SEIZURE OF PROPERTY</u></b>					
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
<b><u>SEPTIC TANKS</u></b>					
Environmental Quality, Water Quality	23768	R317-4	AMD	08/28/2001	2001-11/34
<b><u>SERVER TRAINING</u></b>					
Human services, Substance Abuse	23719	R544-5	AMD	06/26/2001	2001-10/21
<b><u>SESQUICENTENNIAL (UTAH PIONEER)</u></b>					
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23739	R674-1	EXD	05/07/2001	2001-11/121
	23742	R674-2	EXD	05/09/2001	2001-11/121
	23740	R674-3	EXD	05/07/2001	2001-11/121
<b><u>SEWAGE TREATMENT</u></b>					
Environmental Quality, Water Quality	23786	R317-101	AMD	08/24/2001	2001-12/33
<b><u>SEWERAGE</u></b>					
Environmental Quality, Water Quality	23769	R317-5	AMD	08/28/2001	2001-11/44
<b><u>SEX CRIMES</u></b>					
Corrections, Administration	23571	R251-110	5YR	03/27/2001	2001-8/87
	23571	R251-110	AMD	08/09/2001	2001-8/43
<b><u>SIGNS</u></b>					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
Transportation, Preconstruction, Right- of-Way Acquisition	23942	R933-2	NSC	08/01/2001	Not Printed

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	23622	R933-2-15	AMD	07/09/2001	2001-9/128
<b><u>SLOW SAND FILTRATION</u></b>					
Environmental Quality, Drinking Water	23659	R309-207 (Changed to R309-530)	AMD	08/15/2001	2001-9/43
<b><u>SMALL BUSINESS ASSISTANCE PROGRAM</u></b>					
Environmental Quality, Air Quality	23918	R307-110-12	AMD	09/10/2001	2001-15/6
	23756	R307-110-31	AMD	08/02/2001	2001-11/18
	23757	R307-110-33	AMD	08/02/2001	2001-11/19
<b><u>SMOKE</u></b>					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81
<b><u>SNOW</u></b>					
Transportation, Operations, Traffic and Safety	23610	R920-6	NSC	05/01/2001	Not Printed
<b><u>SNOW REMOVAL</u></b>					
Transportation, Operations, Maintenance	23379	R918-3	AMD	02/15/2001	2001-1/32
<b><u>SOCIAL SERVICES</u></b>					
Human Services, Administration	23605	R495-862	5YR	04/04/2001	2001-9/142
	23867	R495-876	5YR	07/02/2001	2001-14/73
	23868	R495-876	AMD	08/15/2001	2001-14/38
	24027	R495-876	5YR	08/30/2001	2001-18/59
<b><u>SOLICITATIONS</u></b>					
Commerce, Consumer Protection	23794	R152-22	AMD	07/30/2001	2001-12/17
<b><u>SOLID WASTE MANAGEMENT</u></b>					
Environmental Quality, Solid and Hazardous Waste	23638	R315-301-2	AMD	07/01/2001	2001-9/60
	23639	R315-302	AMD	07/01/2001	2001-9/64
	23640	R315-303-3	AMD	07/01/2001	2001-9/68
	23641	R315-304-5	AMD	07/01/2001	2001-9/71
	23871	R315-304-5	NSC	07/30/2001	Not Printed
	23642	R315-305	AMD	07/01/2001	2001-9/72
	23872	R315-305-5	NSC	07/30/2001	Not Printed
	23643	R315-306	AMD	07/01/2001	2001-9/74
	23644	R315-307-1	AMD	07/01/2001	2001-9/76
	23645	R315-308-2	AMD	07/01/2001	2001-9/77
	23646	R315-309-2	AMD	07/01/2001	2001-9/80
	23647	R315-310	AMD	07/01/2001	2001-9/81
	23874	R315-310-2	NSC	07/30/2001	Not Printed
	23648	R315-312	AMD	07/01/2001	2001-9/85
	23875	R315-312-4	NSC	07/30/2001	Not Printed
	23649	R315-313	AMD	07/01/2001	2001-9/86
	23650	R315-314-3	AMD	07/01/2001	2001-9/87
	23882	R315-314-3	NSC	07/30/2001	Not printed
	22858	R315-315-8	AMD	see CPR (First)	2000-11/18
	22858	R315-315-8	CPR (First) CPR	see CPR (Second)	2000-17/67

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	22858	R315-315-8	(Second)	01/05/2001	2000-23/58
	23651	R315-316	AMD	07/01/2001	2001-9/89
	23652	R315-320	AMD	07/01/2001	2001-9/91
	23876	R315-320-7	NSC	07/30/2001	Not Printed
<b><u>SOVEREIGN LANDS</u></b>					
Natural Resources; Forestry, Fire and State Lands	23621	R652-70-2400	AMD	06/11/2001	2001-9/100
<b><u>SPECIES OF CONCERN</u></b>					
Natural Resources, Wildlife Resources	23677	R657-48	NEW	06/13/2001	2001-9/124
<b><u>SPECIFIC LICENSES</u></b>					
Environmental Quality, Radiation Control	23828	R313-22	AMD	09/14/2001	2001-13/40
<b><u>STABILIZATION</u></b>					
Environmental Quality, Drinking Water	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
<b><u>STANDARDS</u></b>					
Natural Resources, Wildlife Resources	23531	R657-40	5YR	02/15/2001	2001-5/42
	23532	R657-40	AMD	04/03/2001	2001-5/22
<b><u>STATE ASSISTED LOANS</u></b>					
Environmental Quality, Water Quality	23785	R317-100	AMD	08/24/2001	2001-12/31
<b><u>STATE EMPLOYEES</u></b>					
Administrative Services, Finance	23699	R25-7	AMD	07/01/2001	2001-10/5
<b><u>STATE LANDS</u></b>					
Community and Economic Development, Indian Affairs	23476	R230-1	5YR	02/01/2001	2001-4/61
<b><u>STATE PARKS</u></b>					
Transportation, Program Development	23614	R926-5	NSC	05/01/2001	Not Printed
<b><u>STATE REGISTER</u></b>					
Community and Economic Development, Community Development, History	24075	R212-6	5YR	09/26/2001	2001-20/66
<b><u>STATIONARY SOURCES</u></b>					
Environmental Quality, Air Quality	23987	R307-210	5YR	08/15/2001	2001-17/47
<b><u>STRATEGIC PLANNING</u></b>					
Education, Administration	23747	R277-415	5YR	05/14/2001	2001-11/117
	23963	R277-415	REP	09/20/2001	2001-16/24
<b><u>STUDENT ELIGIBILITY</u></b>					
Workforce Services, Workforce Information and Payment Services	23824	R994-403-102a	AMD	08/09/2001	2001-13/78
<b><u>STUDENT LOANS</u></b>					
Regents (Board of), Administration	23907	R765-608	NEW	09/01/2001	2001-15/31
	23596	R765-649	NEW	05/16/2001	2001-8/78
	23782	R765-649	AMD	07/17/2001	2001-12/71
<b><u>STUDENTS</u></b>					
Education, Administration	23964	R277-480	NEW	09/20/2001	2001-16/25
	23670	R277-709	AMD	06/05/2001	2001-9/19
<b><u>SUBSTANCE ABUSE</u></b>					
Human Services, Substance Abuse	23710	R544-5	AMD	06/26/2001	2001-10/21
<b><u>SUBSTANCE ABUSE COUNSELORS</u></b>					



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Commerce, Occupational and Professional Licensing	23838	R156-60d	5YR	06/11/2001	2001-13/86
<b><u>SUBSURFACE TRACER STUDIES</u></b>					
Environmental Quality, Radiation Control	23831	R313-38	R&R	09/14/2001	2001-13/48
<b><u>SURFACE WATER TREATMENT</u></b>					
Environmental Quality, Drinking Water	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
<b><u>SURVEYORS</u></b>					
Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
<b><u>SURVEYS</u></b>					
Environmental Quality, Radiation Control	23830	R313-34	AMD	09/14/2001	2001-13/47
	23552	R313-36	AMD	05/11/2001	2001-7/13
	23831	R313-38	R&R	09/14/2001	2001-13/48
<b><u>TAXATION</u></b>					
Tax Commission, Administration	23846	R861-1A-9	AMD	08/02/2001	2001-13/75
	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
	23572	R865-21U	5YR	03/27/2001	2001-8/88
	23553	R865-21U-6	NSC	04/01/2001	Not Printed
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
Tax Commission, Motor Vehicle	23718	R873-22M-35	AMD	07/04/2001	2001-10/48
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
	23847	R884-24P-66	AMD	08/02/2001	2001-13/77
<b><u>TAX CREDIT</u></b>					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
<b><u>TAX EXEMPTIONS</u></b>					
Tax Commission, Auditing	23714	R865-19S-4	AMD	09/05/2001	2001-10/45
	23716	R865-19S-85	AMD	07/04/2001	2001-10/46
	23911	R865-19S-90	AMD	09/05/2001	2001-15/34
	23912	R865-19S-98	AMD	09/05/2001	2001-15/35
	23913	R865-19S-106	AMD	09/05/2001	2001-15/37
<b><u>TAX RETURNS</u></b>					
Tax Commission, Auditing	23910	R865-9I-14	AMD	09/05/2001	2001-15/33
<b><u>TEACHER CERTIFICATION</u></b>					
Education, Administration	23748	R277-513	5YR	05/14/2001	2001-11/117
	23749	R277-517	5YR	05/14/2001	2001-11/118
Professional Practices Advisory Commission, Administration	23427	R686-100	AMD	03/06/2001	2001-3/67
	23547	R686-100	NSC	04/01/2001	Not Printed
<b><u>TEACHER LICENSURE</u></b>					

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Education, Administration	23546	R277-514	NSC	04/01/2001	Not Printed
<b><u>TECHNICAL EDUCATION</u></b>					
Education, Administration	23671	R277-911	AMD	06/05/2001	2001-9/21
<b><u>TELECOMMUNICATIONS</u></b>					
Public Service Commission, Administration	23354	R746-240	AMD	02/15/2001	2000-24/67
	23328	R746-340	AMD	see CPR	2000-23/49
	23328	R746-340	CPR	03/27/2001	2001-4/56
	23376	R746-341	AMD	03/01/2001	2001-1/30
	23844	R746-347	REP	08/01/2001	2001-13/73
	23232	R746-352	NEW	see CPR (First)	2000-21/26
	23232	R746-352	CPR (First)	see CPR (Second)	2001-5/32
	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
	23271	R746-360	AMD	02/15/2001	2000-22/45
	23886	R746-360-4	AMD	09/01/2001	2001-15/28
<b><u>TELEPHONE</u></b>					
Commerce, Consumer Protection	23795	R152-26	AMD	07/30/2001	2001-12/19
Public Service Commission, Administration	23354	R746-240	AMD	02/15/2001	2000-24/67
	23376	R746-341	AMD	03/01/2001	2001-1/30
<b><u>TELEPHONE UTILITY REGULATION</u></b>					
Public Service Commission, Administration	23328	R746-340	AMD	see CPR	2000-23/49
	23328	R746-340	CPR	03/27/2001	2001-4/56
<b><u>TERMS OF OFFICE</u></b>					
Natural Resources, Wildlife Resources	23529	R657-39	5YR	02/15/2001	2001-5/41
	23530	R657-39	AMD	04/03/2001	2001-5/20
<b><u>THERAPISTS</u></b>					
Commerce, Occupational and Professional Licensing	23620	R156-60b	AMD	06/01/2001	2001-9/13
<b><u>TICKETS</u></b>					
Administrative Services, Fleet Operation	23345	R27-7	NEW	01/31/2001	2000-24/6
<b><u>TIME</u></b>					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	23515	R606-1-3	AMD	04/03/2001	2001-5/17
Labor Commission, Antidiscrimination and Labor, Labor	23861	R610-1-3	NSC	07/05/2001	Not Printed
Labor Commission, Industrial Accidents	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
<b><u>TIRES</u></b>					
Transportation, Operations, Traffic and Safety	23610	R920-6	NSC	05/01/2001	Not Printed
<b><u>TOWING</u></b>					
Transportation, Motor Carrier	23565	R909-4	NSC	04/01/2001	Not Printed
<b><u>TRAFFIC CONTROL</u></b>					
Transportation, Operations, Traffic and -	23635	R920-2	NSC	05/01/2001	Not Printed

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Safety					
<b><u>TRAFFIC SAFETY</u></b>					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
<b><u>TRAFFIC SIGNS</u></b>					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
<b><u>TRAFFIC VIOLATIONS</u></b>					
Public Safety, Driver License	23402	R708-3	AMD	03/06/2001	2001-3/75
	23514	R708-3	NSC	02/22/2001	Not Printed
<b><u>TRAINING</u></b>					
Corrections, Administration	23512	R251-301	5YR	02/05/2001	2001-5/40
	23400	R251-301	AMD	03/13/2001	2001-3/8
<b><u>TRAINING PROGRAMS</u></b>					
Human Resource Management, Administration	23776	R477-10	AMD	07/03/2001	2001-11/98
Workforce Services, Employment Development	23723	R986-601	REP	07/01/2001	2001-10/57
	23724	R986-602	REP	07/01/2001	2001-10/67
	23725	R986-603	REP	07/01/2001	2001-10/75
<b><u>TRANSMISSION AND DISTRIBUTION PIPELINES</u></b>					
Environmental Quality, Drinking Water	23661	R309-211 (Changed to R309-550)	AMD	08/15/2001	2001-9/50
<b><u>TRANSPORTATION</u></b>					
Administrative Services, Finance	23699	R25-7	AMD	07/01/2001	2001-10/5
Environmental Quality, Radiation Control	23312	R313-19	AMD	01/26/2001	2000-23/19
Transportation, Motor Carrier	23460	R909-1	AMD	03/20/001	2001-4/44
Transportation, Program Development	23614	R926-5	NSC	05/01/2001	Not Printed
	23311	R926-6	AMD	01/03/2001	2000-23/55
<b><u>TRANSPORTATION CORRIDOR PRESERVATION REVOLVING LOAN FUND</u></b>					
Transportation, Program Development	23311	R926-6	AMD	01/03/2001	2000-23/55
<b><u>TRANSPORTATION PLANNING</u></b>					
Transportation, Program Development	23612	R926-2	NSC	05/01/2001	Not Printed
	23311	R926-6	AMD	01/03/2001	2000-23/55
<b><u>TRANSPORTATION POLICY</u></b>					
Transportation, Program Development	23613	R926-3	NSC	05/01/2001	Not Printed
<b><u>TRANSPORTATION SAFETY</u></b>					
Transportation, Motor Carrier	23460	R909-1	AMD	03/20/2001	2001-4/44
	23573	R909-1	NSC	04/01/2001	Not Printed
	23590	R909-1	NSC	05/01/2001	Not Printed
<b><u>TRESPASS</u></b>					
Natural Resources, Parks and Recreation	23848	R651-620	AMD	08/06/2001	2001-13/72
<b><u>TRUCKING INDUSTRIES</u></b>					
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
<b><u>TRUCKS</u></b>					

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	23573	R909-1	NSC	04/01/2001	Not Printed
	23590	R909-1	NSC	05/01/2001	Not Printed
	23565	R909-4	NSC	04/01/2001	Not Printed
Tranportation, Motor Carrier, Ports of Entry	23625	R912-16	NSC	05/01/2001	Not Printed
<b><u>TUBERCULOSIS</u></b>					
Health, Epidemiology and Laboratory Services; HIV/AIDS, Tuberculosis Control/Refugee Health	23303	R388-804	AMD	02/02/2001	2000-23/29
<b><u>UMAP (Utah Medical Assistance Program)</u></b>					
Health, Health Care Financing, Converge and Reimbursement Policy	23349	R414-309	AMD	01/17/2001	2000-24/24
	23700	R414-309	EMR	05/01/2001	2001-10/82
	23702	R414-309	AMD	06/25/2001	2001-10/15
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85
	23703	R420-1	AMD	06/25/2001	2001-10/19
<b><u>UNDERCOVER IDENTIFICATION</u></b>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23447	R724-7 (Changed to R722-320)	NSC	02/01/2001	Not Printed
<b><u>UNDERGROUND INJECTION CONTROL</u></b>					
Environmental Quality, Water Quality	23162	R317-7	AMD	see CPR	2000-19/34
	23162	R317-7	CPR	01/23/2001	2000-24/75
<b><u>UNEMPLOYED WORKERS</u></b>					
Workforce Services, Employment Development	23724	R986-602	REP	07/01/2001	2001-10/67
	23725	R986-603	REP	07/01/2001	2001-10/75
<b><u>UNEMPLOYMENT</u></b>					
Workforce Services, Employment Development	23723	R986-601	REP	07/01/2001	2001-10/57
	23724	R986-602	REP	07/01/2001	2001-10/67
	23725	R986-603	REP	07/01/2001	2001-10/75
<b><u>UNEMPLOYMENT COMPENSATION</u></b>					
Workforce Services, Workforce Information and Payment Services	23744	R994-302	5YR	05/11/2001	2001-11/119
	23745	R994-308	5YR	05/11/2001	2001-11/120
	23824	R994-403-102a	AMD	08/09/2001	2001-13/78
	23525	R994-406-304	AMD	04/05/2001	2001-5/28
<b><u>UNITS</u></b>					
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
<b><u>UNIVERSAL SERVICE</u></b>					
Public Service Commission, Administration	23271	R746-360	AMD	02/15/2001	2000-22/45

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	23886	R746-360-4	AMD	09/01/2001	2001-15/28
<b><u>UPSCCC (Utah Pioneer Sesquicentennial Celebration Coordinating Council)</u></b>					
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23739	R674-1	EXD	05/07/2001	2001-11/121
	23742	R674-2	EXD	05/09/2001	2001-11/121
	23740	R674-3	EXD	05/07/2001	2001-11/121
<b><u>USER TAX</u></b>					
Tax Commission, Auditing	23572	R865-21U	5YR	03/27/2001	2001-8/88
	23553	R865-21U-6	NSC	04/01/2001	Not Printed
<b><u>UTILITY RULES</u></b>					
Transportation, Preconstruction	23198	R930-6	AMD	01/19/2001	2000-21/43
	23443	R930-6	NSC	02/12/2001	Not Printed
<b><u>UTILITY SERVICE SHUTOFF</u></b>					
Public Service Commission, Administration	23353	R746-200	AMD	02/15/2001	2000-24/66
<b><u>VACATIONS</u></b>					
Human resource Management, Administration	23775	R477-8	AMD	07/03/2001	2001-11/90
<b><u>VETERINARY MEDICINE</u></b>					
Commerce, Occupational and Professional Licensing	23309	R156-28	AMD	see CPR	2000-23/15
	23309	R156-28	CPR	03/08/2001	2001-3/80
<b><u>VICTIM COMPENSATION</u></b>					
Crime Victim Reparations, Administration	23527	R270-1	AMD	04/03/2001	2001-5/11
<b><u>VICTIMS OF CRIMES</u></b>					
Crime Victim Reparations, Administration	23527	R270-1	AMD	04/03/2001	2001-5/11
<b><u>VIOLATION</u></b>					
Natural Resources, Wildlife Resources	24025	R657-26	5YR	08/30/2001	2001-18/60
<b><u>VIOLATIONS</u></b>					
Environmental Quality, Radiation Control	23668	R313-14	AMD	06/08/2001	2001-9/55
	23933	R313-14	5YR	07/23/2001	2001-16/53
<b><u>VITAL STATISTICS</u></b>					
Health, Center for Health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed
<b><u>WAGES</u></b>					
Labor Commission, Antidiscrimination and Labor, Labor	23861	R610-1-3	NSC	07/05/2001	Not Printed
<b><u>WASTE DISPOSAL</u></b>					
Environmental Quality, Radiation Control	23827	R313-15	AMD	09/14/2001	2001-13/29
Environmental Quality, Solid and Hazardous Waste	23638	R315-301-2	AMD	07/01/2001	2001-9/60
	23639	R315-302	AMD	07/01/2001	2001-9/64
	23640	R315-303-3	AMD	07/01/2001	2001-9/68
	23871	R315-304-5	NSC	07/30/2001	Not Printed
	23641	R315-304-5	AMD	07/01/2001	2001-9/71

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	23642	R315-305	AMD	07/01/2001	2001-9/72
	23872	R315-305-5	NSC	07/30/2001	Not Printed
	23643	R315-306	AMD	07/01/2001	2001-9/74
	23644	R315-307-1	AMD	07/01/2001	2001-9/76
	23645	R315-308-2	AMD	07/01/2001	2001-9/77
	23646	R315-309-2	AMD	07/01/2001	2001-9/80
	23647	R315-310	AMD	07/01/2001	2001-9/81
	23874	R315-310-2	NSC	07/30/2001	Not Printed
	23648	R315-312	AMD	07/01/2001	2001-9/85
	23875	R315-312-4	NSC	07/30/2001	Not Printed
	23650	R315-314-3	AMD	07/01/2001	2001-9/87
	23882	R315-314-3	NSC	07/30/2001	Not printed
	22858	R315-315-8	AMD	see CPR (First)	2000-11/18
	22858	R315-315-8	CPR (First)	see CPR (Second)	2000-17/67
	22858	R315-315-8	CPR (Second)	01/05/2001	2000-23/58
	23651	R315-316	AMD	07/01/2001	2001-9/89
	23652	R315-320	AMD	07/01/2001	2001-9/91
	23876	R315-320-7	NSC	07/30/2001	Not Printed
Environmental Quality, Water Quality	23766	R317-1	AMD	08/24/2001	2001-11/32
	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
	23599	R317-1-6	AMD	08/13/2001	2001-8/44
	23161	R317-8	AMD	see CPR	2000-19/40
	23161	R317-8	CPR	01/23/2001	2000-24/78
<b><u>WASTE TO ENERGY PLANT</u></b>					
Environmental Quality, Air Quality	23836	R307-223	NEW	09/10/2001	2001-13/18
<b><u>WASTE WATER</u></b>					
Environmental Quality, Water Quality	23768	R317-4	AMD	08/28/2001	2001-11/34
	23785	R317-100	AMD	08/24/2001	2001-12/31
	23786	R317-101	AMD	08/24/2001	2001-12/33
	23787	R317-102	AMD	08/24/2001	2001-12/37
<b><u>WATER CONSERVATION</u></b>					
Environmental Quality, Drinking Water	23657	R309-203 (Changed to R309-510)	AMD	08/15/2001	2001-9/29
<b><u>WATERFOWL</u></b>					
Natural Resources, Wildlife Resources	24023	R657-9	5YR	08/30/2001	2001-18/59
<b><u>WATER HAULING</u></b>					
Environmental Quality, Drinking Water	23661	R309-211 (Changed to R309-550)	AMD	08/15/2001	2001-9/50
<b><u>WATER POLLUTION</u></b>					
Environmental Quality, Water Quality	23766	R317-1	AMD	08/24/2001	2001-11/32
	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/72
	23599	R317-1-6	AMD	08/13/2001	2001-8/44
	23769	R317-5	AMD	08/28/2001	2001-11/44

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<b><u>WATER QUALITY</u></b>					
Environmental Quality, Water Quality	23162	R317-7	AMD	see CPR	2000-19/34
	23162	R317-7	CPR	01/23/2001	2000-24/75
	23786	R317-101	AMD	08/24/2001	2001-12/33
	23787	R317-102	AMD	08/24/2001	2001-12/37
<b><u>WATERSHED MANAGEMENT</u></b>					
Environmental Quality, Drinking Water	23663	R309-102	5YR	04/16/2001	2001-9/140
<b><u>WATER SKIING</u></b>					
Natural Resources, Parks and Recreation	23977	R651-224	5YR	08/07/2001	2001-17/49
<b><u>WATER SYSTEM RATING</u></b>					
Environmental Quality, Drinking Water	23252	R309-150	AMD	01/04/2001	2000-22/33
<b><u>WELFARE FRAUD</u></b>					
Human Services, Recovery Services	23733	R527-200	5YR	05/07/2001	2001-11/118
	23929	R527-800	5YR	07/23/2001	2001-16/55
	23930	R527-800	AMD	09/18/2001	2001-16/33
<b><u>WELL LOGGING</u></b>					
Environmental Quality, Radiation Control	23831	R313-38	R&R	09/14/2001	2001-13/48
<b><u>WILDLAND FIRE FUND</u></b>					
Natural Resources; Forestry, Fire and State Lands	23425	R652-121	AMD	03/12/2001	2001-3/64
<b><u>WILDLIFE</u></b>					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143
	23356	R657-5	AMD	01/16/2001	2000-24/40
	23528	R657-5	AMD	04/03/2001	2001-5/19
	23806	R657-5	AMD	07/18/2001	2001-12/63
	24023	R657-9	5YR	08/30/2001	2001-18/59
	24021	R657-10	5YR	08/30/2001	2001-18/60
	23189	R657-13	AMD	01/02/2001	2000-21/23
	23358	R657-17	AMD	01/16/2001	2000-24/51
	23810	R657-23	5YR	05/30/2001	2001-12/74
	23807	R657-23	AMD	07/18/2001	2001-12/66
	24025	R657-26	5YR	08/30/2001	2001-18/60
	23455	R657-27	AMD	03/26/2001	2001-4/39
	23393	R657-33	AMD	02/15/2001	2001-2/8
	23808	R657-37	AMD	07/18/2001	2001-12/67
	23360	R657-38	AMD	01/16/2001	2000-24/53
	23531	R657-40	5YR	02/15/2001	2001-5/42
	23532	R657-40	AMD	04/03/2001	2001-5/22
	23362	R657-41	AMD	01/16/2001	2000-24/56
	23364	R657-42	AMD	01/16/2001	2000-24/60
	23533	R657-42-6	AMD	04/03/2001	2001-5/27
23809	R657-42-8	AMD	07/18/2001	2001-12/70	
23675	R657-43	AMD	06/04/2001	2001-9/119	
23676	R657-44	AMD	06/04/2001	2001-9/122	
<b><u>WILDLIFE LAW</u></b>					

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Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
	23455	R657-27	AMD	03/26/2001	2001-4/39
<b><u>WILDLIFE PERMITS</u></b>					
Natural Resources, Wildlife Resources	23362	R657-41	AMD	01/16/2001	2000-24/56
<b><u>WORKERS' COMPENSATION</u></b>					
Labor Commission, Industrial Accidents	23462	R612-1-3	NSC	02/15/2001	Not Printed
	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23746	R612-2-5	AMD	07/05/2001	2001-11/108
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/32
	23468	R612-2-17	NSC	02/15/2001	Not Printed
	23469	R612-2-22	AMD	03/20/2001	2001-4/33
	23470	R612-2-23	NSC	02/15/2001	Not Printed
	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
	23520	R612-4	5YR	02/08/2001	2001-5/41
<b><u>WORKFORCE INVESTMENT ACT</u></b>					
Workforce Services, Employment Development	23722	R986-600	NEW	07/01/2001	2001-10/50
<b><u>WORK ZONE TRAFFIC CONTROL</u></b>					
Transportation, Operations, Traffic and Safety	23636	R920-3	NSC	05/01/2001	Not Printed
<b><u>X-RAY</u></b>					
Environmental Quality, Radiation Control	23934	R313-16	5YR	07/23/2001	2001-16/54
<b><u>YOUTH</u></b>					
Human Services, Administration, Administrative Services, Licensing	23322	R501-8	AMD	01/16/2001	2000-23/33
	23406	R501-8	NSC	02/01/2001	Not Printed
<b><u>ZOOLOGICAL ANIMALS</u></b>					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143