UTAH STATE BULLETIN

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

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Inquiries concerning administrative rules or other contents of the *Bulletin* may be addressed to the responsible agency or to: Division of Administrative Rules, 4120 State Office Building, Salt Lake City, Utah 84114, telephone (801) 538-3218, FAX (801) 538-1773. To view rules information, and on-line versions of the division's publications, visit: http://www.rules.utah.gov/

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.utah.gov/publicat/digest.htm for additional information.

Division of Administrative Rules, Salt Lake City 84114

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SPECIAL NOTICES

Alcoholic Beverage Control Administration

Public Notice: Alcoholic Beverage Control Commission 2006 Meeting Schedule

Public Notice is hereby given of the 2006 calendar year meeting schedule for the Utah Alcoholic Beverage Control Commission. The Commission meets monthly at the department's administrative office at 1625 South 900 West in Salt Lake City, Utah. Meetings are held on the fourth Friday of each month, January through October; and on the third Friday in November and December. Meetings start at 9:00 a.m. and are open to the public. Meeting dates and times are subject to change.

To confirm meeting dates and times, contact: Sharon Mackay at (801) 977-6801.

Governor's Executive Order 2005-0022: Creating the Utah Committee on Geographic Names

EXECUTIVE ORDER

Creating the Utah Committee on Geographic Names

WHEREAS, the history and culture of Utah is reflected in its geographic names;

WHEREAS, the public has an interest in geographic names;

WHEREAS, state and federal agencies have need for authoritative information on geographic names;

WHEREAS, liaison between the State of Utah and the United States Board on Geographic Names is needed to eliminate confusion and to promote accord and agreement on geographic name designation and origins; and

NOW, THEREFORE, I, Jon M. Huntsman, Jr., 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 hereby order:

- 1. That a Utah Committee on Geographic Names be established.
- 2. That the director of the Division of State History or the director's designee shall serve as the secretary and shall be responsible for the proper function of said committee.
- 3. That the committee shall consist of eleven members who shall serve at the pleasure of the Governor with each member serving a presumptive term of four years, and shall include at least one member of the Board of State History, one member representing the Utah Geological Survey, one member representing the Utah Department of Transportation, and the resident state cartographer (employed by the United States Geological Survey). Seven members shall be appointed at large.
- 4. That said committee's primary functions are to act as the State's liaison with the U.S. Board of Geographic Names and to review all geographic name changes and additions in Utah.
- 5. That any state agency proposing geographic name changes of any kind shall submit such changes to the Utah Committee on Geographic Names for prior review.
- 6. That federal agencies, private groups, and individuals proposing to name features or to change any geographic names in Utah, are encouraged to submit such proposals to the Utah State Committee on Geographic Names for prior review.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, this 15th day of December, 2005.

(State Seal)

Jon M. Huntsman, Jr. Governor

ATTEST:

Gary R. Herbert Lieutenant Governor

2005/0022

End of the Special Notices Section

NOTICES OF PROPOSED RULES

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 <u>December 2, 2005, 12:00 a.m.</u>, and <u>December 15, 2005, 11:59 p.m.</u> are included in this, the January 1, 2006, 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., <u>example</u>). Deletions made to existing rules are struck out with brackets surrounding them (e.g., <u>[example]</u>). 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 <u>January 31, 2006</u>. 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 May 1, 2006, 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.

The Proposed Rules Begin on the Following Page.

Administrative Services, Risk Management

R37-1

Risk Management General Rules

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28413
FILED: 12/14/2005, 09:12

RULE ANALYSIS

Purpose of the Rule or Reason for the Change: This change will update the rules to reflect changes in statute from S.B. 55 (2004) and ensure congruence with the Risk Management Policy document. (DAR NOTE: S.B. 55 (2004) is found at UT L 2004 Ch 267, and was effective 07/01/2004.)

SUMMARY OF THE RULE OR CHANGE: These changes update the rule reference to statute and make other changes to bring the rules up-to-date with other changes that have occurred.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 63a-4-101 et seq.

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: There may be some additional costs to agencies in the form of increased deductibles for agencies failing to follow risk advice. There is no way to anticipate exact cost, however, these changes are not common and will only be imposed if the failure results in a claim against the entity.
- ❖ LOCAL GOVERNMENTS: There may be some additional costs to agencies in the form of increased deductibles for agencies failing to follow risk advice. There is no way to anticipate exact cost, however, these changes are not common and will only be imposed if the failure results in a claim against the entity.
- ❖ OTHER PERSONS: There may be some additional costs to agencies in the form of increased deductibles for agencies failing to follow risk advice. There is no way to anticipate exact cost, however, these changes are not common and will only be imposed if the failure results in a claim against the entity.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no additional costs to other persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no fiscal impact on business since Risk Management covers only governmental entities. D'Arcy Dixon-Pignanelli, Executive Director

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

ADMINISTRATIVE SERVICES RISK MANAGEMENT Room 5120 STATE OFFICE BLDG 450 N MAIN ST SALT LAKE CITY UT 84114-1201, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Stephen Hewlett at the above address, by phone at 801-538-9572, by FAX at 801-538-9597, or by Internet E-mail at SHEWLETT@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Alan Edwards, Director

R37. Administrative Services, Risk Management. R37-1. Risk Management General Rules.

R37-1-1. Purpose.

The purpose of this rule is to establish the liability and property insurance coverage provided by the Risk Management Fund, and the conditions, underwriting standards, and other rules that govern or control the use of this coverage.

R37-1-2. Authority.

This rule is established pursuant to Section[s] 63A-4-101[-and 63A-1-110,] which authorizes the State's Risk Manager to recommend rules to the Director of the Department of Administrative Services who is authorized to enact rules.

R37-1-3. Definitions.

- (1) "Conditions" specific policy requirements the violation of which will invalidate coverage.
- (2) "Coverage or coverage provision" means the type of protection provided against specific risks or losses.
- (3) "Covered Entity" means a state department or other state agency not within a state department, a state college or university, a public school district or [a local health department]other entity which is covered under the terms of a coverage document issued to it by the Risk Management Fund.
- (4) "Underwriting Standard" or "Risk Control Standard" means an action or procedure which must be performed by a covered entity in order to reduce the risk of loss or to avoid imposition of coverage restrictions, deductibles, increased premiums, or loss of credits or dividends.

R37-1-4. Description of the Fund and its Activities.

The Risk Management Fund, hereafter referred to as the Fund, is a self-insurance mechanism established by statute to handle losses to or claims against the state, its agencies and institutions of higher education, and participating school districts and [local health departments]other entities, which are treated as state agencies when participating, all hereafter referred to as covered entities. Although coverage through the Fund may be in formats like or similar to insurance policies, the relationship between the Fund and covered entities is not that of insurer and insured. No special duties, rules of construction or other legal doctrines recognized by the courts or created by statute with respect to the relationship of an insurer to its insured shall apply to the Fund or entities covered by it, except those

which are specifically required by Title 31A, Chapter 12 with respect to some coverage provided to school districts. The duty to defend employees, as defined in Section [63-30-2]63-30d-102 UCA, or volunteers, as defined in Section 67-20-2 UCA, of covered entities extends only as far as the entities' duty to employees or volunteers under the "Governmental Immunity Act" and no special relationship of insurer to insured exists between the Fund and employees or volunteers of covered entities.

R37-1-5. Coverage, Deductibles, Duties and Conditions.

Specific risks covered, properties covered, coverage limits, exclusions, deductibles, conditions and other coverage provisions for coverage through the Risk Management Fund shall apply in accordance with coverage policies issued by the Fund to each covered entity. Subject to specific provisions of the coverage policies, the Fund provides the following coverage:

- (1) Liability
- (a) Risks Covered General, automobile, personal injury, errors and omissions, malpractice and garage keepers' liability, and personal injury protection coverage applying to all premises, operations, approved contracts, products and completed operations; owned, non-owned and hired automobiles, other than personal use automobiles; employees, volunteers, and students in the scope of employment or approved services to the public.
- (b) Limits Maximum liability under Section [63-30-34]63-30d-604 UCA for situations subject to the Governmental Immunity Act; higher limits for other situations as indicated in coverage policies issued to each covered entity.
- (c) Deductible Deductibles apply to some specific coverages and situations as noted in the coverage document, but there is no general deductible.
- (d) Conditions The following conditions apply to liability coverages:
- (i) In the event of an occurrence, personal injury, act, error, omission, incident, or any other situation likely to give rise to a claim covered by the Fund, written notice containing particulars sufficient to identify the covered entity or person and also reasonably obtainable information with respect to the time, place and circumstances thereof, and the names and addresses of the potential claimant, and of available witnesses, shall be given by or for the covered entity or person to the Fund or any of its authorized agents as soon as practicable. The covered entity shall promptly take, at its own expense, all reasonable steps to prevent additional injury or damage from arising out of the same or similar conditions; provided (1) that a failure to take preventive measures shall not constitute a breach of this condition unless the Fund has requested the covered entity, in writing, to undertake the preventive measures and (2) the expense shall not be recoverable from the Fund.
- (ii) If claim is made or suit is brought against the covered entity or person, whether in court or through an administrative proceeding with the Utah Anti-discrimination Division, the Federal Equal Employment Opportunity Commission or similar body, the covered entity or person shall immediately forward to the Fund a copy of every demand, notice, summons or other process received by it or its representative. Any covered person who is an employee or volunteer of the covered entity shall comply with all provisions of Sections [63-30-36,63-30-37]63-30d-902 UCA, 63-30d-903 UCA, or both before the Fund shall have any duty to defend or pay any judgment against such covered person.
- (iii) The covered entity or person shall cooperate with the Fund and, upon the Fund's request, provide the fund with requested

information, assist in making settlements, assist in making rule 68 offers of judgement assist in the conduct of suits and in enforcing any right of contribution or indemnity against any person or organization who may be liable to the covered entity or person because of bodily injury or property damage with respect to which coverage is afforded by the Fund; and the covered entity or person shall attend hearings and trials and assist in securing and assist giving evidence and obtaining the attendance of witnesses. The covered entity or person shall not, except at its own cost, voluntarily make any payment, assume any obligation or incur any expense other than for first aid to others at the time of the accident.

- (iv) In the event any employee or volunteer requests under the terms of Section [63-30-36]63-30d-902 UCA that the covered entity defend him relative to any action or claim which would be covered by the Fund, the covered entity shall immediately forward the request to the Fund and the Fund shall have the right to determine on behalf of the covered entity whether to defend, defend under a reservation of rights, or decline to defend.
- (v) The covered entity or person shall share with the Fund all records requested by the Fund, relative to any claim under this coverage, to the fullest extent permitted by the Utah Government Records Access and Management Act (GRAMA). If the covered entity falls under the provisions of Section 63-2-701, 702 or 703 UCA, the covered entity shall adopt an ordinance or policy, or make rules which allow the sharing of records with the Fund to at least the extent permitted by GRAMA and shall share with the Fund all records requested relative to any claim under this coverage to the fullest extent permitted by the ordinance, policy or rule.
- (vi) This coverage does not apply to any claim under the Americans With Disabilities Act, Section 504, of the Rehabilitation Act of 1973, as amended, or similar laws based in whole or in part on the failure of any covered entity to provide a requested accommodation unless the covered entity has notified the Fund of its preliminary intention not to provide the requested accommodation and has allowed the Fund a reasonable opportunity to consult with the covered entity before the covered entity denies the requested accommodation.
- (e) Special Automobile Condition A \$10,000 per accident deductible applies to amounts otherwise payable under this coverage because of an accident involving an automobile driven by a covered person who either:
- (i) at the time of the accident was not a licensed driver for the type of vehicle involved; and who also was not so licensed at the closer to the accident date of:
- (A) the date of his employment as a driver of the covered entity;
- (B) the date of the covered entity became or should have become aware he was not so licensed; or
 - (C) one year prior to the accident date; or
- (D) at the time of such accident the covered entity knew or should have known that the employee:
 - (I) had a vehicle accident which was his fault,
- (II) had been convicted of driving under the influence of alcohol or drugs, or
- (III) had been convicted of reckless driving, during the one year period prior to such accident and who had not completed a Fund approved driver safety program before the accident, provided, however, that this provision shall not apply if the date of the accident is less than thirty days after the covered entity knew of or should have known of the incident under a, b or c above.

- (2) Property
- (a) Risks Covered Virtually all insurable risks of loss.
- (b) Property Covered Real and personal property owned by covered entities, for which they are liable or for which they have assumed responsibility, and which has been reported to the Fund.
- (c) Limits Replacement cost in most cases; sub-limits apply for earthquake and flood damage.
- (d) Deductible \$1,000 per occurrence [or higher]applies to each and every loss, as indicated in the coverage policy.
- (e) A \$100,000 deductible applies to each and every loss occurrence at any location for which:
- (I) the fund has recommended that the insured take a reasonable risk reduction action:
- (II) the fund has given the insured thirty days notice that this higher deductible will apply, if the recommendation is not complied with; and
- (III) the insured has not complied with the recommendation within thirty days of notice that without compliance this higher deductible will apply
- This higher deductible will cease to apply when the insured has complied with the recommendation to the satisfaction of the fund as evidenced by written notice to the insured of the reduction of the deductible.
- [(e)](f) Conditions The following conditions apply to property coverage.
 - (i) In case of loss, the covered entity shall:
 - (A) give immediate notice of such loss to the Fund;
- (B) protect the covered property from further damage, make reasonable temporary repairs required to protect the covered property, and keep an accurate record of repair expenditures;
- (C) prepare an inventory of damaged personal property, showing in detail, quantity, description, replacement value, and amount of loss. Attach to the inventory all bills, receipts and related documents that substantiate the figures in the inventory;
- (D) exhibit the remains of the damaged property as often as may be reasonably required by the Fund and submit to examination under oath;
- (E) submit to the Fund within 60 days after requested a signed, sworn statement of loss that sets forth to the best of the covered entity's knowledge and belief:
 - (I) the time and cause of loss;
- (II) interest of the covered entity and all others in the property involved and all encumbrances on the property;
 - (III) other policies of insurance that may cover the loss;
- (IV) changes in title or occupancy of the property during the term of the policy;
- (V) specifications of any damaged building and detailed estimates for repair of the damage;
- (VI) an inventory of damaged personal property described in (C) above;
- (F) give immediate notice of the loss to the proper police authority if loss is due to a violation of law.
 - (ii) Values Reporting

The covered entity agrees to submit a statement of replacement values of property covered by the Fund by April 1st each year or by a later date as indicated by the Fund. Required information will be in formats requested by the Fund. In addition, any acquisition valued in excess of \$25,000,000 must be reported within ninety days of acquisition in order to be covered. The requirements of this condition apply to all types of covered property.

- (3) Bond
- (a) Risks Covered Faithful performance; all employees except treasurers by title are covered.
 - (b) Limits \$10,000,000
 - (c) Deductible [\$1,000]
- (I) Subject to (II) below a \$1,000 deductible applies to each and every occurrence
- (II) A \$100,000 deductible applies to each and every loss occurrence or from any operation which;
- (A) the fund has recommended that the insured take a reasonable risk reduction action:
- (B) the fund has given the insured thirty days notice that this higher deductible will apply, if the recommendation is not complied with; and
- (C) the insured has not complied with the recommendation within thirty days of notice that without compliance this higher deductible will apply

This higher deductible will cease to apply when the insured has complied with the recommendation to the satisfaction of the fund as evidenced by written notice to the insured of the reduction of the deductible.

- (d) Conditions -
- (i) Upon knowledge or discovery of loss under this coverage, the covered entity shall:
- (A) give notice thereof at the earliest practicable moment, not to exceed 30 days, to the Fund and,
- (B) file detailed proof of loss, duly sworn to, with the Fund within four months after the discovery of loss.
- (ii) Upon the Fund's request, the covered entity shall produce for the Fund's examination all pertinent records, at reasonable times and places as the Fund shall designate, and shall cooperate with the Fund in all matters pertaining to loss or claims under this coverage.
 - (4) Automobile Physical Damage
 - (a) Risks Covered Comprehensive and collision.
- (b) Automobiles Covered All automobiles of an entity except personal use automobiles.
 - (c) Limits Actual cash value
 - (d) Deductible \$1,000 or less, according to coverage policy.
 - (e) Conditions -
 - (i) In the event of loss, the covered entity shall:
- (A) protect the covered automobile, whether or not this coverage applies to the loss, and any further loss or damage due to the named insured's failure to protect shall not be recoverable under this coverage; reasonable expenses incurred in affording such protection shall be deemed incurred at the Fund's request;
- (B) give notice thereof as soon as practicable to the Fund or any of its authorized agents and also, in the event of theft or larceny, to the police;
- (C) file with the Fund within 90 days after loss, sworn proof of loss in such form and including such information as the Fund may reasonably require and, upon the Fund's request shall exhibit the damaged property and submit to examination under oath;
- (D) cooperate with the Fund and, upon the Fund's request, shall assist in making settlements, in the conduct of suits and in enforcing any right of contribution or indemnity against any person or organization who may be liable to the covered entity because of loss with respect to which this coverage applies; and shall attend hearings and trials and assist in securing and giving evidence and obtaining the attendance of witnesses.

- (5) Conditions applicable to all coverages provided by the Fund:
- (a) In accordance with Subsection 63A-4-101(2)(b)(v) <u>UCA</u>, in the event of any coverage dispute between the Fund and any covered entity or person, there shall be no right of legal action against the Fund, unless such right is specifically required by statute. Coverage disputes shall be resolved by binding arbitration upon request of any covered entity or person. In the event of a request, the Fund and the requesting covered entity or person shall each select an arbitrator and the two arbitrators shall select a third arbitrator. Decisions made by a majority of the three arbitrators shall be binding upon the Fund and the requesting covered entity or person. The Fund and the requesting covered entity or person shall each pay the cost of their chosen arbitrator. The losing party shall pay the cost of the third arbitrator. The Fund and the covered entity or person may mutually agree on any alterative arbitration procedure.
- (b) In the event of any payment under any coverage provided through the Fund, the Fund shall be subrogated to all of the covered entity or person's rights of recovery therefor against any person or organization and the covered entity or person shall execute and deliver instruments and papers and do whatever else is necessary to secure these rights. The covered entity or person shall do nothing after the loss to prejudice these rights.

R37-1-6. Premium Establishment.

In addition to other actuarially sound factors the Risk Manager may use the following in determining the appropriate premiums for coverage provided to each covered entity:

- (1) Entity efforts at exposure management including completion of self inspection forms, employee training, agency attendance at Fund sponsored seminars, agency risk control meetings risk related policy development and implementation, etc.
 - (2) Entity accidents, claims and loss history
- (3) Recent state and federal statutes or court decisions affecting covered entities and operations.
- (4) Number of employees in the entity and size of entity's budget.
- (5) Value, protection and other characteristics of entity's buildings and contents.
 - (6) Number, type and value of entity vehicles.
 - (7) Entity operations and activities.
 - (8) Actuarial studies

R37-1-7. Risk Control Standards.

In accordance with Subsection 63A-4-101(2)(b)(i), each covered entity shall comply with the following risk control standards:

- (1) Covered entities shall appoint an entity risk coordinator who shall report directly to the covered entity's director, school superintendent or university/college president, or to another individual who reports directly to the covered entity's director, school superintendent or college/university president. Subordinate risk coordinators or other individuals may be appointed at the division, school or lower levels of the organization as the entity deems appropriate. The day to day implementation or management of the entity's risk management duties may be assigned by the risk coordinator to subordinate individuals, committees, or groups as necessary for efficient operation and implementation.
- (2) The covered entity risk coordinator shall be responsible for the following duties:

- (a) Identifying, evaluating and resolving risk exposures for the entity.
- (b) Coordinating with the Fund on the reporting and investigation of all claims or losses,
- (c) Coordinating with the Fund on all liability prevention and loss control and prevention activities.
- (d) Ensuring that the Fund is provided with all reasonable information necessary to compute premiums.
 - (e) Ensuring that premium billings are processed and paid.
- (f) Ensuring that notification is made to the Fund on all incidents, issues or informal or administrative claims, including claims originating at the EEOC and/or UALD that may result in a formal claim against the Fund.
- (g) Internally supervising or managing all loss prevention activities.
- (h) Normally chairing the entity Risk Control Committee and ensuring staff support to the Risk Control Committee.
- (3) Each covered entity shall appoint a Risk Control Committee, hereinafter referred to as the committee. Each covered entity shall include on its committee those positions deemed necessary by the Risk Coordinator and/or the entity director, president, or superintendent to provide comprehensive review and risk management services to all of the entities operations. It is recommended that the following positions be included on the committee:
 - (a) Entity Risk Coordinator.
- (b) The covered entity's maintenance director and/or facilities director, where the entity owns or manages its own buildings or in the case where the building is leased the DFCM manager assigned to that building.
 - (c) The covered entity's Human Resource/Personnel director.
- (d) The covered entity's Americans with Disabilities Act Coordinator, or other entity Civil Rights coordinator or director.
 - (e) The covered entity's Safety Director.
- (f) The covered entity's legal counsel or attorney as an exofficio member.
- (g) Staff from the Fund, who may attend the meetings in an ex officio capacity.

The covered entity may appoint on either a permanent or ad hoc basis other individuals whose job duties or special expertise may be of use to the committee. These individuals may include the covered entity's internal auditor, the covered entity's security director, the transportation or motor pool director, a representative from the entity's finance and accounting section and employee representatives. School districts may also wish to include on the committee representatives from the district's athletic, vocational, science and other high risk curriculum areas. The Fund, upon request of the covered entity risk coordinator, will provide recommendations on the makeup of the committee.

The committee shall be normally chaired by the covered entity's risk coordinator. The committee shall be responsible for oversight and supervision of the entity's risk coordination and management program and shall meet at least once each quarter. In advance of the meeting, the committee shall publish an agenda of its meetings and shall forward a copy of the agenda to the Fund. The entity or its committee may appoint other ad hoc or standing committees, or subcommittees to deal with specific issues and problems such as safety, risk control training, civil rights, accident review etc.

- (4) The duties of the committee shall include the following activities:
 - (a) Identifying, evaluating and resolving entity risk exposures.
- (b) Preparing, or reviewing the preparation of, the Risk Management self evaluation forms and shall certify their accuracy.
- (c) Serving as a liaison between the Fund and the entity at the discretion of the Risk Coordinator.
- (d) Reviewing inspection and other reports from the Fund and where applicable, implementing the proposed recommendations.
- (e) Reviewing and analyzing investigation reports and recommendations regarding all claims, accidents, workers injuries or near accidents, and making recommendations to entity management at appropriate levels on methods for reducing accidents or claims.
- (i) Where appropriate, the committee may recommend disciplinary and/or corrective action for employees who violate safety standards including but not limited to OSHA, health, hazardous materials, fire and entity specific standards and/or other standards, policies or rules that result in claims, accidents, worker injuries or near accidents. Any disciplinary or corrective action imposed shall be taken in accordance with the entity's rules.
- (ii) The committee, acting as the agency's Accident Review committee, shall review reports and recommendations from subcommittees and others regarding the driving and accident records of employees and may restrict employees from using entity vehicles or the employee's own vehicle on entity business.
- (f) Developing policies related to risk reduction and accident prevention and shall recommend their adoption by entity management.
- (g) Conducting appropriate evaluations or audits of entity operations and developing findings and recommendations for resolution of identified problems or risk exposures.
- (h) Conducting an annual review or evaluation of the entity's risk reduction efforts and providing the Fund with a copy of this evaluation.
- (i) Performing other related duties as assigned by the entity risk coordinator, by entity management, or as requested by the Fund.

R37-1-8. Underwriting Standards.

In accordance with Subsection 63A-4-101(2)(b)(i), covered entities shall comply with the following underwriting standards.

- (1) Covered entities shall complete the Risk Management Self Inspection Forms within established time frames on the forms supplied by the Fund, unless special exemption has been granted by the State Risk Manager.
- (2) Covered entities shall provide all staff with training approved by the Fund on sexual harassment (unlawful harassment) in the work place and other civil rights and liability issues as required by the Fund. After initial training all covered entities shall provide updated or refresher training to all staff members every two (2) years. For state entities the Fund shall coordinate the required training with the Department of Human Resource Management as appropriate. This training shall be developed and provided by qualified individuals. Covered entities shall keep records of the training, including who provided the training, who attended the training and when they attended it.
- (3) Covered entities shall conduct or shall have conducted for them drivers license verification checks on all new employees and volunteers who operate entity vehicles or their own vehicles on entity business at time of employment. Covered entities shall, at least annually, verify the status of the drivers license of all

- employees and volunteers who operate entity vehicles or their own vehicles on entity business.
- (a) Covered entities shall establish procedures to ensure that any employee or volunteer who does not have a valid drivers license is not allowed to operate an entity vehicle or his own vehicle on entity business.
- (b) Covered entities shall develop procedures to ensure that records of drivers license checks and the results of these checks shall be kept confidential.
- (4) Covered entities shall include in all written job descriptions or other job analysis documents or individual performance plans where use of a vehicle is an essential function of the job, a requirement for maintenance of a valid and appropriate drivers license.
- (5) Covered entities shall require and document that all employees who operate entity vehicles, or their own vehicles on entity business as an essential function of the job, complete yearly a Fund approved or provided driver safety course. All other employees who drive vehicles as part of the performance of entity business shall complete a Fund approved or provided driver safety program at the time of initial employment and at least once every three years.
- (6) Covered entities shall develop and enforce policies and procedures to deal with problem drivers and other driving situations. In addition to other appropriate provisions, these policies shall contain the following:
- (a) Employees or volunteers who are involved in an at-fault accident, [or who are convicted of Driving under the Influence of Alcohol or Drugs, or Reckless Driving,]shall not be allowed to operate entity vehicles, or their own vehicles on entity business, beyond a reasonable time, not to exceed thirty days. During this time the employee or volunteer must complete the Fund approved driver safety program in order to maintain driving privilege. This training shall not take the place of any agency imposed discipline, corrective action or counseling.
- (b) Employees or volunteers who are required to operate entity vehicles or their own vehicles while on entity business shall operate the vehicles within the limits or restrictions of their individual licenses.
- (c) Drivers who are convicted of Driving under the Influence of Alcohol or Drugs, or Reckless Driving shall not be allowed to operate entity vehicles.
- (7) Covered entities shall develop return to work and temporary transitional duty procedures. Entities shall ensure that these procedures are in accordance with the requirements of the "Americans With Disabilities Act", and other applicable laws and rules. The procedures shall provide for the return of injured employees to work at the earliest appropriate date.
- (8) Covered entities shall review the performance standards or evaluation plan of each employee and where appropriate add a standard requiring the use of required safety equipment, adherence to safety standards, or other liability and risk reduction requirements appropriate to the position and duties performed by the employee.
- (9) All new construction, remodels, additions to existing facilities shall comply with the adopted editions of the Uniform Building Code, Uniform Fire Code and other applicable codes. Existing facilities known to be out of compliance with the adopted edition of the Uniform Building Code, Uniform Fire Code and all other applicable codes at the time of construction, shall be brought up to compliance as a condition of insurability, otherwise an

appropriate premium surcharge or coverage restriction may be instituted upon reasonable notice and opportunity to correct areas of noncompliance.

KEY: risk management [1994]2006 Notice of Continuation June 28, 2002 63A-4-101 et seq.

Community and Culture, Olene Walker Housing Trust Fund

R235-1

Olene Walker Housing Loan Fund (OWHLF)

NOTICE OF PROPOSED RULE

(New Rule) DAR FILE No.: 28402 FILED: 12/12/2005, 16:18

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Pursuant to Section 9-4-704, this rule will "establish the criteria ... by which loans and grants will be made."

SUMMARY OF THE RULE OR CHANGE: This rule details applicant and project eligibility, application requirements, project selection process, funding approval, project reporting, administration fees, financial subsidy review, and sharing of information and portfolio management for the Olene Walker Housing Loan Fund (OWHLF). The legislature provides \$2,500,000 dollars per year with a HUD match.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 9-4-701 et seq.

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: The legislature appropriates separate funds for this program. This rule does not effect the amount of the appropriation.
- ❖ LOCAL GOVERNMENTS: The OWHLF does not affect local government. Therefore, there is no cost or savings to local government.
- This rule governs the application process that an individual uses to apply for loan funds. There are no loan application fees.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs. The rule outlines the procedures that the Board follows to govern the Loan Fund. There are no application fees.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Housing industry experts say one dollar spent on affordable housing generates \$10 in

economic impact including jobs, earnings, and state and local taxes. Yvette Diaz, Executive Director

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

COMMUNITY AND CULTURE
OLENE WALKER HOUSING TRUST FUND
Room 500
324 S STATE ST
SALT LAKE CITY 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Shelli Goble at the above address, by phone at 801-538-8653, by FAX at 801-538-8888, or by Internet E-mail at SHGOBLE@utah.gov

Interested persons may present their views on this rule by submitting written comments to the address above no later than $5:00\ PM$ on 01/31/2006

Interested Persons May attend a public Hearing Regarding this Rule: 12/21/2005 at 11:00 AM, 324 S State Street, Ste 500, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Yvette Diaz, Executive Director

R235. Community and Culture, Olene Walker Housing Loan Fund.

R235-1. Olene Walker Housing Loan Fund (OWHLF). R235-1-1. Authority.

- (1) Pursuant to Section 9-4-701 et seq., Utah Code, the Olene Walker Housing Loan Fund Board (OWHLF) determines how federal and state monies deposited to the fund shall be allocated and distributed.
- (2) An Allocation Plan governs the allocation and distribution of funds. The Allocation Plan may be amended from time to time as new guidelines and regulations are issued or as the Board deems necessary to carry out the goals of the OWHLF.

R235-1-2. Purpose.

- (1) Pursuant to Subsection 9-4-702(1)(a), the Division of Housing and Community Development (HCD) shall administer the OWHLF as the designee of the executive director of the Department of Community and Culture (DCC).
- (2) The objective of the OWHLF is to develop housing that is affordable to very low, low and moderate-income persons through a fair and competitive process.
- (3) In administering this fund, this rule incorporates by reference 24 CFR 84-85 as authorized under Utah Code Annotated Section 9-4-703 through 708.

R235-1-3. Definitions.

In addition to terms defined in Section 9-4-701:

(1) "Application" means the form provided and required by HCD to be submitted to request funds from the OWHLF.

- (2) "BRC" means a Board Review Committee(s), consisting of members selected by the Board.
- (3) "Consolidated Plan" means a plan of up to five years in length that describes community needs, resources, priorities and proposed activities to be undertaken under certain HUD programs, including Community Development Block Grant (CDBG), HOME, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS (HOPWA).
- (4) "Subsidy-layering" means an evaluation on the project conducted by HCD staff to ensure that no unnecessary HOME funds are invested in the project than are necessary to provide affordable housing.
- (5) "HOME, CDBG, or HOPWA" means HUD programs that provide funds for housing and community needs.
- (6) "Affordable Housing" means assisting persons at or below 80% of area median income (as defined by HUD) to find decent, and safe housing at a reasonable cost.
- (7) "Loan" means funds provided with the requirement of repayment of principal and interest over a fixed period of time.
- (8) "Grant" means funds provided with no requirement or expectation of repayment.
- (9) "Local Agency" means public housing authorities, counties, cities, towns, and association of governments.
- (10) "Funding Cycle" means period of time in which OWHLF funds are allocated.
- (11) "Allocation Plan" means an annual plan that describes housing needs, priorities, funding sources, and the process and policies to request funds from the OWHLF.

R235-1-4. Applicant and Project Eligibility.

- (1) The Board shall consider for funding, only those applications submitted by an eligible applicant as defined in Section 9-4-706, Utah Code.
- (2) The Board shall consider for funding only those eligible projects as defined in Section 9-4-705, Utah Code and meet one or more of the following priorities established by the Board:
- (a) Through cost containment and resource leveraging, efficiently utilize funds.
- (b) Provide that largest numbers of units shall charge the lowest monthly rental amount/levels that is attainable over the longest periods of time,
- (c) Provide the most equitable geographic distribution of resources.
- (d) Provide housing for special-needs populations including: (i) transitional housing, (ii) elderly and frail elderly housing, and (iii) housing for physically and mentally disabled persons,
- (e) Strengthen and expand the abilities of local governments, non-profits organizations,
- (f) Assist various Community Housing Development Organizations (CHDO) in designing and implementing strategies to create affordable housing, and
- (g) Promote partnerships among local government, non-profit and for-profit organizations, and CHDO.
- (h) Meet the goals of the Utah Consolidated Plan and any local area plans.

R235-1-5. Application Requirements.

(1) OWHLF funds shall be distributed in accordance with an application process defined in this rule. Funds shall be issued during a scheduled funding cycle. The Board conducts four cycles during a calendar year.

- (2) An applicant seeking to obtain funds shall submit a completed application form furnished by the Division of HCD prior to the cycle's deadline.
- (3) All completed applications will be reviewed by staff, which will present the application to the Board Review Committee (BRC) during the cycle in which the application is received. Applications will be ranked and scored according to how completely each one meets the criteria.
- (4) Applicants submitting incomplete applications will be notified of deficiencies. Each incomplete request(s) will be held in a file, pending submission of all required information by the applicant.
- (5) A decision on each application will generally be made no later than the award notification date for each cycle. The Board may delay final decisions in order to accommodate scheduling and processing problems peculiar to each cycle.
- (6) The Board may modify a given reservation cycle and change submission deadlines to dates other than those previously scheduled. In doing so, the Board will make reasonable efforts to inform interested parties of such modifications.
- (7) For Single-Family Program applicants, the Board may delegate responsibilities to local agencies for application intake, processing, approval, project development, construction oversight, and management. Local agencies will be governed by policies and procedures approved by the Board.

R235-1-6. Project Selection Process.

- (1) The BRC shall select applications for funding according to the following process and requirements as outlined in the Allocation Plan:
 - (a) Project underwriting and threshold review,
 - (b) Scoring and documentation review,
 - (c) Market study and project reasonableness review,
 - (d) Calculation of OWHLF subsidy amount.

R235-1-7. Funding Approval.

- (1) After each application has been processed and the funding amount has been determined for a given cycle, staff will present projects to the BRC at its next regularly scheduled meeting. The BRC shall hear comments from applicants at the committee meeting and obtain sufficient information to inform the full board about the project, its financial structure, and related general.
- (2) A copy of the BRC recommendation, including all conditional requirements imposed by the BRC and staff, shall become a part of the permanent record and placed in the applicant's file. Recommendations will be presented at the next regularly scheduled quarterly Board meetings. The board will approve, deny, or delay the application.
- (3) An applicant may request a change in the terms as outlined in the original motion of the board by reapplying to HCD, with all updated, applicable financial information included, in subsequent funding rounds.

R235-1-8. Project Reporting.

- (1) All projects receiving funding approval will be required to provide status reports at a scheduled frequency, in a format prescribed by the staff, and approved by the Board.
- (2) Projects that have not begun construction within one year from the date of approval for funding must submit to staff a summary of significant progress made to date and an explanation of why the project is behind schedule. Staff will present this information to the BRC.

(3) The BRC may choose to extend the period of the project, to rescind the approval, or require the project to re-apply in accordance with current parameters.

R235-1-9. Compliance Monitoring.

(1) Monitoring of the project by HCD staff will be completed to ensure program compliance. Unresponsive or non-compliance will be reported to the HCD administration, the Board, HUD, and the Attorney General's Office as deemed necessary.

R235-1-10. Administration Fees.

- (1) For some types of projects, certain local agencies may use previously designated funds for project administration costs. Such projects are still subject to on-site administrative supervision, staff oversight, or monitoring by HDC. The agencies include:
 - (a) Public Housing Authorities.
 - (b) Counties, cities and towns.
 - (c) Associations of Governments.
- (2) The agencies shall be expected to demonstrate a significant level of business management and administrative experience and ability in order to receive administrative funds. They shall also demonstrate an acceptable level of background and experience to perform housing rehabilitation/reconstruction and implementation functions.

R235-1-11. Financial Subsidy Review.

- (1) HCD staff shall conduct "subsidy layering" reviews on projects that directly or indirectly receive financial assistance from the U.S. Department of Agriculture Rural Development Service ("RD or RDS"), or the U.S. Department of Housing and Urban Development ("HUD") exclusive of HOME, CDBG, or HOPWA assistance, (i.e., the "Subsidy Layering Review").
- (2) Subsidy Layering Reviews shall be conducted in accordance with guidelines established by RD and HUD with respect to the review of any financial assistance provided by or through these agencies to the project and shall include a review of:
- (a) The amount of equity capital contributed to a project by investors,
 - (b) The project costs including developer fees, and
 - (c) The contractor's profit, syndication costs and rates.
- (3) In the course of conducting the review, the staff may disclose or provide a copy of the application to RD or HUD for their review and comments and shall take any other action deemed necessary to satisfy its obligations under the respective review requirements. HCD staff will accept a review completed by Utah Housing Corporation (UHC).

R235-1-12. Sharing of Information.

- (1) Application information may be shared with interested parties and financially interested parties upon request. These include participating lenders, IRS, UHC, investors and others as determined by the staff in evaluating and tracking the progress of the project.
- (2) In administering this program, the HCD staff shall conduct all functions in accordance with the provisions of the state GRAMA statute and the federal Freedom of Information Act.

R235-1-13. Portfolio Management.

(1) HCD staff will track the status of the OWHLF portfolio to assess any problem loans needing special loan servicing. Staff will

recommend any special instructions to the BRC for review, changes, and approvals.

(2) HCD staff will work with the board and the Attorney General's office to develop policies and procedures to govern special portfolio management issues such as loan restructuring, bankruptcies, and asset disposal.

KEY: Olene Walker Housing Loan Fund, affordable housing, housing development

2006

9-4-704(5)(a)

Environmental Quality, Drinking Water R309-105-9

Minimum Water Pressure

NOTICE OF PROPOSED RULE

(Amendment) DAR FILE No.: 28416 FILED: 12/15/2005, 13:23

RULE ANALYSIS

Purpose of the rule or reason for the change: The reason for the change is to describe additional minimum pressure under conditions of flow for new Public Water Systems designed and constructed after March 1, 2006; and to make the rule more in accordance with typical design standards, as well as standards of other agencies such as the American Water Works Association (AWWA), the American Society of Civil Engineers (ASCE), and other nearby states.

SUMMARY OF THE RULE OR CHANGE: The changes: clarify that the minimum water pressure of 20 psi is during conditions of fire flow added to peak day demand as described elsewhere in rule: add a condition of minimum water pressure of 30 psi during peak instantaneous demand; and add a minimum water pressure of 40 psi during peak day demand for new Public Water Systems designed and constructed after March 1. 2006.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS **RULE: Section 19-4-104**

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None--Since this amendment only clarifies this portion of rule and the additional water pressure requirements for new Public Water Systems, it will not require additional personnel or other funds from the state budget.
- ❖ LOCAL GOVERNMENTS: Little to None--Most, if not all, well functioning Public Water Systems operated by local government currently meet or exceed the current minimum water pressure minimums, as well as the proposed additional minimums. The design of new Public Water Systems will only require initial planning concerning storage location and distribution pipeline sizing which should not add significant cost or time.

❖ OTHER PERSONS: Little to None--Most engineering companies currently look to typical textbook design standards as well as standards of other agencies such as AWWA, ASCE, and other nearby states when designing Public Water Systems so there should not be any additional cost or time involved.

COMPLIANCE COSTS FOR AFFECTED PERSONS: New Public Water Systems designed and constructed after March 1, 2006, should not see any costs over and above that if their system were designed with the typical capacity for anticipated growth and expansion. Some increased cost may be expected if storage tank location for adequate pressure requires additional length of transmission line.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The department agrees that the proposed changes to this rule will have little to no detrimental impact on existing water systems nor on new public water systems. Dianne R. Nielson, Executive Director

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

ENVIRONMENTAL QUALITY
DRINKING WATER
150 N 1950 W
SALT LAKE CITY UT 84116-3085, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Birkes at the above address, by phone at 801-536-4201, by FAX at 801-536-4211, or by Internet E-mail at bbirkes@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

This rule may become effective on: 02/01/2006

AUTHORIZED BY: Kevin Brown, Director

R309. Environmental Quality, Drinking Water.
R309-105. Administration: General Responsibilities of Public

R309-105-9. Minimum Water Pressure.

Water Systems.

(1) Unless otherwise specifically approved by the Executive Secretary, no water supplier

shall allow any connection to the water system where water pressure at the point of connection

will fall below 20 psi during the normal operation of the water system

- (2) Unless otherwise specifically approved by the Executive Secretary, public water systems constructed after March 1, 2006 shall be designed and shall meet the following minimum water pressures at points of connection:
- (a) 20 psi during conditions of fire flow and fire demand experienced during peak day demand;

(b) 30 psi during peak instantaneous demand; and

(c) 40 psi during peak day demand.

[(2)](3) Individual home booster pumps are not allowed as indicated in R309-540-5(4)(c).

KEY: drinking water, watershed management [September 13, 2005]2006 Notice of Continuation May 16, 2005 19-4-104 63-46b-4

Environmental Quality, Drinking Water **R309-150-6**

Physical Facilities

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28417
FILED: 12/15/2005, 13:23

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The reason for the change is to change wording to refer to minimum water pressures described in Section R309-105-9. (DAR NOTE: The proposed amendment to Section R309-105-9 is under DAR No. 28416 in this issue.)

SUMMARY OF THE RULE OR CHANGE: The change makes reference to Section R309-105-9 so that minimum pressures associated with existing systems will not be confused with minimum pressures required for new Public Water Systems designed and constructed after March 1, 2006.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None--Since this amendment only clarifies this portion of rule and the additional water pressure requirements for new Public Water Systems, it will not require additional personnel or other funds from the state budget
- ❖ LOCAL GOVERNMENTS: Little to None--Most, if not all, well functioning Public Water Systems operated by local government currently meet or exceed the current minimum water pressure minimums, as well as the proposed additional minimums. The design of new Public Water Systems will only require initial planning concerning storage location and distribution pipeline sizing which should not add significant cost or time.
- ❖ OTHER PERSONS: Little to None--Most engineering companies currently look to typical textbook design standards, as well as standards of other agencies such as the American Water Works Association (AWWA), the American Society of Civil Engineers (ASCE), and other nearby states when designing Public Water Systems so there should not be any additional cost or time involved.

COMPLIANCE COSTS FOR AFFECTED PERSONS: New Public Water Systems designed and constructed after March 1, 2006, should not see any costs over and above that if their system were designed with the typical capacity for anticipated growth and expansion. Some increased cost may be expected if storage tank location for adequate pressure requires additional length of transmission line.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The department agrees that the proposed changes to this rule will have little to no detrimental impact on existing water systems nor on new public water systems. Dianne R. Nielson, Executive Director

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

ENVIRONMENTAL QUALITY DRINKING WATER 150 N 1950 W SALT LAKE CITY UT 84116-3085, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Birkes at the above address, by phone at 801-536-4201, by FAX at 801-536-4211, or by Internet E-mail at bbirkes@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Kevin Brown, Director

R309. Environmental Quality, Drinking Water. R309-150. Water System Rating Criteria. R309-150-6. Physical Facilities.

All points assessed to public water systems via this subsection are based upon violation of R309-113 and R309-200 through R309-211. These points shall be assessed and updated upon notification of the Executive Secretary and shall remain until the violation or deficiency no longer exists.

- (1) New Source Approval:
- (a) Use of an unapproved source shall be assessed 150 points.
- (2) Surface Water Diversion Structures and Impoundments:
- (a) For each surface water intake structure that does not allow for withdrawal of water from more than one level if quality significantly varies with depth 2 points shall be assessed.
- (b) Where no facilities exist for release (wasting) of less desirable water held in storage 2 points shall be assessed.
- (c) Where the diversion facilities do not minimize frazil ice formation by holding intake velocities to less than 0.5 feet per second 2 points shall be assessed.
- (d) Where diversion facilities are not adequately protected from damage by ice buildup 2 points shall be assessed.
- (e) Where diversion facilities are not capable of keeping large quantities of fish or debris from entering the intake 2 points shall be assessed.

- (f) Where reservoirs have not had brush and trees removed to the high water level 2 points shall be assessed.
- (g) Where reservoir watershed management has not provided adequate precautions to limit nutrient loading 10 points shall be assessed.
 - (3) Well Sources
- (a) For each well which is not equipped with a sanitary seal, or has any unsealed opening into the well casing 50 points shall be assessed.
- (b) For each well which does not utilize food grade mineral oil for pump lubrication 25 points shall be assessed.
- (c) For each well casing which does not terminate at least 12 inches above the pumphouse floor, 18 inches above ground, and/or five feet above the highest flood elevation, or is not fitted with an acceptable pitless adaptor 1 to 20 points shall be assessed based upon whether the adjacent land slopes toward or away from the wellhead; the integrity of the cement surrounding the wellhead and other factors that would jeopardize the integrity of the wellhead seal.
- (d) For each well casing vent which is not properly covered with a No. 14 mesh screen 5 points shall be assessed.
- (e) For each well which has discharge piping that is not properly equipped with 1) a smooth nosed sampling tap 2) check valve 3) pressure gauge 4) means of measuring flow and 5) shutoff valve 1 to 5 points shall be assessed depending upon the number of the above components that are present.
- (f) For each well where there is no means to release trapped air from the discharge piping 5 points shall be assessed.
- (g) For each well house which does not have a drain-to-daylight installed 5 points shall be assessed.
 - (4) Spring Sources:
- (a) For each spring source which allows surface water to stand or pond upon the spring collection area (within 50 feet from collection devices) 1 to 20 points shall be assessed. The number of points shall be based upon the size and extent of the ponding; the possible source (rainfall or incomplete collection); or the presence of moss or other indicators of long term presence of standing water.
- (b) For each spring area which does not have a minimum of ten feet of relative impervious soil or an acceptable liner 10 points shall be assessed.
- (c) For each spring area that has deep rooted vegetation within the fenced collection area 10 points shall be assessed.
- (d) For each spring area that has deep rooted vegetation interfering with the spring collection 10 points shall be assessed.
- (e) For each spring which does not have a proper collection/junction box; and does not have the following: a proper shoebox lid, gasket, No. 14 mesh screen on the vent line and lock; 1 to 25 points shall be assessed. The number of points shall be determined by the number of the above items that are present.
- (f) For each spring collection area without a proper fence (unless the spring is located in a remote area where no grazing or public access is possible as specified in R309-106(5)(e)) 10 points shall be assessed
- (g) For each spring collection area that does not have a diversion channel capable of diverting surface water away from the collection area 5 points shall be assessed.
- (h) For each spring system which does not have a permanent flow measuring device 5 points shall be assessed.
- (i) For each spring area with an overflow/drain that is not properly screened with a No. 4 mesh screen or does not have adequate freefall (12 to 24 inches) between the drain invert and the surrounding ground 5 to 10 points shall be assessed. The number of

points shall be based upon the presence of a screen and the slope of the ground surrounding the overflow/drain outlet.

- (5) Disinfection by gaseous chlorine:
- (a) A chlorinated water system that does not maintain a detectable chlorine residual throughout the distribution system shall be assessed 10 points.
- (b) An improperly heated, lighted, and vented chlorinator building shall be assessed 2 points.
- (c) A chlorinated water system that does not have a test kit to measure chlorine residual shall be assessed 2 points.
- (d) A chlorinated water system that does not have a cylinder wrench located on the yoke valve shall be assessed 2 points.
- (e) A chlorinated water system that utilizes one ton cylinders and does not have proper chlorine leak detection and repair kit equipment shall be assessed 15 points.
- (f) A chlorinated water system that utilizes 150 pound cylinders and does not have proper chlorine leak detection and repair kit equipment shall be assessed 2 points.
- (g) A chlorinated water system that does not have chlorine cylinders properly restrained or isolated from operating areas shall be assessed 2 points.
- (h) A chlorinated water system that does not have a feeder vent properly vented to the outside and screened with a No. 14 mesh screen shall be assessed 2 points.
- (i) A chlorinated water system without means to measure chlorine feed and cylinder usage shall be assessed 2 points.
- (j) A chlorinated water system without access to a properly stored gas mask or stores a gas mask in the same room where chlorine gas is handled shall be assessed 5 points.
- (k) A chlorination station without a means of measuring the volume of water treated shall be assessed 2 points.
 - (6) Disinfection by liquid hypochlorite:
- (a) A chlorinated water system that does not maintain a detectable chlorine residual throughout the distribution system shall be assessed 10 points.
- (b) An improperly housed and secured hypochlorinator station shall be assessed 2 points.
- (c) A chlorinated water system that does not have a test kit to measure chlorine residual shall be assessed 2 points.
- (d) A chlorinated water system that does not maintain a spare parts repair kit for the positive displacement pumps shall be assessed 2 points.
- (e) A hypochlorination station without a means of measuring the volume of water treated shall be assessed 2 points.
 - (7) Storage:
- (a) A water system with an uncovered finished water storage reservoir shall immediately be assessed a rating of not approved.
- (b) For each storage reservoir access that is not an overlapping (shoe box) type lid, locked and is at least 4 inches above the top of the tank 10 points shall be assessed.
- (c) For each improperly vented storage reservoir 5 points shall be assessed.
- (d) For each storage reservoir overflow that: is not properly screened, is not sloped for drainage, or is connected to a sewer without an appropriate air gap; 5 to 15 points shall be assessed based on the number and severity of the above items that are present.
- (e) For each storage reservoir with inadequate or improper means of drainage 2 points shall be assessed.
- (f) For each storage reservoir where the roof and sidewalls are not water tight shall be assessed 10 to 50 points based upon the size

and number of cracks, the loss of structural integrity and the access of contamination to the drinking water.

- (g) For each storage reservoir without an access ladder, or railing where required (elevated tank) 2 points shall be assessed.
- (h) For each storage reservoir with internal coatings not in compliance with ANSI/NSF standard 61 30 points shall be assessed.
 - (8) Distribution System:
- (a) A water system which fails to provide at least [20 psi]the water pressure as required in R309-105-9 at all times and at all locations within the distribution system [during peak instantaneous flow conditions] shall be assessed 50 points.
- (b) A water system using unapproved pipe and materials shall be assessed 30 points.
- (c) A water system with pipelines installed improperly without adequate clearance or separation from sewer lines shall be assessed 30 points.
- (d) For each air vacuum release valve which is not properly screened and turned down 2 points shall be assessed up to a maximum of 20 points per system.
- (e) For each flooded air vacuum release valve chamber 20 points shall be assessed up to a maximum of 50 points per system.
 - (9) Quantity requirements
- (a) A water system which does not have sufficient source capacity to meet peak daily and average yearly flow requirements shall be assessed from 5 to 50 points. The number of points shall be based upon the severity of the shortage including the number of times and duration of water outages or low pressure.
- (b) A water system which does not have sufficient storage capacity to meet average daily flow requirements shall be assessed from 5 to 50 points. The number of points shall be based upon the severity of the shortage including the number of times and duration of water outages.

KEY: drinking water, environmental protection, water system rating, administrative procedures [January 4, 2001]2006

Notice of Continuation May 16, 2005
19-4-104
63-46b-4

Environmental Quality, Drinking Water **R309-405-4**

Assessment of a Penalty and Calculation of Settlement Amounts

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28418
FILED: 12/15/2005, 13:24

RULE ANALYSIS

Purpose of the rule or reason for the change: The reason for the change is to change wording to refer to minimum water pressure described in Section R309-105-9. (DAR NOTE: The proposed amendment to Section R309-105-9 is under DAR No. 28416 in this issue.)

SUMMARY OF THE RULE OR CHANGE: This change makes reference to Section R309-105-9 so that minimum pressures associated with existing systems will not be confused with minimum pressures required for new Public Water Systems designed and constructed after March 1, 2006.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None--Since this amendment only clarifies this portion of rule and the additional water pressure requirements for new Public Water Systems, it will not require additional personnel or other funds from the state budget.
- ❖ LOCAL GOVERNMENTS: Little to None--Most, if not all, well functioning Public Water Systems operated by local government currently meet or exceed the current minimum water pressure minimums, as well as the proposed additional minimums. The design of new Public Water Systems will only require initial planning concerning storage location and distribution pipeline sizing which should not add significant cost or time.
- ❖ OTHER PERSONS: Little to None--Most engineering companies currently look to typical textbook design standards, as well as standards of other agencies such as the American Water Works Association (AWWA), the American Society of Civil Engineers (ASCE), and other nearby states when designing Public Water Systems so there should not be any additional cost or time involved.

COMPLIANCE COSTS FOR AFFECTED PERSONS: New Public Water Systems designed and constructed after March 1, 2006, should not see any costs over and above that if their system were designed with the typical capacity for anticipated growth and expansion. Some increased cost may be expected if storage tank location for adequate pressure requires additional length of transmission line.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The department agrees that the proposed changes to this rule will have little to no detrimental impact on existing water systems nor on new public water systems. Dianne R. Nielson, Executive Director

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

ENVIRONMENTAL QUALITY DRINKING WATER 150 N 1950 W SALT LAKE CITY UT 84116-3085, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Birkes at the above address, by phone at 801-536-4201, by FAX at 801-536-4211, or by Internet E-mail at bbirkes@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Kevin Brown, Director

R309. Environmental Quality, Drinking Water.
R309-405. Compliance and Enforcement: Administrative Penalty.
R309-405-4. Assessment of a Penalty and Calculation of Settlement Amounts.

- (1) Where the Executive Secretary determines that a penalty may be appropriate, the Executive Secretary shall propose a penalty amount by sending a notice of agency action, under Title 63, chapter 46b of the Administrative Procedures Act, to the public water system. The notice of agency action shall provide that the public water system may submit comments and/or information on the proposed penalty to the Executive Secretary within 30 days. The criteria the Executive Secretary will use in establishing a proposed penalty amount shall be as follows:
- (a) Major Violations: \$600 to \$1000 per day for each day of violation. This category includes violations with high potential for impact on drinking water users, major deviations from the requirements of the rules or Safe Drinking Water Act, intentional fraud, falsification of data, violations which result in a public water system being considered by the Environmental Protection Agency to be: "Significant Non-Compliers" (SNC), or violations that may have a substantial adverse effect on the regulatory program. Specific violations that are subject to a major violation category can include the following:
 - (i) Violations subject to \$1000 per day penalty:
- (A) Any violation defined by R309-220-5 which would trigger a Tier 1 public notification.
- (B) Not having any elements of a source protection plan as required in R309-600 for ground water sources and R309-605 for surface water sources.
- (C) Failure to respond to an Administrative Order issued by the Drinking Water Board.
- (D) Introduction by the water system of a source water that has not been evaluated and approved for use as a public drinking water source under R309-515[R309-204].
- (E) Construction or use of an interconnection to another public water system which has not been reviewed and approved in accordance with R309-550-9.
- (F) Having over 20 IPS points (Improvement Priority System points based on R309-150, the Water System Rating Criteria) specifically for operating pressures below that[20 psi as]] required by R309-105-9.
- (G) Having 50 IPS points specifically for an inadequate well seal as required in R309-515[R309-204].
- (H) Having over 50 IPS points (not including the deficiencies in (F) and (G) above) specifically assessed in the physical facility section of an IPS report.
- (I) Use of a surface water source without proper filtration treatment in accordance with R309-525 or 530.
- (J) Exceeding the rated water treatment plant capacity as determined by review under R309-525 or 530.
- (K) Insufficient disinfection contact time as evaluated under R309-215-7.
 - (ii) Violations subject to \$800 per day penalty:

- (A) Not having any of the required components of a cross connection control program in place as required by R309-105-12.
- (B) Any violation of the turbidity requirements outlined in R309-215-9(4)(b)(iii -iv) for individual filter turbidities using consecutive readings taken 15 minutes apart.
- (b) Moderate Violations: \$400 to \$600 per day for each day of violation. This category includes violations with a moderate potential for impact on drinking water users, moderate deviations from the requirements of the rules or Safe Drinking Water Act with some requirements implemented as intended, or violations that may have a significant notable adverse effect on the regulatory program. Specific violations that are subject to a moderate violation category can include the following:
 - (i) Violations subject to \$600 penalty:
- (A) Any violation defined by R309-220-6 which would trigger a Tier 2 public notification.
- (B) Having a disapproved status on a source protection plan (R309-600 and 605) for a period longer than 90 days.
- (C) Installation or use of disinfection equipment that has not been evaluated and approved for use under R309-520.
- (D) Having measured turbidity spikes of greater than 0.5 or 1.0 NTU in two consecutive fifteen minute readings as defined in R309-215-9(4)(b)(i) or (ii) respectively.
- (E) Insufficient source capacity, storage capacity, or delivery capacity as established by review of the system design under R309-500 through 550.
- (F) Not complying with plan approval requirements as set forth in R309-500. The term infrastructure can include the disinfection process, surface water treatment process, and physical facilities such as water treatment plants, storage reservoirs, sources and distribution piping.
- (c) Minor Violations: Up to \$400 per day for each day of violation. This category includes violations with a minor potential for impact on drinking water users, slight deviations from the rules or Act with most of the requirements implemented, or violations that may have a minor adverse effect on the regulatory program. Specific violations that are subject to a minor violation category can include the following:
 - (i) Violations subject to \$400 per day penalty:
- (A) Any violation defined by R309-220-7 which would trigger a Tier 3 public notification or a violation of the monitoring requirements of R309-515-4(5)[R309-204-4(5)], except for turbidity monitoring for surface water treatment facilities and violations termed as minor monitoring as outlined in R309-150-3 (minor bacteriological routine monitoring violation, minor bacteriological repeat monitoring violation and minor chemical monitoring violation).
- (B) Failure to upgrade a Preliminary Evaluation Report for a source protection plan as required in R309-600 and 605.
- (C) Failure to update a source protection plan as required in R309-600 and 605.
- (D) Construction or use of a storage reservoir that has not been evaluated for use under R309-545.
 - (ii) Violations subject to \$200 per day penalty:
- (A) Lacking individual components of a cross connection control program as required by R309-105-12.
- (B) Not having a certified operator on staff as required in R309-300-5(10) after 1 year or 4 operator certification exam cycles.
- (C) Any minor monitoring violation as defined by R309-150-3 (minor bacteriological routine monitoring violation, minor

- bacteriological repeat monitoring violation and minor chemical monitoring violation).
- (D) Any violation of the turbidity requirements outlined in R309-215-9(4)(b)(i-ii) for individual filter turbidities using consecutive readings taken 15 minutes apart.
- (2) The Executive Secretary will assess the penalty, if any, after reviewing information submitted by the public water system. The public water system may appeal the assessment of the penalty to the Board by requesting a formal hearing under R309-115 and the Utah Administrative Procedures Act within 30 days of the date of assessment of the penalty.

KEY: drinking water, environmental protection, administrative procedures, penalties

[June 17, 2003] 2006 Notice of Continuation May 16, 2005 19-4-104 63-46b-4

Environmental Quality, Drinking Water **R309-510-9**

Distribution System Sizing

NOTICE OF PROPOSED RULE

(Amendment) DAR FILE No.: 28419 FILED: 12/15/2005, 13:24

RULE ANALYSIS

Purpose of the rule or reason for the change: The reason for the change is to change wording to refer to minimum water pressure described in Section R309-105-9. (DAR NOTE: The proposed amendment to Section R309-105-9 is under DAR No. 28416 in this issue.)

SUMMARY OF THE RULE OR CHANGE: The change makes reference to Section R309-105-9 so that minimum pressures associated with existing systems will not be confused with minimum pressures required for new Public Water Systems designed and constructed after March 1, 2006.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

- THE STATE BUDGET: None--Since this amendment only clarifies this portion of rule and the additional water pressure requirements for new Public Water Systems, it will not require additional personnel or other funds from the state budget.
- ❖ LOCAL GOVERNMENTS: Little to None--Most, if not all, well functioning Public Water Systems operated by local government currently meet or exceed the current minimum water pressure minimums, as well as the proposed additional minimums. The design of new Public Water Systems will only require initial planning concerning storage location and distribution pipeline sizing which should not add significant cost or time.

❖ OTHER PERSONS: Little to None--Most engineering companies currently look to typical textbook design standards, as well as standards of other agencies such as the American Water Works Association (AWWA), the American Society of Civil Engineers (ASCE), and other nearby states when designing Public Water Systems so there should not be any additional cost or time involved.

COMPLIANCE COSTS FOR AFFECTED PERSONS: New Public Water Systems designed and constructed after March 1, 2006, should not see any costs over and above that if their system were designed with the typical capacity for anticipated growth and expansion. Some increased cost may be expected if storage tank location for adequate pressure requires additional length of transmission line.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The department agrees that the proposed changes to this rule will have little to no detrimental impact on existing water systems nor on new public water systems. Dianne R. Nielson, Executive Director

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

ENVIRONMENTAL QUALITY
DRINKING WATER
150 N 1950 W
SALT LAKE CITY UT 84116-3085, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Birkes at the above address, by phone at 801-536-4201, by FAX at 801-536-4211, or by Internet E-mail at bbirkes@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Kevin Brown, Director

R309. Environmental Quality, Drinking Water. R309-510. Facility Design and Operation: Minimum Sizing Requirements.

R309-510-9. Distribution System Sizing.

(1) General Requirements.

The distribution system shall be designed to insure that [a]minimum [of 20 psi exists]water pressures as required in R309-105-9 exist at all points within the system[-during peak instantaneous demand conditions]. If the distribution system is equipped with fire hydrants, the Division will require a letter from the local fire authority stating the fire flow and duration required of the area to insure the system shall be designed [to insure that a minimum of 20 psi exists]to provide minimum pressures as required in R309-105-9 to exist at all points within the system when needed fire flows are imposed upon the peak day demand flows of the system.

- (2) Indoor Use, Estimated Peak Instantaneous Demand.
- (a) For community water systems and large non-community systems, the peak instantaneous demand for each pipeline shall be assumed for indoor use as:

$$Q = 10.8 \times N^{0.64}$$

where N equals the total number of ERC's, and Q equals the total flow (gpm) delivered to the total connections served by that pipeline.

For Recreational Vehicle Parks, the peak instantaneous flow for indoor use shall be based on the following:

TABLE 510-6

Peak Instantaneous Demand for Recreational Vehicle Parks

Number of Connections	Formula
0 to 59	Q = 4N
60 to 239	$Q = 80 + 20N^{0.5}$
240 or greater	0 = 1.6N

NOTES FOR TABLE 510-6:

Q is total peak instantaneous demand (gpm) and N is the maximum number of connections. However, if the only water use is via service buildings the peak instantaneous demand shall be calculated for the number of fixture units as presented in Appendix E of the 2000 International Plumbing Code.

- (b) For small non-community water systems the peak instantaneous demand to be estimated for indoor use shall be calculated on a per-building basis for the number of fixture units as presented in Appendix E of the 2000 International Plumbing Code.
 - (3) Outdoor Use, Estimated Peak Instantaneous Demand.

Peak instantaneous demand to be estimated for outdoor use is given in Table 510-7. The procedure for determining the map zone and irrigated acreage for using Table 510-7 is outlined in Section R309-510-7(3).

TABLE 510-7

Peak Instantaneous Demand for Outdoor Use

Map Zone	Peak Instantaneous Demand
	(gpm/irrigated acre)
1	4.52
2	5.60
3	6.78
4	7.92
5	9.04
6	9.80

- (4) Fire Flows.
- (a) Distribution systems shall be designed to deliver needed fire flows if fire hydrants are provided. The design engineer shall consult with the local fire suppression authority regarding needed fire flows in the area under consideration. This information shall be provided to the Division. Where no local fire suppression authority exists, needed fire flows shall be assumed to be 1000 gpm unless the local planning commission provides a letter indicating that the system will not be required to provide any fire flows, in which case fire hydrants will not be allowed to be installed on any mains.
- (b) If a distribution system is equipped with fire hydrants, the system shall be designed to insure that [a-]minimum pressures required by R309-105-9 exist[of 20 psi exists] at all points within the system when fire flows are added to the peak day demand of the system. Refer to Section R309-510-7 for information on determining the peak day demand of the system.

KEY: drinking water, minimum sizing, water conservation [August 15, 2001]

Notice of Continuation September 16, 2002 19-4-104

Environmental Quality, Drinking Water **R309-540-6**

Hydropneumatic Systems

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28420
FILED: 12/15/2005, 13:24

RULE ANALYSIS

Purpose of the rule or reason for the change: The reason for the change is to change wording to refer to minimum water pressure described in Section R309-105-9. (DAR NOTE: The proposed amendment to Section R309-105-9 is under DAR No. 28416 in this issue.)

SUMMARY OF THE RULE OR CHANGE: The change makes reference to Section R309-105-9 so that minimum pressures associated with existing systems will not be confused with minimum pressures required for new Public Water Systems designed and constructed after March 1, 2006.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

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- ❖ THE STATE BUDGET: None--Since this amendment only clarifies this portion of rule and the additional water pressure requirements for new Public Water Systems, it will not require additional personnel or other funds from the state budget.
- ❖ LOCAL GOVERNMENTS: Little to None--Most, if not all, well functioning Public Water Systems operated by local government currently meet or exceed the current minimum water pressure minimums, as well as the proposed additional minimums. The design of new Public Water Systems will only require initial planning concerning storage location and distribution pipeline sizing which should not add significant cost or time.
- ❖ OTHER PERSONS: Little to None--Most engineering companies currently look to typical textbook design standards, as well as standards of other agencies such as the American Water Works Association (AWWA), the American Society of Civil Engineers (ASCE), and other nearby states when designing Public Water Systems so there should not be any additional cost or time involved.

COMPLIANCE COSTS FOR AFFECTED PERSONS: New Public Water Systems designed and constructed after March 1, 2006, should not see any costs over and above that if their system were designed with the typical capacity for anticipated growth and expansion. Some increased cost may be expected if

storage tank location for adequate pressure requires additional length of transmission line.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The department agrees that the proposed changes to this rule will have little to no detrimental impact on existing water systems nor on new public water systems. Dianne R. Nielson, Executive Director

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

ENVIRONMENTAL QUALITY
DRINKING WATER
150 N 1950 W
SALT LAKE CITY UT 84116-3085, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Birkes at the above address, by phone at 801-536-4201, by FAX at 801-536-4211, or by Internet E-mail at bbirkes@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Kevin Brown, Director

R309. Environmental Quality, Drinking Water. R309-540. Facility Design and Operation: Pump Stations. R309-540-6. Hydropneumatic Systems.

(1) General.

Hydropneumatic systems shall comply with all appropriate sections of R309-540-5.

Unpressurized ground level or elevated storage, designed in accordance with R309-545, shall be provided in addition to the diaphragm or air tanks. Diaphragm or air pressure tank storage shall not be considered for fire protection purposes or effective system storage.

(2) Location

If diaphragm or air tanks and appurtenances are located below ground, adequate provisions for drainage, ventilation, maintenance, and flood protection shall be made and the electrical controls shall be located above grade so as to be protected from flooding as required by R309-540-5(6)(e). Any discharge piping from combination air release/vacuum relief valves(air/vac's) or pressure relief valves located in below ground chambers shall comply with all the pertinent requirements of R309-550-6(6).

(3) Operating Pressures.

The system shall be designed to provide [a-]minimum [of 20 psi pressure] pressures in R309-105-9 at all points in the distribution system[during peak instantaneous flow conditions]. A pressure gauge shall be installed on the pressure tank inlet line.

(4) Piping

In addition to the bypass required by R309-540-5(4)(iv) on the pumps, the diaphragm or air tanks shall have sufficient bypass

piping to permit operation of the hydropneumatic system while one or more of the tanks are being repaired or painted.

(5) Pumps.

At least two pumping units shall be provided. With any pump out of service the remaining pump or pumps shall be capable of providing the peak instantaneous demand of the system as described in R309-510-9(2), while recharging the pressure tank at 115 percent of the upper pressure setting. Pump cycling shall not exceed 15 starts per hour, with a maximum of ten starts per hour preferred.

- (6) Pressure Tanks.
- (a) Pressure tanks shall meet the requirement of state and local laws and regulations for the manufacture and installation of unfired pressure vessels. Interior coatings or diaphragms used in pressure tanks that will come into contact with the drinking water shall comply with ANSI/NSF Standard 61. Non diaphragm pressure tanks shall have an access manhole, a drain, control equipment consisting of pressure gauge, water sight glass, automatic or manual air blow-off, means for adding air, and pressure operated start-stop controls for the pumps.
- (b) The minimum volume of the pressure tank or combination of tanks shall be greater than or equal to the sum of S and the value of CX divided by 4W.

where the following values are used in the equation above:

C = minutes per operating cycle, four minutes to meet the requirements of R309-540-6(5) above or preferably six minutes, and is equal to pump ON time plus pump OFF time.

X = output capacity rating of the pump(s) at the high pressure condition in the tank(s), in gpm.

W= percent of volume withdrawn during a given drop in tank pressure: specifically, between P_h and $P_l.\ W=100(P_h-P_l)/P_h$ where $P_h=$ high pressure in tank in psia (high absolute pressure) and $P_l=$ low pressure in tank is psia (low absolute pressure). Values of W range typically from 0.26 to 0.31 for pressure differentials of 15 to 30 psi and high system pressures of 45 to 85 psi at elevations of approximately 5,000 feet.

S = water seal volume in gallons, the volume of inactive water remaining in tank at low pressure condition.

(7) Air Volume.

The method of adjusting the air volume shall be acceptable to the Executive Secretary. Air delivered by compressors to the pressure tank shall be adequately filtered, oil free, and be of adequate volume. Any intake shall be screened and draw clean air from a point at least 10 feet above the ground or other source of possible contamination, unless the air is filtered by an apparatus approved by the Executive Secretary. Discharge piping from air relief valves shall be designed and installed with screens to eliminate the possibility of contamination from this source.

(8) Water Seal.

For air pressure tanks without an internal diaphragm the volume of water remaining in a air pressure tank at the lower pressure setting shall be sufficient to provide an adequate water seal at the outlet to prevent the leakage of air.

The following water seal depths shall be considered as minimum requirements.

- (a) Horizontal outlets shall maintain sufficient depth, as measured from the centerline of the horizontal outlet pipe, such that the depth is greater than or equal to the sum of d and twice the value v^2 divided by 2G.
- (b) Vertical outlets, if unbaffled, the depth shall be the same as in (a) except measured from the pipe outlet; if baffled, the depth shall be greater than or equal to the value v^2 divided by 2G.

where the following values are used in the equations above:

- v = the axial velocity in the pipe outlet for the peak instantaneous demand flow rate of the system.
 - d =the diameter of the outlet pipe in ft.
 - G =the gravitational constant of 32.2 ft/sec/sec.
 - (9) Standby Power Supply.

Where a hydropneumatic system is intended to serve a public water system, categorized as a community water system as defined in R309-110, a standby source of power shall be provided.

KEY: drinking water, pumps, hydropneumatic systems, individual home booster pumps [August 15, 2001]2006

Notice of Continuation September 16, 2002
19-4-104

Environmental Quality, Drinking Water **R309-545-7**

Location of Tanks

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28421
FILED: 12/15/2005, 13:24

RULE ANALYSIS

Purpose of the rule or reason for the change: The reason for the change is to change wording to refer to minimum water pressure described in Section R309-105-9. (DAR NOTE: The proposed amendment to Section R309-105-9 is under DAR No. 28416 in this issue.)

SUMMARY OF THE RULE OR CHANGE: The change makes reference to Section R309-105-9 so that minimum pressures associated with existing systems will not be confused with minimum pressures required for new Public Water Systems designed and constructed after March 1, 2006.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None--Since this amendment only clarifies this portion of rule and the additional water pressure requirements for new Public Water Systems, it will not require additional personnel or other funds from the state budget.
- ❖ LOCAL GOVERNMENTS: Little to None--Most, if not all, well functioning Public Water Systems operated by local government currently meet or exceed the current minimum water pressure minimums, as well as the proposed additional minimums. The design of new Public Water Systems will only require initial planning concerning storage location and distribution pipeline sizing which should not add significant cost or time.
- ❖ OTHER PERSONS: Little to None--Most engineering companies currently look to typical textbook design standards, as well as standards of other agencies such as the American

Water Works Association (AWWA), the American Society of Civil Engineers (ASCE), and other nearby states when designing Public Water Systems so there should not be any additional cost or time involved.

COMPLIANCE COSTS FOR AFFECTED PERSONS: New Public Water Systems designed and constructed after March 1, 2006, should not see any costs over and above that if their system were designed with the typical capacity for anticipated growth and expansion. Some increased cost may be expected if storage tank location for adequate pressure requires additional length of transmission line.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The department agrees that the proposed changes to this rule will have little to no detrimental impact on existing water systems nor on new public water systems. Dianne R. Nielson, Executive Director

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

ENVIRONMENTAL QUALITY
DRINKING WATER
150 N 1950 W
SALT LAKE CITY UT 84116-3085, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Birkes at the above address, by phone at 801-536-4201, by FAX at 801-536-4211, or by Internet E-mail at bbirkes@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Kevin Brown, Director

R309. Environmental Quality, Drinking Water. R309-545. Facility Design and Operation: Drinking Water Storage Tanks.

R309-545-7. Location of Tanks.

(1) Pressure Considerations.

The location of the reservoir and the design of the water system shall be such that the minimum working pressure in the distribution system [under peak day demand conditions, including fire flow, is 20 psi]shall meet the minimum pressures as required in R309-105-9.

(2) Connections.

Tanks shall be located at an elevation where present and anticipated connections can be adequately served. System connections shall not be placed at elevations such that [a-]minimum [of 20 psi]pressures as required in R309-105-9 cannot be continuously maintained.

(3) Sewer Proximity.

Sewers, drains, standing water, and similar sources of possible contamination shall be kept at least 50 horizontal feet from the reservoir.

(4) Standing Surface Water.

The area surrounding a ground-level drinking water storage structure shall be graded in a manner that will prevent surface water from standing within 50 horizontal feet of the structure.

(5) Ability to Isolate.

Drinking water storage structures shall be designed and located so that they can be isolated from the distribution system. Storage structures shall be capable of being drained for cleaning or maintenance without necessitating loss of pressure in the distribution system.

(6) Earthquake and Landslide Risks.

Potential geologic hazards shall be taken into account in selecting a tank location. Earthquake and landslide risks shall be evaluated.

(7) Security.

The site location and design of a drinking water storage reservoir shall take into consideration security issues and potential for vandalism.

KEY: drinking water, storage tanks, access, overflow and drains $[\underline{\text{November 1, 2003}}]\underline{2006}$

Notice of Continuation September 16, 2002 19-4-104

Environmental Quality, Drinking Water **R309-550-5**

Water Main Design

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28422
FILED: 12/15/2005, 13:25

RULE ANALYSIS

Purpose of the rule or reason for the change: The reason for the change is to change wording to refer to minimum water pressure described in Section R309-105-9. (DAR NOTE: The proposed amendment to Section R309-105-9 is under DAR No. 28416 in this issue.)

SUMMARY OF THE RULE OR CHANGE: The change makes reference to Section R309-105-9 so that minimum pressures associated with existing systems will not be confused with minimum pressures required for new Public Water Systems designed and constructed after March 1, 2006.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None--Since this amendment only clarifies this portion of rule and the additional water pressure requirements for new Public Water Systems, it will not require additional personnel or other funds from the state budget.
- ❖ LOCAL GOVERNMENTS: Little to None--Most, if not all, well functioning Public Water Systems operated by local government currently meet or exceed the current minimum

water pressure minimums, as well as the proposed additional minimums. The design of new Public Water Systems will only require initial planning concerning storage location and distribution pipeline sizing which should not add significant

❖ OTHER PERSONS: Little to None--Most engineering companies currently look to typical textbook design standards, as well as standards of other agencies such as the American Water Works Association (AWWA), the American Society of Civil Engineers (ASCE), and other nearby states when designing Public Water Systems so there should not be any additional cost or time involved.

COMPLIANCE COSTS FOR AFFECTED PERSONS: New Public Water Systems designed and constructed after March 1, 2006. should not see any costs over and above that if their system were designed with the typical capacity for anticipated growth and expansion. Some increased cost may be expected if storage tank location for adequate pressure requires additional length of transmission line.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The department agrees that the proposed changes to this rule will have little to no detrimental impact on existing water systems nor on new public water systems. Dianne R. Nielson, Executive Director

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

ENVIRONMENTAL QUALITY DRINKING WATER 150 N 1950 W SALT LAKE CITY UT 84116-3085, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Birkes at the above address, by phone at 801-536-4201, by FAX at 801-536-4211, or by Internet E-mail at bbirkes@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Kevin Brown, Director

R309. Environmental Quality, Drinking Water.

R309-550. Facility Design and Operation: Transmission and **Distribution Pipelines.**

R309-550-5. Water Main Design.

(1) Distribution System Pressure.

The distribution system shall be designed to maintain [a minimum [pressure of 20 psi]pressures as required in R309-105-9 (at ground level) at all points of connection, under all conditions of flow, but especially during peak day flow conditions, including fire flows.

(2) Assumed Flow Rates.

Flow rates to be assumed when designing or analyzing distribution systems shall be as given in R309-510 of these rules.

- (3) Computerized Network Analysis.
- (a) All water mains shall be sized after a hydraulic analysis based on flow demands and pressure requirements. If the calculations needed to conduct this hydraulic analysis are complex, a computerized network analysis shall be performed to verify that the distribution system will be capable of meeting the requirements of this rule.
- (b) Where improvements will upgrade more than 50% of an existing distribution system, or where a new distribution system is proposed, a hydraulic analysis of the entire system shall be prepared and submitted for review prior to plan approval.
- (c) In the analysis and design of water distribution systems, the following Hazen-William coefficients shall be used: PVC pipe = 140; Ductile Iron Pipe = 120; Cement-Mortar Lined Ductile Iron Pipe = 130 to 140.
 - (4) Minimum Water Main Size.

For water mains not connected to fire hydrants, the minimum line size shall be 4-inch diameter. Minimum water main size serving a fire hydrant lateral shall be 8-inch diameter unless a hydraulic analysis indicates that required flow and pressures can be maintained by smaller lines.

- (5) Fire Protection.
- If a public water system is required to provide water for fire suppression by the local fire authority, or if the system has installed fire hydrants on existing distribution mains for that purpose:
- (a) The design of the distribution system shall be consistent with Appendix [HI-A and III-]B of the 2003 International [1991 Uniform Fire Code. As specified in this code, minimum fire-flow requirements are:
- (i) 1000 gpm for one- and two-family dwellings with an area of less than 3600 square feet.
 - (ii) 1500 gpm or greater for all other buildings.
- (b) The location of fire hydrants shall be consistent with Appendix [HI-B]C of the 2003 International[1991 Uniform] Fire Code. As specified in this code, average spacing between hydrants must be no greater than 500 ft.
- (c) An exception to the fire protection requirements of (a) and (b) may be granted if a suitable statement is received from the local fire protection authority.
- (d) Water mains not designed to carry fire flows shall not have fire hydrants connected to them.
- (e) The design engineer shall verify that the pipe network design permits fire-flows to be met at representative locations while [a]minimum pressures as required in R309-105-9 are [of 20 psi is] maintained at all times and at all points in the distribution system.
- (f) As a minimum, the flows to be assumed during a fire-flow analysis shall be the "peak day demand" plus the fire flow requirement.
 - (6) Geologic Considerations.

The character of the soil through which water mains are to be laid shall be considered. This information shall accompany any submittal for a pipeline project.

- (7) Dead Ends.
- (a) In order to provide increased reliability of service and reduce head loss, dead ends shall be minimized by making appropriate tie-ins whenever practical.

(b) Where dead-end mains occur, they shall be provided with a fire hydrant if flow and pressure are sufficient, or with an approved flushing hydrant or blow-off for flushing purposes. Flushing devices shall be sized to provide flows which will give a velocity of at least 2.5 fps in the water main being flushed. No flushing device shall be directly connected to any sewer.

(8) Valves.

Sufficient valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves shall be located at not more than 500 foot intervals in commercial districts and at not more than one block or 800 foot intervals in other districts. Where systems serve widely scattered customers and where future development is not expected, the valve spacing shall not exceed one mile.

(9) Corrosive Soils.

The design engineer shall consider the materials to be used when corrosive soils or waters will be encountered.

(10) Special Precautions in Areas of Groundwater Contamination by Organic Compounds.

Where distribution systems are installed in areas of groundwater contaminated by organic compounds:

- (a) pipe and joint materials which are not subject to permeation of the organic compounds shall be used.
- (b) non-permeable materials shall be used for all portions of the system including water main, service connections and hydrants leads.
- (11) Separation of Water Mains from Other Sources of Contamination.

Design engineers shall exercise caution when locating water mains at or near certain sites such as sewage treatment plants or industrial complexes. Individual septic tanks shall be located and avoided. The engineer shall contact the Division to establish specific design requirements for locating water mains near any source of contamination.

KEY: drinking water, transmission and distribution pipelines, connections, water hauling [August 15, 2001]

Notice of Continuation September 16, 2002 19-4-104

Health, Health Care Financing, Coverage and Reimbursement Policy **R414-3A**

Outpatient Hospital Services

NOTICE OF PROPOSED RULE

(Repeal and Reenact) DAR FILE No.: 28414 FILED: 12/15/2005, 09:23

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rulemaking is necessary to clarify outpatient hospital services policy and to implement it into rule pursuant to recent legislation (H.B. 126 (2003)) found in Subsection 26-18-

3(2)(a). (DAR NOTE: H.B. 126 (2003) is found at UT L 2003 Ch 324, and was effective 05/05/2003.)

SUMMARY OF THE RULE OR CHANGE: This new rule contains substantive provisions not contained in the old rule. For example, it removes from the definition of "Other Practitioner of the Healing Arts," the term "doctor of osteopathy," contains specific client eligibility requirements, lists service coverage for sleep studies, hyperbaric oxygen therapy, and lithotripsy, and includes provisions and methodology for reimbursement. Conversely, the old rule lists the contractors that are assigned to provide outpatient psychiatric services within the prepaid mental health plan, while the new rule does not specifically list this information.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-1-5 and 26-18-3, and 42 CFR 440.20

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: There is no impact to the state budget associated with this rulemaking because the policy for outpatient hospital services is only clarified and implemented in rule pursuant to recent legislation found in Subsection 26-18-3(2)(a).
- ❖ LOCAL GOVERNMENTS: There is no budget impact to local governments as a result of this rulemaking because the policy for outpatient hospital services is only clarified and implemented in rule pursuant to recent legislation found in Subsection 26-18-3(2)(a).
- ❖ OTHER PERSONS: There is no budget impact to other persons as a result of this rulemaking because the policy for outpatient hospital services is only clarified and implemented in rule pursuant to recent legislation found in Subsection 26-18-3(2)(a).

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs because the policy for outpatient hospital services is only clarified and implemented in rule pursuant to recent legislation found in Subsection 26-18-3(2)(a).

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rulemaking, if adopted after public comment, will not change reimbursement to providers in the Medicaid program. It should not have a negative fiscal impact on any regulated business. David N. Sundwall, MD, Executive Director

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
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:

Craig Devashrayee at the above address, by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: David N. Sundwall, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-3A. Outpatient Hospital Services.

[R414-3A-100. Authority and Purpose.

- (1) This rule defines the scope of outpatient hospital services available to Medicaid clients.
- (2) Outpatient hospital services are required under Section 1901 et seq. and Section 1905(a)(2) of the Social Security Act, and by 42 CFR 440.20 (October 1, 1991, edition).
- (3) This rule is authorized by Sections 26-1-5, 26-1-15, and 26-18-6, and by Subsections 26-18-3(2) and 26-18-5(3) and (4).

R414-3A-200. Definitions.

- (1) Terms used in this rule are defined in R414-1-1.
 - (2) In addition:
- (a) "CHEC" stands for Childhood Health Evaluation and Care, which is the Utah-specific term for the federally mandated program of early and periodic screening, diagnosis, and treatment for children under the age of 21:
- (b) "covered Medicaid service" means a service available to the eligible Medicaid client within the constraints of Medicaid policy and criteria for approval of the service;
- (e) "Emergency Services Only Program" refers to a health program designed to cover a specific range of emergency services;
- (d) "EPSDT" stands for Early and Periodic Screening, Diagnosis, and Treatment, which is a federal program applicable to children under age 21;
- (e) "other practitioner of the healing arts" means a doctor of osteopathy, doctor of dental surgery or dental medicine, or doctor of podiatric medicine;
- (f) "outpatient" means an individual who is receiving professional services at a hospital, or distinct part of a hospital, that is not providing professional services and room and board on a continuous 24 hour a day basis;
- (g) "outpatient hospital" or "hospital" means a facility that:
- (i) is in, or physically connected to, a hospital licensed by the department as a general hospital, as defined by Section 26-21-2(8), and meets the standards set forth in R432-100 and 42 CFR Part 482 (October 1, 1991, edition);
- (ii) meets the requirements for participation in the Medicare program; and
- (iii) has a current provider agreement with the department;
- (h) "personal supervision" means critical observation and guidance by a physician of a nonphysician's activities within the nonphysician's licensed scope of service;
- (i) "prior authorization" means the degree of Medicaid agency approval for payment of services that a provider is required to obtain before providing services;
- (j) "take home supplies" means any medical supplies or equipment to be utilized by the patient at home for follow-up care.

R414-3A-300. Program Access Requirements.

- (1) Outpatient hospital services may be provided only to a client who is under the care of a physician or other practitioner of the healing arts.
- (2) Outpatient hospital services and supplies must be furnished:
 - (a) in a hospital;
 - (b) by hospital personnel;
- (e) under hospital medical staff supervision; and
- (d) according to the written orders of a physician or other practitioner of the healing arts.
- (3) All outpatient hospital services are subject to review by the department.
- (4) Outpatient hospital psychiatric services are covered Medicaid services for clients who live in the counties identified in Table 1 only when such services are coordinated through the contractor identified for the specified county:

		TABLE 1
1.	Counties:	- Salt Lake County
		- Summit County
	Contractor:	Salt Lake Valley Mental Health,
		- Salt Lake City, Utah
H.	Counties:	- Carbon County
		- Emery County
		- Grand County
	Contractor:	Four Corners Community Mental Health Center,
		-Price, Utah
HH.	Counties:	Beaver County
		- Garfield County
		- Kane-County
		- Iron County
		- Washington County
	Contractor:	Southwest Utah Mental Health Center,
		St. George, Utah

R414-3A-400. Services.

- (1) Outpatient hospital services encompass medically necessary diagnostic and therapeutic services or supplies that are ordered by a physician or other practitioner of the healing arts and appropriate for the adequate diagnosis or treatment of a client's illness.
 - (2) Outpatient hospital services include:
- (a) the service of nurses or other personnel necessary to complete the service and provide patient care during the provision of service;
 - (b) the use of hospital facilities, equipment, and supplies; and
- (e) the technical portion of clinical laboratory and radiology services.
- (3) Services associated with pregnancy, labor, and delivery are covered Medicaid services.
 - (4) Cosmetic, reconstructive, or plastic surgery is limited to:
 - (a) correction of a congenital anomaly;
- (b) restoration of body form following an accidental injury; or
- (c) revision of severe disfiguring and extensive scars resulting from neoplastic surgery.
- (5) Abortion procedures are limited to those certified as medically necessary, approved by division consultants, and determined to meet the requirements of Section 26-18-4 and 42 CFR 441.203 (October 1, 1991, edition), which is incorporated by reference.
- (6) Sterilization procedures are limited to those that meet the requirements of 42 CFR 441, Subpart F (October 1, 1991, edition), which is incorporated by reference.

- (7) Outpatient hospital psychiatric services are limited to services provided in an outpatient unit of a hospital that is licensed or approved for psychiatric care.
- (8) Nonphysician psychosocial counseling services shall be provided only by a licensed psychologist; and are limited to psychosocial evaluations for:
 - (a) mentally retarded persons;
- (b) cases identified through a CHEC/EPSDT screening; or
 - (c) victims of sexual abuse.
- (9) Occupational therapy is limited to cases identified and approved through a CHEC/EPSDT screening.

R414-3A-500. Limitations.

- (1) Outpatient hospital services are limited to services accepted by the department as medically necessary and appropriate services and may exclude some unique services established by hospitals as outpatient services as set forth on the department prior approval list.
- (2) Treatment of syndromes or disorders for which no specific therapies have been identified except for therapies that border on behavior modification or experimental or unproven practices, or for which medical necessity, appropriate utilization, and cost effectiveness cannot be assured, are not dovered Medicaid services. The treatments are:
- (a) treatment of sleep apnea, or sleep studies, or both;
- (b) pain clinic services;
- (c) treatment of eating disorders.
- (3) Miscellaneous supplies, dressings, and durable medical equipment are not covered take home supplies.
- (4) Outpatient prescriptions are not a covered Medicaid benefit for a patient with the designation "Emergency Services Only Program" printed on his Medical Identification Card.
- (5) Cosmetic, reconstructive, and plastic surgery procedures other than those specified in R414-3A-400(4) are excluded from coverage, including all related services, supplies, and any institutional costs.

R414-3A-600. Prior Authorization.

- (1) Selected medical and surgical procedures, documented in the Division of Health Care Financing Medical and Surgical Procedures Prior Authorization List, April 1, 1992, which is incorporated by reference and maintained in the Outpatient Hospital Provider Manual, require prior authorization. Some procedures on this list are also limited to place of service. This list defines the prior authorization requirements for specific procedures referenced in Subsections R414-3A-600(2), (3), and (4), and is updated yearly in accordance with the federally mandated Health Common Procedure Coding System (HCPCS) update and in accordance with R414-26. Other related documentation determined by the department to be necessary to determining the appropriateness and medical necessity of proposed services may be requested.
- (2) Sterilization procedures require prior authorization and consent.
- (3) Abortion procedures require prior authorization and consent-
- (4) Outpatient hospital psychiatric services require prior authorization after the first 12 sessions per calendar year.

R414-3A-800. Co-payment Policy.

This rule establishes Medicaid co payment policy for outpatient hospital services for Medicaid clients who are not in any of the

- federal categories exempted from co-payment requirements. The rule is authorized by 42 CFR 447.15 and 447.50, Oct. 1, 2000 ed., which are adopted and incorporated by reference.
- (1) The Department shall impose a co-payment in the amount of \$2 for each outpatient visit when a non-exempt Medicaid client, as designated on his Medicaid card, receives that outpatient service. The Department shall limit the out-of-pocket expense of the Medicaid client to \$100 annually. (Co-payments for pharmacy services will continue to be limited to \$5.00 per month.)
- (2) The Department shall deduct \$2 from the reimbursement paid to the provider for each outpatient visit, up to the \$100 annually for each client.
- (3) The provider should collect the co-payment amount from the Medicaid client for each outpatient visit, limited to one per day.
- (4) Medicaid clients in the following categories are exempt from co-payment requirements:
 - (a) children;
 - (b) pregnant women;
 - (e) institutionalized individuals;
- (d) individuals whose total gross income, before exclusions or deductions, is below the Temporary Assistance to Needy Families (TANF) standard payment allowance. These individuals must indicate their income status to their eligibility case worker on a monthly basis to maintain their exemption from the co-payment requirements.
- (5) Outpatient services for family planning purposes are exempt from the co-payment requirements.]

R414-3A-1. Introduction and Authority.

This rule defines the scope of outpatient hospital services available to Medicaid clients for the treatment of disorders other than mental disease. This rule is authorized under Utah Code 26-18-3 and governs the services allowed under 42 CFR 440.20.

R414-3A-2. Definitions.

- (1) "Allowed charges" mean actual charges submitted by the provider less any charges for non-covered services.
- (2) "CHEC" means Child Health Evaluation and Care and is the Utah specific term for the federally mandated program of Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) for children under the age of 21.
- (3) "Clinical Laboratory Improvements Act" (CLIA) is the Centers for Medicare and Medicaid Services (CMS) program that limits reimbursement for laboratory services based on the equipment and capability of the physician or laboratory to provide an appropriate, competent level of laboratory service.
- (4) "Hyperbaric Oxygen Therapy" is therapy that places the patient in an enclosed pressure chamber for medical treatment.
- (5) "Other Practitioner of the Healing Arts" means a doctor of dental surgery or a podiatrist.
- (6) "Outpatient" means professional services provided for less than a 24-hour period regardless of the hour of admission, whether or not a bed is used, or whether or not the patient remains in the facility past midnight.
- (7) "Prepaid Mental Health Plan" means the prepaid, capitated program through which the Department pays contracted community mental health centers to provide all needed inpatient and outpatient mental health services to residents of the community mental health center's catchment area who are enrolled in the plan.

R414-3A-3. Client Eligibility Requirements.

Outpatient hospital services are available to categorically and medically needy individuals who are under the care of a physician or other practitioner of the healing arts.

R414-3A-4. Program Access Requrements.

- (1) The Department reimburses for outpatient hospital services and supplies only if they are:
 - (a) furnished in a hospital;
- (b) provided by hospital personnel by or under the direction of a physician or dentist;
- (c) provided as evaluation and management of illness or injury under hospital medical staff supervision and according to the written orders of a physician or dentist.
- (2) All outpatient hospital services are subject to review by the Department.

R414-3A-5. Prepaid Mental Health Plan.

A Medicaid client residing in a county for which a prepaid mental health contractor provides mental health services must obtain authorization for outpatient psychiatric services from the prepaid mental health contractor for the client's county of residence.

R414-3A-6. Services.

- (1) Services appropriate in the outpatient hospital setting for adequate diagnosis and treatment of a client's illness are limited to less than 24 hours and encompass medically necessary diagnostic, therapeutic, rehabilitative, or palliative medical services and supplies ordered by a physician or other practitioner of the healing arts.
 - (2) Outpatient hospital services include:
- (a) the service of nurses or other personnel necessary to complete the service and provide patient care during the provision of service;
- (b) the use of hospital facilities, equipment, and supplies; and
- (c) the technical portion of clinical laboratory and radiology services.
- (3) Laboratory services are limited to tests identified by the Centers for Medicare and Medicaid Services (CMS) where the individual laboratory is CLIA certified to provide, bill and receive Medicaid payment.
 - (4) Cosmetic, reconstructive, or plastic surgery is limited to:
 - (a) correction of a congenital anomaly;
 - (b) restoration of body form following an injury; or
- (c) revision of severe disfiguring and extensive scars resulting from neoplastic surgery.
- (5) Abortion procedures are limited to procedures certified as medically necessary, cleared by review of the medical record, approved by division consultants, and determined to meet the requirements of Utah Code 26-18-4 and 42 CFR 441.203.
- (6) Sterilization procedures are limited to those that meet the requirements of 42 CFR 441, Subpart F.
- (7) Nonphysician psychosocial counseling services are limited to evaluations and may be provided only through a prepaid mental health plan by a licensed clinical psychologist for:
 - (a) mentally retarded persons;
- (b) cases identified through a CHEC/EPSDT screening; or
 - (c) victims of sexual abuse.
- (8) Outpatient individualized observation of a mental health patient to prevent the patient from harming himself or others is not covered.

- (9) Sleep studies are only available in a sleep laboratory approved by the Board of Polysomnography Technologists. The laboratory must be staffed with at least one sleep medicine physician and one registered polysomnography technologist. The physician must be certified by the American Academy of Sleep Medicine. The polysomnography technologist must be registered through the Board of Polysomnography Technologists.
- (10) Hyperbaric Oxygen Therapy is limited to service in a hospital facility in which the hyberbaric unit has been accredited or approved by the Undersea and Hyperbaric Medical Society.
- (11) Lithotripsy is covered by an all-inclusive fixed fee. This payment covers all hospital and ambulatory surgery-related services for lithotripsy on the same kidney for 90 days, including repeat treatments. Lithotripsy for treatment of the other kidney is a separate service.
- (12) Reimbursement for services in the emergency department is limited to codes and diagnoses that are medically necessary emergency services as described in the provider manual. The diagnosis reflecting the primary reason for emergency services must be used and must be one of the first five diagnoses listed on the claim form.
- (13) Take home supplies and durable medical equipment are not reimbursable.
- (14) Prescriptions are not a covered Medicaid service for a client with the designation "Emergency Services Only Program" printed on the Medicaid Identification Card.

R414-3A-7. Prior Authorization.

<u>Prior authorization must be obtained on certain medical and surgical procedures in accordance with R414-1-14.</u>

R414-3A-8. Copayment Policy.

Each Medicaid client is responsible for a copayment as established in the Utah State Medicaid Plan and incorporated by reference in R414-1.

R414-3A-9. Reimbursement for Services.

- (1) Except for emergency room, lithotripsy, laboratory and radiology services, the payment level for outpatient hospital claims is based on 77% of allowed charges for urban hospitals and 93% of allowed charges for rural hospitals.
- (2) Payments for emergency room services vary depending on urban and rural designation and whether the service is designed as "emergency" or "non-emergency." The "emergency" designation is based on the principal diagnosis according to ICD-9 Code. Rural hospitals receive 98% of charges for emergency services and 65% for non-emergency use of the emergency room. Urban hospitals receive 98% of charges for emergencies and 40% of charges for non-emergency use of the emergency room.
- (3) Payment for laboratory and radiology services provided in a hospital to outpatients is based on HCPCS codes and an established fee schedule, unless a lesser amount is billed. The fee schedule used to pay physicians is used to establish payment rates.
- (4) Billed charges shall not exceed the usual and customary charge to private pay patients.
- (5) Payments for all outpatient services are limited to the aggregate annual amount Medicare would pay for the same services as required by 42 CFR 447.321.

KEY: [m]Medicaid [November 1, 2001]2006 Notice of Continuation November 26, 2002 26-1-5 [26-1-15]26-18-2.3 26-18-3(2) [26-18-5(4) 26-18-6 [26-18-4]

Human Services, Child Protection Ombudsman (Office of)

R515-1

Processing Complaints Regarding the Utah Division of Child and Family Services

NOTICE OF PROPOSED RULE

(New Rule)
DAR FILE No.: 28401
FILED: 12/09/2005, 08:40

RULE ANALYSIS

Purpose of the rule or reason for the change: Pursuant to Subsection 62A-4a-208(4), the Office of Child Protection Ombudsman is required to make rules regarding the receiving, processing, and investigation of complaints regarding the Utah Division of Child and Family Services (DCFS).

SUMMARY OF THE RULE OR CHANGE: The proposed new rule outlines the receiving and processing of complaints; notification to complainants and DCFS regarding a decision to investigate or to decline to investigate a complaint; prioritizing workload; investigative time frames; notifying complainants and the DCFS regarding the results of an investigation; and making recommendations based on the investigative findings.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 62A-4a-208(4)

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None--This is an existing process that already has an existing budget; therefore, there are no costs or savings to the state of Utah.
- ❖ LOCAL GOVERNMENTS: None--This process only affects DCFS and has no affect on local government.
- ❖ OTHER PERSONS: None—This rule is related only to the receiving and processing of complaints from persons with a grievance regarding DCFS. There is no cost to the individuals filing a complaint.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule is related only to the receiving and processing of complaints

from persons with a grievance regarding DCFS. There is no cost to the individuals filing a complaint.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule does not have any fiscal impact on any businesses, as it is a rule related only to the receiving and processing of complaints regarding DCFS. Lisa-Michele Church, Executive Director

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

HUMAN SERVICES
CHILD PROTECTION OMBUDSMAN (OFFICE OF)
Room 422
120 N 200 W
SALT LAKE CITY 84103-1500, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol Cook at the above address, by phone at 801-538-4626, by FAX at 801-538-3942, or by Internet E-mail at cacook@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: Lisa-Michele Church, Executive Director

R515. Human Services, Child Protection Ombudsman (Office

R515-1. Processing Complaints Regarding the Utah Division of Child and Family Services.

R515-1-1. Purpose.

(1) The purpose of this rule is to outline the processing of complaints regarding the Utah Division of Child and Family Services.

R515-1-2. Statutory Authority.

(1) Pursuant to Section 62A-4a-208, the Office of Child Protection Ombudsman is authorized to receive and investigate complaints regarding the Utah Division of Child and Family Services and develop rules relating to Office procedures.

R515-1-3. Definitions.

- (1) "Ombudsman's Office" means the Office of Child Protection Ombudsman.
- (2) "Complainant" means a Person who files a complaint with the Ombudsman's Office.
- (3) "Division" means the Utah Division of Child and Family Services.
- (4) "Services Review Analyst" means an employee of the Ombudsman's Office assigned to conduct investigations of complaints.
- (5) "Complaint" means a grievance filed with the Ombudsman's Office regarding the Division or its employees.

R515-1-4. Receiving and Processing Complaints.

- (1) The complainant may file a written, oral, or electronic complaint with the Ombudsman's Office no later than 18 months from the date of the alleged circumstances giving rise to the complaint.
 - (2) The complaint shall include:
- (a) A summary of the alleged circumstances giving rise to the complaint.
 - (b) The names of persons involved in the complaint.
- (c) A summary of the actions taken by the complainant to resolve the complaint.
 - (d) The anticipated outcome the complainant is seeking.
- (e) The complainant may request that the Ombudsman's Office conduct an investigation of the complaint.
- (3) If there has been no attempt to resolve the complaint with the Division, the Ombudsman's Office may refer the complaint to the Division for a response.
- (4) The Ombudsman's Office will notify the complainant in writing of the decision made to accept or deny an investigation request.
- (5) If an investigation request is accepted the Services Review Analyst shall:
- (a) Interview the complainant and gather information as necessary to determine the validity of the complaint.
 - (b) Document the findings of the investigation.
- (c) Make recommendations to the Division to address the complaints found to be valid as needed. The Division must respond as per R512-75-4.
- (6) The investigation will be completed within 180 days from the date of filing the complaint, taking into consideration extenuating circumstances such as the complexity of the case or workload.
- (7) The Ombudsman's Office will notify the complainant in writing upon the completion of the investigation.
- (8) If a complaint indicates there is an immediate risk to the safety of a child or children, the Ombudsman's Office will immediately notify the Division.

KEY: complaint, DCFS, ombudsman, investigation 2006 62A-4a-208(4)

Human Services, Recovery Services **R527-35**

Non-IV-A Fee Schedule

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28412
FILED: 12/14/2005, 08:37

RULE ANALYSIS

Purpose of the rule or reason for the change: This rule is being changed to waive the fee for locate only services if the case was closed within the last 12 months because the noncustodial parent could not be found or was in a foreign

jurisdiction. It is also being changed to add a new fee for the Child Support Lien Network (CSLN).

SUMMARY OF THE RULE OR CHANGE: This rule is being changed to waive the fee for locate only services if the case was closed within the last 12 months because the noncustodial parent could not be found or was in a foreign jurisdiction. It is also being changed to add a new fee for the CSLN. CSLN matches noncustodial parents with insurance settlements. When a match is received, the fee of \$52 is charged to the Office of Recovery Services (ORS). This fee is being recovered from the insurance settlement when a levy is processed. If no levy is processed, the fee will not be recovered.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-11-107

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: Every match will be charged the CSLN fee but only those levied upon will recover the cost; unrecovered costs will be funded from currently budgeted state funds. Waiving the fee for parent only locates within the last 12 months of closure will result in negligible or no loss of fees, because parents rarely request the parent locate only service.
- ❖ LOCAL GOVERNMENTS: Administrative rules of ORS do not apply to local government.
- ❖ OTHER PERSONS: No cost to other persons is anticipated. There will be a small cost savings to a parent wanting locate only services if the case was closed within the last 12 months because the noncustodial parent could not be found or was in a foreign jurisdiction because the locate only fee is waived.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The cost of \$52 per levy processed through CSLN is passed on to the customer.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The cost benefit ratio for CSLN match/levying is expected to be 28:1 (total collections/cost) and most of the cost will be passed to the customer when a levy is processed. Since the cost is being passed to the customer, there will be no cost to businesses. Lisa-Michele Church, Executive Director

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

HUMAN SERVICES RECOVERY SERVICES 515 E 100 S SALT LAKE CITY UT 84102-4211, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Kristen Lowe at the above address, by phone at 801-536-0347, by FAX at 801-536-8833, or by Internet E-mail at klowe@utah.gov

Interested persons may present their views on this rule by submitting written comments to the address above no later than $5:00\ PM$ on 02/14/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2006

AUTHORIZED BY: Mark Brasher, Acting Director

R527. Human Services, Recovery Services. R527-35. Non-IV-A Fee Schedule. R527-35-1. Non-IV-A Fee Schedule.

Pursuant to 45 CFR 302.33 (2001) the Office of Recovery Services may charge an applicant or recipient of child support services who is not receiving IV-A financial assistance or Medicaid, one or more fees for specific services. These fees are itemized below:

The following fee, which has been established by the federal government:

1. the full IRS enforcement fee of \$122.50 is charged if a case qualifies for full IRS collection services, the obligee requests those services, and the amount of the child support obligation is certified for those services by the United States Secretary of the Treasury.

The following fees, which have been established by the Office:

- 1. a Parent Locator Service fee of \$20.00. This fee is waived if the case was closed within the last 12 months for the reason CTF (cannot find the non-custodial parent) or AFC (non-custodial parent lives in a foreign jurisdication);
- 2. the cost of genetic testing if the alleged father is excluded as the biological father;
- 3. an administrative fee of \$5.00 per payment processed, not to exceed \$10.00 per month;
- 4. a fee of \$25.00, to be paid at the time the obligor's federal tax refund is intercepted to offset a Non-IV-A support arrearage if the refund is \$50.00 or more. If the refund is more than \$25.00 but less than \$50.00, the fee is the refund amount minus \$25.00[-].
- 5. the Child Support Lien Network (CSLN) fee of \$52.00, to be paid at the time the levy is processed.

KEY: child support [April 2, 2002]2006 Notice of Continuation January 24, 2002 62A-11-107

Transportation, Motor Carrier, Ports of Entry

R912-11

Overweight and/or Oversize Permitted Vehicle Restrictions on Certain Highways Throughout the State of Utah

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28415
FILED: 12/15/2005, 13:00

RULE ANALYSIS

Purpose of the Rule or Reason for the Change: This amendment is issued in order to add additional routes in order to protect them from further, significant deterioration.

SUMMARY OF THE RULE OR CHANGE: This rule adds additional restrictions to State Routes 20, 89, 65, 66, 92, and 150.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 72-1-201

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: There should be no affect on the state budget unless the Utah Highway Patrol incurs additional patrolling costs to ensure compliance. Those costs, if any, cannot be estimated.
- LOCAL GOVERNMENTS: This rule does not affect local governments so there should be no affect on their budgets.
- OTHER PERSONS: The additional restrictions may face increased costs if they need to divert traffic or get permits.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The additional restrictions may face increased costs if they need to divert traffic or get permits.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: These restrictions are necessary to preserve public safety and the highway system. The costs, if any, are insignificant when balanced against the gain to the public. John R. Njord, Executive Director

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

TRANSPORTATION
MOTOR CARRIER, PORTS OF ENTRY
CALVIN L RAMPTON COMPLEX
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@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN $5:00\ PM$ on 01/31/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/01/2006

AUTHORIZED BY: John R. Njord, Executive Director

R912. Transportation, Motor Carrier, Ports of Entry. R912-11. Overweight and/or Oversize Permitted Vehicle Restrictions on Certain Highways Throughout the State of Utah. R912-11-1. Purpose.

The purpose of this rule is to ensure safety for the commercial/specialized carrier industry and the general motoring

public by clearly defining oversize and/or overweight permitted vehicle restrictions, including certified pilot/escort vehicle requirements, for certain highways throughout the State of Utah. These highways present hazards above and beyond the typical highway due to sight distance, curvatures, significant grades and other geometric conditions.

R912-11-2. Exceptions.

- (1) The Department may grant written authorization for vehicles engaged in public works projects with an origin or destination within the restricted portion of the highways listed below
- (2) Longer Combination Vehicles (LCVs) are exempt from additional pilot/escort vehicle requirements.
- (3) The Department may grant temporary waivers to highway prohibitions provided additional police and/or certified pilot/escort vehicles are required. Other safety measures (i.e., road closure, utility vehicle escorts, time of day limitations, etc.) may be required before a waiver is granted.

R912-11-3. State Route 6 from the Nevada/Utah State Line to Delta.

Vehicles or loads exceeding 14 feet 6 inches in width must have authorization from the UDOT, Motor Carrier Division. This authorization can be obtained by calling (801) 965-4508.

R912-11-4. State Route 9 from Hurricane (Reference Post 10) to La Verkin (Reference Post 13).

Vehicles or loads exceeding 12 feet in width require two certified pilot/escort vehicles.

R912-11-5. State Route 9 from the Junction of State Route 17 Eastbound to Zion National Park and from State Route 89 West to Zion National Park.

- (1) Vehicles/loads exceeding 8 feet 6 inches in width requires one certified pilot/escort vehicle.
- (2) Vehicles/loads exceeding 10 feet in width require two certified pilot/escort vehicles.
- (3) Vehicles/loads exceeding 14 feet in width require, in addition to certified pilot/escort vehicles, two police escorts.
- (4) Commercial vehicles, regardless of dimensions, are prohibited through Zion National Park.

R912-11-6. State Route 12 Between the Junctions of State Route 89 and State Route 24 (near Torrey, Utah).

- (1) Vehicles/loads exceeding 10 feet in width require one certified pilot/escort vehicle.
- (2) Vehicles/loads exceeding 12 feet in width require two certified pilot/escort vehicles.
- (3) Vehicles/loads exceeding 14 feet in width require, in addition to certified pilot/escort vehicles, two police escorts.

R912-11-7. State Route 14 Between Reference Post 2 and Reference Post 19.

- (1) Vehicles/loads exceeding 8 feet 6 inches in width require one certified pilot/escort vehicle.
- (2) Vehicles/loads exceeding 10 feet in width require two certified pilot/escort vehicles.
 - (3) Vehicles/loads exceeding 12 feet in width are prohibited.

R912-11-8. State Route 17 Between Interstate 15 (RP 0) and La Verkin (RP 6.07).

- (1) Vehicles or loads exceeding 10 feet in width require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 12 feet in width require two certified pilot/escorts vehicles.

R912-11-9. State Route 20 Between Interstate 15 (RP 0) and State Route 89 (RP 21).

[Vehicles or loads exceeding 10 feet in width and 75 feet in length are prohibited.] Vehicles or loads exceeding 10 feet in width and 75 feet in length require one certified pilot/escort vehicle.

R912-11-10. State Route 24 Between State Route 12 (Torrey) and State Routes 24 and 95 (Hanksville).

- (1) Vehicles or loads exceeding 10 feet in width require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 12 feet in width require two certified pilot/escort vehicles.

R912-11-11. State Route 29 Between Orangeville and Joe's Valley Reservoir.

Vehicles or loads exceeding 95 feet in length or 10 feet in width require two certified pilot/escort vehicles.

R912-11-12. State Route 31 West of Electric Lake Between RP 22 and RP 0.

- (1) Vehicles or loads exceeding 10 feet in width and/or 80 feet in length require one certified pilot/escort Vehicle.
 - (2) Vehicles or loads exceeding 12 feet in width are prohibited.

R912-11-13. State Route 39 Between State Route 203 (Harrison Blvd at RP 9) and Pineview Reservoir.

Vehicles or loads exceeding 10 feet in width are prohibited.

R912-11-14. State Route 39 Between Pineview Reservoir and State Route 16 (Woodruff at RP 67).

Vehicles or loads exceeding 10 feet in width and/or 80 feet in length require two certified pilot/escort vehicles.

R912-11-15. State Route 43 and 44 Between Wyoming (RP 0) and State Route 191 (RP 28).

Vehicles or loads exceeding 95 feet in length require two certified pilot/escort vehicles.

R912-11-16. State Route 46 Between the Colorado State line and RP 18.

- (1) Vehicles or loads exceeding 10 feet in width and/or 80 feet in length require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 12 feet in width and/or 110 feet in length are prohibited.

R912-11-17. State Route 56 Between Cedar City (RP 61) and the Nevada State Line (RP 0).

- (1) Vehicles or loads exceeding 12 feet in width require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 14 feet in width require two certified pilot/escort vehicles.

R912-11-18. State Route 59 Between RP 19 and RP 23 (Hurricane Hill).

- (1) Vehicles or loads exceeding 12 feet in width and/or 85 feet in length require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 14 feet in width and/or 95 feet in length require two certified pilot/escort vehicles.
- (3) Vehicles or loads exceeding 14 feet 6 inches in width must have authorization from the UDOT, Motor Carrier Division. This authorization can be obtained by calling (801) 965-4508.

R912-11-19. State Route 65 Between Interstate 80 and Interstate 84.

Vehicles or loads exceeding 80,000 pounds GVW are prohibited.

R912-11-20. State Route 66 Between State 65 and Interstate 84.

Vehicles or loads exceeding 80,000 pounds GVW are prohibited.

R912-11-[19]<u>21</u>. Logan Canyon Between RP 373 and RP 415.

- (1) Vehicles or loads exceeding 10 feet in width and/or 80 feet in length require one certified pilot/escort vehicle.
 - (2) Vehicles or loads exceeding 12 feet in width are prohibited.

R912-11-[20]<u>22</u>. State Route 89 Between Kanab and Interstate 70.

Vehicles or loads exceeding 10 feet in width and 75 feet in length require one certified pilot/escort vehicle.

R912-11-[24]23. State Route 92 Between Highway 189 (Provo Canyon) and the Sundance Ski Resort.

All oversize loads require two certified pilot/escort vehicles <u>and</u> two police escort vehicles.

R912-11-[22]24. State Route 128 Between Interstate 70 and State Route 191 (RP 0 - RP 42).

All oversize and vehicles or loads exceeding 55,000 pounds GVW are prohibited.

R912-11-[23]25. State Route 143 Between RP 3 and RP 20 (Brian Head).

- (1) Vehicles or loads exceeding 8 feet 6 inches in width require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 10 feet in width require two certified pilot/escort vehicles.
- (3) Vehicles or loads exceeding 12 feet in width and 65 feet in length are prohibited.

R912-11-26. State Route 150 Between Utah/Wyoming Border and State Route 32 in Kamas, Utah.

Vehicles or loads exceeding 80,000 pounds GVW are prohibited.

R912-11-[24]27. State Route 153 Between RP 9 to RP 20 (Elk Meadows).

- (1) Vehicles or loads exceeding 8 feet 6 inches in width require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 10 feet in width and 65 feet in length are prohibited.

R912-11-[25]28. State Route 189 (Provo Canyon) Between RP 7 (SR-52) and RP 21 (Wallsburg Junction).

All oversize vehicles, including trailers exceeding 48 feet in length, are prohibited.

R912-11-[26]29. State Route 190 (Big Cottonwood Canyon) Between Interstate 215 at Knudsen's Corner and the Salt Lake/Wasatch County Line.

- (1) Vehicles or loads exceeding 9 feet in width and/or 65 feet in length require one certified pilot/escort vehicle.
- (2) Vehicle or loads exceeding 10 feet in width and/or 80 feet in length require two certified pilot/escort vehicles.
- (3) Vehicles or loads exceeding 12 feet in width are prohibited unless otherwise authorized in accordance with R912-11-1 (a).

R912-11-[27]30. State Route 191 (Indian Canyon) Between State Routes 6 and 40.

- (1) Vehicles or loads exceeding 95 feet in length require two certified pilot/escort vehicles.
- (2) Vehicles or loads exceeding 15 feet in width require two police escorts in addition to certified pilot/escort vehicles.

R912-11-[28]31. State Route 191 Between Vernal, Utah and the Wyoming State Line.

Vehicles or loads exceeding 95 feet in length require two certified pilot/escort vehicles.

R912-11-[29]32. State Route 191 Between La Sal Junction and the Grand/San Juan County Line.

Vehicles or loads exceeding 15 feet in width require two police escorts.

R912-11-33. State Route 196 Between Interstate 80 and Dugway, Utah.

Vehicles or loads exceeding 80,000 pounds GVW are prohibited.

R912-11-[30]34. State Route 210 (Little Cottonwood Canyon) Between State Route 190 and Alta, Utah.

- (1) Vehicles or loads exceeding 9 feet in width and/or 65 feet in length require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 10 feet in width and/or 80 feet in length require two certified pilot/escort vehicles.
- (3) Vehicles or loads exceeding 12 feet in width are prohibited unless otherwise authorized in accordance with R912-11-1(a).

R912-11-[34]35. State Route 211 Between State Route 191 and Canyon Lands.

- (1) Vehicles or loads exceeding 10 feet in width and/or 80 feet in length require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 12 feet in width are prohibited unless otherwise authorized in accordance with R912-11-1(a).

R912-11-[32]36. State Route 226 Between State Route 39 and Snow Basin (RP 8).

All oversize loads require two certified pilot/escort vehicles.

R912-11-[33]37. State Route 261 Between RP 7 and 10 (Moki Dugway).

Vehicles or loads exceeding 55,000 pounds GVW are prohibited unless otherwise authorized in accordance with R912-11-1(a).

R912-11-[34]38. State Route 262.

- (1) Between Montezuma Creek and Aneth, vehicles or loads exceeding 95 feet in length require two certified pilot/escort vehicles
- (2) Between Reference Posts 15 and 17, north of Montezuma Creek, vehicles or loads exceeding 55,000 pounds GVW are prohibited unless otherwise authorized in accordance with R912-11-1(a).

R912-11-[35]39. State Route 264 Between State Routes 31 and 96.

- (1) Vehicles or loads exceeding 10 feet in width and/or 80 feet in length require one certified pilot/escort vehicle.
- (2) Vehicles or loads exceeding 12 feet in width and/or 110 feet in length are prohibited unless otherwise authorized in accordance with R912-11-1(a).

R912-11-[36]40. Emigration Canyon Between the Wasatch Drive/Sunnyside Ave. Junction and State Route 65.

- (1) Vehicles or loads exceeding 9 feet in width and/or 65 feet in length require one certified pilot/escort vehicle.
- (2) Vehicles exceeding 10 feet in width and/or 80 feet in length require two certified pilot/escort vehicles.
- (3) Vehicles or loads exceeding 12 feet in width are prohibited unless otherwise authorized in accordance with R912-11-1(a).

R912-[3]11-[36]41. 6200 South, Salt Lake City, Between Redwood Road and Bangerter Highway.

All commercial vehicles are prohibited.

KEY: trucks, safety regulations, permits [July 18, 2005] 2006

72-1-102 72-1-201 72-7-408

Workforce Services, Employment

Development **R986-300-305**

Failure to Comply with an Employment Plan

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE No.: 28425
FILED: 12/15/2005, 16:25

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The reason for the change is to align the conciliation process for refugees

with the conciliation process for the Family Employment Plan. Our federal partners have told us that the conciliation process for refugees must be the same as the conciliation process for the Family Employment Plan except where the federal requirements are different.

SUMMARY OF THE RULE OR CHANGE: This proposed amendment brings the Department's rule into compliance with the federal requirements. This will add an additional step to the current conciliation process by requiring a staffing prior to imposing sanctions.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: This is a federally-funded program so there are no costs or savings to the state budget.
- ❖ LOCAL GOVERNMENTS: This rule does not apply to local government so therefore there are no costs or savings to local governments. Local governments do not contribute to the costs of this program.
- ❖ OTHER PERSONS: There are no costs or savings to any other persons as there are no fees associated with this program and it is federally funded.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no costs or savings to any affected persons as there are no fees associated with this program and it is federally funded. This will add one step to the conciliation process for refugees but the step involves Department personnel only.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no compliance costs associated with this change. There are no fees associated with this change. It will not cost anyone any sum to comply with these changes. Tani Downing, Executive Director

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

WORKFORCE SERVICES
EMPLOYMENT DEVELOPMENT
140 E 300 S
SALT LAKE CITY UT 84111-2333, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Suzan Pixton at the above address, by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 02/01/2006.

THIS RULE MAY BECOME EFFECTIVE ON: 02/02/2006

AUTHORIZED BY: Tani Downing, Executive Director

R986. Workforce Services, Employment Development. R986-300. Refugee Resettlement Program.

R986-300-305. Failure to Comply with an Employment Plan.

- [(1) A client who fails to comply with the requirements of the employment plan will be disqualified from receiving financial assistance for three months for the first occurrence. The disqualification period for the second occurrence is six months. There is no conciliation process available to recipients of financial assistance under RRP, but the Department will attempt to reconcile the problem with the client by offering counseling at least seven days prior to the termination of assistance.](1) If a client who is required to participate in an employment plan consistently fails to show good faith in complying with the employment plan, the client is required to participate in the conciliation process in R986-200-212 with the following exceptions:
- (a) the client will be disqualified for a period of three months for the first occurrence and six months for the second occurrence instead of the two month reduction as provided in R986-200-212(2).

- (b) since there is no reduction of benefits, subsections R986-200-212(3) and (4) do not apply to RRP clients,
- (c) because the disqualification period for RRP is a time certain, there is no trial period as provided in R986-200-212(5).
- (2) If there are other household members included in the financial assistance payment, the other household members will continue to receive assistance provided those household members are eligible and complying with all of the requirements of RRP.
- (3) If eligible, food stamps and medical assistance may be continued for the person who is disqualified for failure to comply with the requirements of an employment plan.

KEY: refugee resettlement program [October 2, 2000]2006 35A-3-103

End of the Notices of Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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).

Alcoholic Beverage Control, Administration

R81-4B

Airport Lounges

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28398 FILED: 12/06/2005, 14:27

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 32A-1-107 authorizes the Alcoholic Beverage Control Commission to adopt and issue rules; set policy by rule that establishes criteria and procedures for granting, denying, suspending, or revoking licenses; and prescribes the conduct, management, and equipment of any premises where alcohol is sold, served, consumed, or stored.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule regulates operations at establishments licensed as airport lounges. It prohibits transfers of airport lounge licenses without approval; sets procedures for applying for airport lounge licenses, requires licensees to maintain bonds; sets procedures for placing liquor orders with the Department of Alcoholic Beverage Control; allows licensees to open liquor storage areas during nonsales hours to take inventory, restock, repair and clean; allows customers to run a tab; explains what can be kept in liquor storage areas; sets parameters for use of liquor flavorings; regulates use of price lists to ensure accuracy; and requires employees to have an ID badge to help law enforcement officers identify employees. All of the

regulations set forth in this rule remain important and applicable to the operations of airport lounges; and therefore, this rule should be continued.

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

ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION 1625 S 900 W SALT LAKE CITY UT 84104-1630, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Sharon Mackay at the above address, by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at smackay@utah.gov

AUTHORIZED BY: Kenneth F. Wynn, Director

EFFECTIVE: 12/06/2005

Alcoholic Beverage Control, Administration

R81-10A

On-Premise Beer Retailer Licenses

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28399 FILED: 12/06/2005, 14:49

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 32A-1-107 authorizes the Alcoholic Beverage Control Commission to adopt and issue rules; sets policy by rule that establishes criteria and procedures for granting, denying, suspending, or revoking licenses; and prescribes the conduct, management,

and equipment of any premises where alcohol is sold, served, consumed, or stored.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule regulates operations at establishments licensed to sell beer for onpremise consumption. It prohibits the transfer of the license to another without approval; requires licensees to obtain a separate on-premise beer license and restaurant liquor license to operate the same premises differently at different times of the day; sets procedures for applying for a license; requires maintenance of a bond and insurance; allows storage areas to be opened at non-sale hours for inventory, restocking, repair, and cleaning; requires employees to wear an ID badge to help law enforcement officers identify them; and sets parameters for the service of draft beer. All of the regulations set forth in this rule remain important and applicable to the operations of an on-premise beer retailer.

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

ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION 1625 S 900 W SALT LAKE CITY UT 84104-1630, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Sharon Mackay at the above address, by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at smackay@utah.gov

AUTHORIZED BY: Kenneth F. Wynn, Director

EFFECTIVE: 12/06/2005

Corrections, Administration **R251-102**

Release of Communicable Disease Information

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28393 FILED: 12/06/2005, 06:12

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under

Subsection 64-13-36(3)(a) which requires the Department to develop a rule that designates the persons allowed to access records in an inmate's file.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The purpose of this rule is to designate the persons who will be permitted access to information in Department of Corrections inmate medical files. This rule should be continued in order to prevent the unauthorized release of confidential information in violation of Utah Law (Government Records Access and Management Act (GRAMA)). This rule reduces the State's liability in administering inmate medical file information.

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

CORRECTIONS
ADMINISTRATION
14717 S MINUTEMAN DR
DRAPER UT 84020-9549, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Gary Ogilvie at the above address, by phone at 801-545-5514, by FAX at 801-545-5523, or by Internet E-mail at gogilvie@utah.gov

AUTHORIZED BY: Scott V. Carver, Executive Director

EFFECTIVE: 12/06/2005

Corrections, Administration **R251-109**

Sex Offender Treatment Providers

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28394 FILED: 12/06/2005, 06:13

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Section 76-5-406.5 which requires the Department to develop criteria for the approval of the treatment program and professionals.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS

SUPPORTING OR OPPOSING THE RULE: There have been no written comments received regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The purpose of this rule is to define the criteria and guidelines for the standards, application and approval process, and program requirements for sex offender treatment providers. This rule should be continued because the varied treatment providers, who contract with the State, need consistent standards to follow, and the State needs the assurance that a minimum standard is being met by all providers. This helps prevent the release of untreated sex offenders into the community, and reduces the danger to the public.

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

CORRECTIONS
ADMINISTRATION
14717 S MINUTEMAN DR
DRAPER UT 84020-9549, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Gary Ogilvie at the above address, by phone at 801-545-5514, by FAX at 801-545-5523, or by Internet E-mail at gogilvie@utah.gov

AUTHORIZED BY: Scott V. Carver, Executive Director

EFFECTIVE: 12/06/2005

Corrections, Administration **R251-110**

Sex Offender Registration Program

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28396 FILED: 12/06/2005, 06:16

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Section 77-27-21.5 which requires the Department to develop and operate a system to maintain and disseminate information on sex offenders to the public.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule defines the registration requirements for offenders, and provides the public access to sex offender registration information. This rule should be continued in order to provide sex offender information to those members of the public which do not have access to, or do not wish to use, the Internet.

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

CORRECTIONS
ADMINISTRATION
14717 S MINUTEMAN DR
DRAPER UT 84020-9549, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Gary Ogilvie at the above address, by phone at 801-545-5514, by FAX at 801-545-5523, or by Internet E-mail at gogilvie@utah.gov

AUTHORIZED BY: Scott V. Carver, Executive Director

EFFECTIVE: 12/06/2005

Corrections, Administration **R251-301**

Employment, Educational or Vocational Training for Community Correctional Center Offenders

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28397 FILED: 12/06/2005, 06:17

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized by Sections 63-46a-3, 64-13-10, and 64-13-14.5 which requires the Department to provide programs and community correctional centers as required to accomplish it's purposes.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The purpose of this rule is to provide the requirements for employers who employ

offenders. This rule also provides the requirements for offenders' participation in an educational or vocational training program. Without this rule, potential employers will not know the conditions to which they are obligated when employing offenders being released into the community. This will hinder offender employment and lead to higher recidivism.

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

CORRECTIONS
ADMINISTRATION
14717 S MINUTEMAN DR
DRAPER UT 84020-9549, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Gary Ogilvie at the above address, by phone at 801-545-5514, by FAX at 801-545-5523, or by Internet E-mail at gogilvie@utah.gov

AUTHORIZED BY: Scott V. Carver, Executive Director

EFFECTIVE: 12/06/2005

Corrections, Administration **R251-709**

Transportation of Inmates

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28395 FILED: 12/06/2005, 06:15

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Section 64-13-10 which authorizes the Department to make rules to accomplish the provisions of Title 64.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule addresses requirements regarding the transportation of inmates in order to provide for public safety and the security of inmates under the jurisdiction of the Department. This rule should be continued in order to prevent situations where injury and/or escape is possible while transporting inmates to a court, medical center, or on an airplane.

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

CORRECTIONS
ADMINISTRATION
14717 S MINUTEMAN DR
DRAPER UT 84020-9549, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Gary Ogilvie at the above address, by phone at 801-545-5514, by FAX at 801-545-5523, or by Internet E-mail at qoqilvie@utah.gov

AUTHORIZED BY: Scott V. Carver, Executive Director

EFFECTIVE: 12/06/2005

Insurance, Administration **R590-205**

Privacy of Consumer Information Compliance Deadline

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 28423 FILED: 12/15/2005, 14:55

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: The following code references authorize and direct the department in the writing of this rule. Subsections 31A-2-201(2) and 31A-2-201(3)(a) empower the commissioner to administer and enforce Title 31A and to write rules to implement it. Title V, Section 505, 15 U.S.C. 6805, empowers the Utah insurance commissioner to enforce Subtitle A of Title V of the Gramm-Leach-Bliley Act of 1999, 15 U.S.C. 6801 through 6820. Title V, Section 505, 15 U.S.C. 6805(b)(2), authorizes the commissioner to issue rules to implement the requirements of Title V, Section 5501(b) of the federal act. The rule provides an extension to persons and entities under jurisdiction of the department that are required to adopt policies, procedures, and controls to prevent the unauthorized disclosure of personal nonpublic information relating to their customers under the Gramm-Leach-Bliley Act of 1999. It also creates a link with the federal law, putting it in force in Utah, providing security in how, if at all, a persons personal, nonpublic information may or may not be disclosed.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The department has not received any written comments in the past five years regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule will need to be changed to eliminate the extension provision. However, the protections to a customer's personal, nonpublic information still needs to be provided; therefore, this rule should be continued. This rule will also provide the link to the federal laws providing that protection to a person's personal, nonpublic information.

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

INSURANCE ADMINISTRATION Room 3110 STATE OFFICE BLDG 450 N MAIN ST SALT LAKE CITY UT 84114-1201, or at the Division of Administrative Rules. DIRECT QUESTIONS REGARDING THIS RULE TO: Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

AUTHORIZED BY: Jilene Whitby, Information Specialist

EFFECTIVE: 12/15/2005

End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

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.

Abbreviations

AMD = Amendment

CPR = Change in Proposed Rule

NEW = New Rule

R&R = Repeal and Reenact

REP = Repeal

Labor Commission

Industrial Accidents

No. 28288 (NEW): R612-10. HIV, Hepatitis B and C Testing and Reporting for Emergency Medical Services

Providers.

Published: November 1, 2005 Effective: December 2, 2005

Natural Resources

Parks and Recreation

No. 28169 (AMD): R651-611. Fee Schedule.

Published: September 15, 2005 Effective: January 1, 2006

Forestry, Fire and State Lands

No. 28291 (NEW): R652-122. County Cooperative

Agreements with State for Fire Protection.

Published: November 1, 2005 Effective: December 16, 2005 Tax Commission

Property Tax

No. 28271 (AMD): R884-24P-53. 2005 Valuation Guides for Valuation of Land Subject to the Farmland Assessment Act Pursuant to Utah Code Ann. Section 59-

2-515.

Published: October 15, 2005 Effective: December 13, 2005

Transportation

Program Development

No. 28274 (NEW): R926-8. Public Partnering.

Published: November 1, 2005 Effective: December 7, 2005

Workforce Services

Unemployment Insurance

No. 28283 (AMD): R994-307-101. Relief of Charges to

Contributing Employers. Published: November 1, 2005 Effective: December 31, 2005

No. 28284 (AMD): R994-406. Fraud, Fault and Nonfault

Overpayments.

Published: November 1, 2005 Effective: December 31, 2005

End of the Notices of Rule Effective Dates Section

2006 RULES INDEX BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)

The *Rules Index* is a cumulative index that reflects all effective changes to Utah's administrative rules. The current *Index* lists changes made effective January 1, 2006. 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).

DAR NOTE: The index may contain inaccurate page number references. Also the index is incomplete in the sense that index entries for Changes in Proposed Rules (CPRs) are not preceded by entries for their parent Proposed Rules. Bulletin issue information and effective date information presented in the index are, to the best of our knowledge, complete and accurate. If you have any questions regarding the index and the information it contains, please contact Nancy Lancaster (801 538-3218), Mike Broschinsky (801 538-3003), or Kenneth A. Hansen (801 538-3777).

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.utah.gov/).

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

EXD = Expired

R&R = Repeal and reenact

5YR = Five-Year Review

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Commerce					
Occupational an	nd Professional Licensing				
R156-56	Utah Uniform Building Standard Act Rules	28286	AMD	01/01/2006	2005-21/6
R156-56-707	Statewide Amendments to the IPC	28285	AMD	01/01/2006	2005-21/25
Labor Commiss	sion				
Industrial Accide	<u>ents</u>				
R612-4-2	Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund	28298	AMD	01/01/2006	2005-22/41
<u>Safety</u>					
R616-2-3	Safety Codes and Rules for Boilers and Pressure Vessels	28257	AMD	01/01/2006	2005-20/43
Natural Resour	rces				
Parks and Recre	<u>eation</u>				
R651-611	Fee Schedule	28169	AMD	01/01/2006	2005-18/46

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment NSC = Nonsubstantive rule change

CPR = Change in proposed rule REP = Repeal

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NEW = New rule

R&R = Repeal and reenact

5YR = Five-Year Review

EXD = Expired

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
boilers Labor Commission, Safety	28257	R616-2-3	AMD	01/01/2006	2005-20/43
building codes Commerce, Occupational and Professional Licensing	28286	R156-56	AMD	01/01/2006	2005-21/6
	28285	R156-56-707	AMD	01/01/2006	2005-21/25
building inspection Commerce, Occupational and Professional Licensing	28286	R156-56	AMD	01/01/2006	2005-21/6
Licensing	28285	R156-56-707	AMD	01/01/2006	2005-21/25
certification Labor Commission, Safety	28257	R616-2-3	AMD	01/01/2006	2005-20/43
contractors Commerce, Occupational and Professional Licensing	28286	R156-56	AMD	01/01/2006	2005-21/6
Liounding	28285	R156-56-707	AMD	01/01/2006	2005-21/25
fees Natural Resources, Parks and Recreation	28169	R651-611	AMD	01/01/2006	2005-18/46
licensing Commerce, Occupational and Professional Licensing	28286	R156-56	AMD	01/01/2006	2005-21/6
Literioring	28285	R156-56-707	AMD	01/01/2006	2005-21/25
parks Natural Resources, Parks and Recreation	28169	R651-611	AMD	01/01/2006	2005-18/46
<u>rates</u> Labor Commission, Industrial Accidents	28298	R612-4-2	AMD	01/01/2006	2005-22/41
safety Labor Commission, Safety	28257	R616-2-3	AMD	01/01/2006	2005-20/43
workers' compensation Labor Commission, Industrial Accidents	28298	R612-4-2	AMD	01/01/2006	2005-22/41

2005 RULES INDEX BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)

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, 2005, including notices of effective date received through December 1, 2005, the effective dates of which are no later than December 15, 2005. 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).

DAR NOTE: The index may contain inaccurate page number references. Also the index is incomplete in the sense that index entries for Changes in Proposed Rules (CPRs) are not preceded by entries for their parent Proposed Rules. Bulletin issue information and effective date information presented in the index are, to the best of our knowledge, complete and accurate. If you have any questions regarding the index and the information it contains, please contact Nancy Lancaster (801 538-3218), Mike Broschinsky (801 538-3003), or Kenneth A. Hansen (801 538-3777).

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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

EXD = Expired

SYR = Five-Year Review

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/ PAGE
Administrative Servic	es				
Administrative Rules					
R15-1	Administrative Rule Hearings	28261	5YR	09/29/2005	2005-20/63
R15-2	Public Petitioning for Rulemaking	28262	5YR	09/29/2005	2005-20/63
R15-3	Definitional Clarification of Administrative Rule	28264	5YR	09/29/2005	2005-20/64
R15-4	Administrative Rulemaking Procedures	28265	5YR	09/29/2005	2005-20/65
R15-5	Administrative Rules Adjudicative Proceedings	28266	5YR	09/29/2005	2005-20/65
Child Welfare Parental	Defense (Office of)				
R19-1	Parental Defense Counsel Training	27518	NEW	05/13/2005 see CPR in 01/15/2005 Bulletin	2004-22/9
R19-1	Parental Defense Training Standards	27518	CPR	05/13/2005	2005-2/94
Facilities Construction a	and Management				
R23-1	Procurement of Construction	27603	AMD	03/15/2005	2005-2/2
R23-1-60	Construction Contract Clauses	28163	AMD	10/18/2005	2005-18/5
R23-2	Procurement of Architect-Engineer Services	27605	AMD	03/15/2005	2005-2/7

R23-3	Planning and Programming for Capital Projects	27615	AMD	03/15/2005	2005-2/9
R23-4	Suspension/Debarment and Contract Performance Review	27610	AMD	03/15/2005	2005-2/10
1(25-4		27010	AIVID	03/13/2003	2003-2/10
	Committee				
R23-26	Dispute Resolution	27614	NEW	03/15/2005	2005-2/12
<u>Finance</u>					
R25-7	Travel-Related Reimbursements for State Employees	27848	AMD	07/01/2005	2005-10/7
	• •				
Fleet Operations					
R27-1-2	Definitions	27546	AMD	01/10/2005	2004-23/3
R27-3-6	Application for Commute or Take Home Use	27599	NSC	02/01/2005	Not Printed
R27-3-12	Daily Motor Pool Sedans, Four Wheel Drive Sport Utility	28025	AMD	10/03/2005	2005-13/5
R21-3-12		20023	AIVID	10/03/2003	2005-13/5
	Vehicle (4x4 SUV), Cargo Van, Multi-Passenger Van and				
	Alternative Fuel Vehicle Lease Criteria				
R27-4	Vehicle Replacement and Expansion of State Fleet	27543	AMD	01/10/2005	2004-23/5
R27-4-1	Authority	27594	NSC	02/01/2005	Not Printed
R27-6	Fuel Dispensing Program	27544	AMD	01/10/2005	2004-23/7
Float Operations Surpl	us Proporty				
Fleet Operations, Surpl		00400	4445	40/00/0005	0005 47/0
R28-1	State Surplus Property Disposal	28133	AMD	12/20/2005	2005-17/3
D					
Records Committee					
R35-1	State Records Committee Appeal Hearing Procedures	27880	AMD	07/14/2005	2005-11/5
R35-1a	State Records Committee Definitions	27621	NEW	03/08/2005	2005-2/17
R35-1a	State Records Committee Definitions	27700	NSC	04/01/2005	Not Printed
R35-2	Declining Appeal Hearings	27625	AMD	03/04/2005	2005-2/18
R35-3	Prehearing Conferences	27622	AMD	03/04/2005	2005-2/19
R35-4	Compliance with State Records Committee Decisions and	27624	AMD	03/04/2005	2005-2/20
	Orders				
R35-5	Subpoenas Issued by the Records Committee	27623	AMD	03/04/2005	2005-2/21
R35-6	Expedited Hearing	27620	AMD	03/04/2005	2005-2/21
K33-0	Expedited Hearing	27620	AIVID	03/04/2005	2005-2/22
Agriculture and Food					
Administration	D. III D. III	00100	-> /->		
R51-1	Public Petitions for Declaratory Rulings	28196	5YR	09/02/2005	2005-19/36
Animal Industry					
R58-1	Admission and Inspection of Livestock, Poultry, and Other	27570	AMD	01/18/2005	2004-24/5
	Animals				
R58-1	Admission and Inspection of Livestock, Poultry, and Other	28287	NSC	11/01/2005	Not Printed
100 1	Animals	20201	1400	11/01/2000	Not i ilitou
R58-1-7	Swine	27687	AMD	03/18/2005	2005-4/8
R58-2	Diseases, Inspections and Quarantines	27581	AMD	02/01/2005	2005-1/9
R58-7	Livestock Markets, Satellite Video Livestock Auction Market,	27688	5YR	02/01/2005	2005-4/47
	Livestock Sales, Dealers, and Livestock Market				
	Weighpersons				
R58-10	Meat and Poultry Inspection	27693	5YR	02/03/2005	2005-5/28
R58-11	Slaughter of Livestock	28197	5YR	09/02/2005	2005-19/36
R58-12	Record Keeping and Carcass Identification at Meat Exempt	28198	5YR	09/02/2005	2005-19/37
	(Custom Cut) Establishments		-		
DE0.40		00400	EV/D	00/00/0005	0005 40/07
R58-13	Custom Exempt Slaughter	28199	5YR	09/02/2005	2005-19/37
R58-15	Collection of Annual Fees for the Wildlife Damage	28200	5YR	09/02/2005	2005-19/38
	Prevention Act				
R58-16	Swine Garbage Feeding	28201	5YR	09/02/2005	2005-19/38
R58-17	Aquaculture and Aquatic Animal Health	27696	5YR	02/03/2005	2005-5/28
R58-17	Aquaculture and Aquatic Animal Health	28119	AMD	09/15/2005	2005-16/2
R58-17	Aquaculture and Aquatic Animal Health	28247	NSC	10/01/2005	Not Printed
R58-21	Trichomoniasis	27694	5YR	02/03/2005	2005-5/29
R58-22	Equine Infectious Anemia (EIA)	27695	5YR	02/03/2005	2005-5/29
	4		-		
Chemistry Laboratory					
R63-1	Fee Schedule	28203	5YR	09/02/2005	2005-19/39
R63-1	Fee Schedule	28304	AMD	12/16/2005	2005-13/33
1.00-1	i de delleude	20304	VIAID	12/10/2003	2003-22/1
Marketing and Conserv					
	ation				
D65 1		20151	NCC	00/04/2025	Not Drinted
R65-1	Utah Apple Marketing Order	28154	NSC	09/01/2005	Not Printed
R65-1	Utah Apple Marketing Order Utah Apple Marketing Order	28204	5YR	09/02/2005	2005-19/39
	Utah Apple Marketing Order		5YR NSC		
R65-1	Utah Apple Marketing Order Utah Apple Marketing Order Utah Cherry Marketing Order	28204	5YR NSC	09/02/2005	2005-19/39
R65-1 R65-2	Utah Apple Marketing Order Utah Apple Marketing Order	28204 28155	5YR	09/02/2005 09/01/2005	2005-19/39 Not Printed

R65-3	Utah Turkey Marketing Order	28205	5YR	09/02/2005	2005-19/40
R65-4	Utah Egg Marketing Order	28157	NSC	09/01/2005	Not Printed
R65-4	Utah Egg Marketing Order	28206	5YR	09/02/2005	2005-19/40
			NSC		
R65-5	Utah Red Tart and Sour Cherry Marketing Order	28158		09/01/2005	Not Printed
R65-7	Horse Racing	28159	NSC	09/01/2005	Not Printed
R65-8	Management of the Junior Livestock Show Appropriation	28160	NSC	09/01/2005	Not Printed
R65-10	Agriculture Resource Development Loans (ARDL)	27787	5YR	03/31/2005	2005-8/56
R65-10	Agriculture Resource Development Loans (ARDL)	28153	NSC	09/01/2005	Not Printed
R65-11	Utah Sheep Marketing Order	28161	NSC	09/01/2005	Not Printed
Plant Industry					
R68-1	Utah Bee Inspection Act Governing Inspection of Bees	28207	5YR	09/06/2005	2005-19/41
R68-2	Utah Commercial Feed Act Governing Feed	28208	5YR	09/06/2005	2005-19/41
R68-3	Utah Fertilizer Act Governing Fertilizers and Soil	27645	5YR	01/07/2005	2005-3/58
	Amendments		•	0	
R68-6		20200	5YR	00/06/2005	2005 10/42
	Utah Nursery Act	28209		09/06/2005	2005-19/42
R68-8-2	Noxious Weed Seeds and Weed Seed Restrictions	27773	NSC	05/01/2005	Not Printed
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R398-1	Newborn Screening	28074	CPR	10/25/2005	2005-18/70
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R386-702	Communicable Disease Rule	27496	AMD	05/16/2005	2004-21/13
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1300-702-9	Person-to-Person Transmission of Hepatitis B Infection	21000	AIVID	00/23/2003	2003-10/17
R386-800	Immunization Coordination	27934	5YR	05/24/2005	2005-12/89
Enidomiology and Lab	oratoni Coniicae I aboratoni Improvement				
R444-14	oratory Services, Laboratory Improvement Rule for the Certification of Environmental Laboratories	27850	AMD	07/01/2005	2005-10/26
		21000	/ (IVID	0170172000	2000 10/20
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1111101	Psychiatric Facilities or Programs	. 2. 00 .	7 11112	00/10/2000	2000 10/10
R414-33	Targeted Case Management Services	27986	5YR	06/03/2005	2005-13/52
R414-33A	Targeted Case Management for the Chronically Mentally III	27956	REP	07/20/2005	2005-12/62
R414-33C	Targeted Case Management for the Homeless	27703	NEW	04/07/2005	2005-5/23
R414-33D	Targeted Case Management by Community Mental Health Centers for Individuals with Serious Mental Illness	27958	NEW	07/20/2005	2005-12/64
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R414-36-6	Qualified Providers	27599	AMD	02/01/2005	2005-1/21
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R414-53	Eyeglasses Services	27849	AMD	07/01/2005	2005-10/22
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R414-307	Eligibility Determination and Redetermination	28240	REP	11/01/2005	2005-19/11
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•	ement, Emergency Medical Services				
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				02/01/2005	2005-20/43
R616-3-3	Safety Codes for Elevators	27590	AMD	02/01/2005	2005-1/30
Money Management C	Council				
Administration					
R628-2	Investment of Funds of Member Institutions of the State	28228	AMD	11/01/2005	2005-19/25
. 1020 2	System of Higher Education and Public Education		, .		
	Foundations established under Section 53A-4-205				
D000 4		00075	5)/D	40/00/0005	0005 04/00
R628-4	Bonding of Public Treasurers	28275	5YR	10/06/2005	2005-21/82
R628-11	Maximum Amount of Public Funds Allowed to be Held by any	27689	AMD	03/22/2005	2005-4/18
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R628-11	Maximum Amount of Uninsured Public Funds Allowed to be	28281	5YR	10/12/2005	2005-21/82
	Held by Any Qualified Depository				
R628-12	Certification of Qualified Depositories for Public Funds	28314	5YR	11/01/2005	2005-22/50
R628-13	Collateralization of Public Funds	28332	5YR		2005-23/68
				11/07/2005	
R628-15	Certification as an Investment Adviser	27743	NEW	05/05/2005	2005-7/60
R628-16	Certification as a Dealer	28327	5YR	11/03/2005	2005-23/68
R628-19	Requirements for the Use of Investment Advisers by Public	27742	R&R	05/05/2005	2005-7/64
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R652-70-1900	Camping and Motor Vehicles	27750	AMD	05/20/2005	2005-7/66
R652-70-2300	Management of Bear Lake Sovereign Lands	27740	AMD	05/20/2005	2005-7/67
R652-120	Wildland Fire	27843	5YR	04/28/2005	2005-10/53
R652-122	County Cooperative Agreements with State for Fire	28291	NEW	12/16/2005	2005-21/34
1002-122	Protection	20231	INLVV	12/10/2003	2003-21/34
	Totection				
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R645-105	Blaster Training, Examination and Certification	27778	5YR	03/25/2005	2005-8/58
R645-400	Inspection and Enforcement: Division Authority and	27779	5YR	03/25/2005	2005-8/58
. 10 10 100	Procedures		•	00/20/2000	
	1100044100				
Oil, Gas and Mining; Oi	I and Gas				
R649-1	Oil and Gas General Rules	28067	NSC	08/01/2005	Not Printed
R649-2	General Rules	28068	NSC	08/01/2005	Not Printed
R649-3	Drilling and Operating Practices	28073	NSC	08/01/2005	Not Printed
R649-4	Determination of Well Categories Under the Natural Gas	28335	5YR	11/08/2005	2005-23/69
11040 4	Policy Act of 1978	20000	OTIC	11/00/2000	2000 20/00
R649-5	•	20060	NCC	00/01/2005	Not Drintod
R049-5	Underground Injection Control of Recovery Operations and	28069	NSC	08/01/2005	Not Printed
	Class II Injection Wells				
R649-6	Gas Processing and Waste Crude Oil Treatment	28070	NSC	08/01/2005	Not Printed
R649-8	Reporting and Report Forms	28071	NSC	08/01/2005	Not Printed
R649-9	Waste Management and Disposal	28072	NSC	08/01/2005	Not Printed
Davids and D	•				
Parks and Recreation				0=11.116	
R651-101	A P P P P	00001			
R651-101	Adjudicative Proceedings	28091	5YR	07/14/2005	2005-15/48
	Adjudicative Proceedings	28091 28100	5YR NSC	07/14/2005 08/01/2005	Not Printed
R651-202					
R651-202 R651-205-7	Adjudicative Proceedings	28100	NSC	08/01/2005	Not Printed
R651-205-7	Adjudicative Proceedings Boating Advisory Council	28100 27560	NSC AMD AMD	08/01/2005 01/15/2005 01/15/2005	Not Printed 2004-24/28 2004-24/29
R651-205-7 R651-205-9	Adjudicative Proceedings Boating Advisory Council Palisade Lake Jordan River	28100 27560 27559 28056	NSC AMD AMD AMD	08/01/2005 01/15/2005 01/15/2005 08/16/2005	Not Printed 2004-24/28 2004-24/29 2005-14/57
R651-205-7 R651-205-9 R651-206	Adjudicative Proceedings Boating Advisory Council Palisade Lake Jordan River Carrying Passengers for Hire	28100 27560 27559 28056 27561	NSC AMD AMD AMD AMD	08/01/2005 01/15/2005 01/15/2005 08/16/2005 01/15/2005	Not Printed 2004-24/28 2004-24/29 2005-14/57 2004-24/29
R651-205-7 R651-205-9 R651-206 R651-206	Adjudicative Proceedings Boating Advisory Council Palisade Lake Jordan River Carrying Passengers for Hire Carrying Passengers for Hire	28100 27560 27559 28056 27561 27664	NSC AMD AMD AMD AMD NSC	08/01/2005 01/15/2005 01/15/2005 08/16/2005 01/15/2005 02/01/2005	Not Printed 2004-24/28 2004-24/29 2005-14/57 2004-24/29 Not Printed
R651-205-7 R651-205-9 R651-206 R651-206 R651-209	Adjudicative Proceedings Boating Advisory Council Palisade Lake Jordan River Carrying Passengers for Hire Carrying Passengers for Hire Registration Expiration	28100 27560 27559 28056 27561 27664 27562	NSC AMD AMD AMD AMD NSC REP	08/01/2005 01/15/2005 01/15/2005 08/16/2005 01/15/2005 02/01/2005 01/15/2005	Not Printed 2004-24/28 2004-24/29 2005-14/57 2004-24/29 Not Printed 2004-24/32
R651-205-7 R651-205-9 R651-206 R651-206 R651-209 R651-211	Adjudicative Proceedings Boating Advisory Council Palisade Lake Jordan River Carrying Passengers for Hire Carrying Passengers for Hire Registration Expiration Assigned Numbers	28100 27560 27559 28056 27561 27664 27562 27563	NSC AMD AMD AMD AMD NSC REP AMD	08/01/2005 01/15/2005 01/15/2005 08/16/2005 01/15/2005 02/01/2005 01/15/2005 01/15/2005	Not Printed 2004-24/28 2004-24/29 2005-14/57 2004-24/29 Not Printed 2004-24/32 2004-24/33
R651-205-7 R651-205-9 R651-206 R651-206 R651-209	Adjudicative Proceedings Boating Advisory Council Palisade Lake Jordan River Carrying Passengers for Hire Carrying Passengers for Hire Registration Expiration Assigned Numbers Display of Yearly Registration Decals and Month of	28100 27560 27559 28056 27561 27664 27562	NSC AMD AMD AMD AMD NSC REP	08/01/2005 01/15/2005 01/15/2005 08/16/2005 01/15/2005 02/01/2005 01/15/2005	Not Printed 2004-24/28 2004-24/29 2005-14/57 2004-24/29 Not Printed 2004-24/32
R651-205-7 R651-205-9 R651-206 R651-206 R651-209 R651-211	Adjudicative Proceedings Boating Advisory Council Palisade Lake Jordan River Carrying Passengers for Hire Carrying Passengers for Hire Registration Expiration Assigned Numbers	28100 27560 27559 28056 27561 27664 27562 27563	NSC AMD AMD AMD AMD NSC REP AMD	08/01/2005 01/15/2005 01/15/2005 08/16/2005 01/15/2005 02/01/2005 01/15/2005 01/15/2005	Not Printed 2004-24/28 2004-24/29 2005-14/57 2004-24/29 Not Printed 2004-24/32 2004-24/33

R651-215	Personal Flotation Devices	27565	AMD	01/15/2005	2004-24/35
R651-222-5	Muffler Bypass or Alteration Prohibited	28162	AMD	10/18/2005	2005-18/45
R651-223	Vessel Accident Reporting	28092	5YR	07/14/2005	2005-15/48
R651-401	Off-Highway Vehicle and Registration Stickers	27566	AMD	01/15/2005	2004-24/37
R651-409	Minimum Amounts of Liability Insurance Coverage for an	28061	5YR	07/01/2005	2005-14/99
N031-409		20001	SIK	0770172003	2005-14/99
	Organized Practice or Sanctioned Race				
R651-611	Fee Schedule	28169	AMD	01/01/2006	2005-18/46
R651-634	Snowmobile User Fee - Non-Residents	28060	5YR	07/01/2005	2005-14/99
R651-634	Snowmobile User Fees - Non-Residents	28093	NSC	08/01/2005	Not Printed
R651-634-1	User Fees	27920	NSC	06/01/2005	Not Printed
R651-635	Commercial Use of Division Managed Park Areas	28297	5YR	10/24/2005	2005-22/51
11001 000	Commordial Coo of Division Managed Fant / Todo	20201	0111	10/2 1/2000	2000 22/01
Water Rights					
	Devente of Weter Digit Commence	07000	5\/D	00/04/0005	0005 4/54
R655-3	Reports of Water Right Conveyance	27690	5YR	02/01/2005	2005-4/54
R655-4	Water Well Drillers	27392	AMD	01/12/2005	2004-18/30
R655-4	Water Well Drillers	27475	NSC	02/01/2005	Not Printed
R655-4	Water Well Drillers	27691	5YR	02/01/2005	2005-4/55
R655-4-9	Well Drilling and Construction Requirements	28051	NSC	09/01/2005	Not Printed
R655-14	Administrative Procedures for Enforcement Proceedings	28032	NEW	08/15/2005	2005-13/34
	Before the Division of Water Rights				
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Mariella December					
Wildlife Resources					
R657-5	Taking Big Game	27550	AMD	01/15/2005	2004-24/38
R657-5	Taking Big Game	27865	AMD	07/05/2005	2005-11/61
R657-5	Taking Big Game	28364	5YR	11/21/2005	2005-24/55
R657-6	Taking Upland Game	28082	5YR	07/08/2005	2005-15/49
R657-6	Taking Upland Game	28081	AMD	09/06/2005	2005-15/7
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R657-10	Taking Cougar	28188	AMD	10/25/2005	2005-18/52
R657-11	Taking Furbearers	28168	5YR	08/24/2005	2005-18/73
R657-11	Taking Furbearers	28189	AMD	10/25/2005	2005-18/58
R657-12	Hunting and Fishing Accommodations for Disabled People	27721	AMD	04/15/2005	2005-6/24
R657-13	Taking Fish and Crayfish	27432	AMD	01/03/2005	2004-20/33
	•			see CPR in	
				11/15/2004	
				Bulletin	
R657-13	Taking Fish and Crayfish	27432	CPR	01/03/2005	2004-22/66
R657-15	Closure of Gunnison, Cub and Hat Islands	27863	5YR	05/05/2005	2005-11/99
R657-15	Closure of Gunnison, Cub and Hat Islands	27862	AMD	07/05/2005	2005-11/63
R657-17	Lifetime Hunting and Fishing License	28363	5YR	11/21/2005	2005-24/56
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R657-21-2	Definitions	28088	AMD	09/06/2005	2005-15/14
R657-24	Compensation for Mountain Lion and Bear Damage	28277	5YR	10/07/2005	2005-21/83
R657-33	Taking Bear	27649	AMD	03/04/2005	2005-3/36
R657-33-2	Definitions	27751	NSC	04/01/2005	Not Printed
R657-37	Cooperative Wildlife Management Units for Big Game	27551	AMD	01/15/2005	2004-24/45
R657-37	Cooperative Wildlife Management Units for Big Game	28087	AMD	09/06/2005	2005-15/15
R657-38	Dedicated Hunter Program	27552	AMD	01/15/2005	2004-24/48
R657-38	Dedicated Hunter Program	28367	5YR	11/21/2005	2005-24/56
R657-41	Conservation and Sportsman Permits	28366	5YR	11/21/2005	2005-24/57
R657-42	Fees, Exchanges, Surrenders, Refunds and Reallocation of	28083	AMD	09/06/2005	2005-15/20
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D657 40 4	Surrenders	27552	AMD	04/45/2005	2004 24/52
R657-42-4		27553	AMD	01/15/2005	2004-24/53
R657-47					
	Trust Fund Permits (5YR EXTENSION)	27637	NSC	03/04/2005	Not Printed
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	Trust Fund Permits (5YR EXTENSION)	27637	NSC	see REP DAR	Not Printed
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R657-47	Trust Fund Permits	27639	REP	see REP DAR No. 27639 03/04/2005	2005-3/39
R657-55	Trust Fund Permits Wildlife Convention Permits	27639 27827	REP NEW	see REP DAR No. 27639 03/04/2005 06/01/2005	2005-3/39 2005-9/38
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R657-55	Trust Fund Permits Wildlife Convention Permits	27639 27827	REP NEW	see REP DAR No. 27639 03/04/2005 06/01/2005	2005-3/39 2005-9/38
R657-55	Trust Fund Permits Wildlife Convention Permits Recreational Lease of Private Lands for Free Public Walk-in	27639 27827	REP NEW	see REP DAR No. 27639 03/04/2005 06/01/2005	2005-3/39 2005-9/38
R657-55	Trust Fund Permits Wildlife Convention Permits Recreational Lease of Private Lands for Free Public Walk-in	27639 27827	REP NEW	see REP DAR No. 27639 03/04/2005 06/01/2005	2005-3/39 2005-9/38
R657-55	Trust Fund Permits Wildlife Convention Permits Recreational Lease of Private Lands for Free Public Walk-in	27639 27827	REP NEW	see REP DAR No. 27639 03/04/2005 06/01/2005	2005-3/39 2005-9/38
R657-55 R657-56	Trust Fund Permits Wildlife Convention Permits Recreational Lease of Private Lands for Free Public Walk-in Access	27639 27827	REP NEW	see REP DAR No. 27639 03/04/2005 06/01/2005	2005-3/39 2005-9/38
R657-55 R657-56 Professional Practice	Trust Fund Permits Wildlife Convention Permits Recreational Lease of Private Lands for Free Public Walk-in	27639 27827	REP NEW	see REP DAR No. 27639 03/04/2005 06/01/2005	2005-3/39 2005-9/38
R657-55 R657-56 Professional Practice Administration	Trust Fund Permits Wildlife Convention Permits Recreational Lease of Private Lands for Free Public Walk-in Access s Advisory Commission	27639 27827 28263	REP NEW NEW	see REP DAR No. 27639 03/04/2005 06/01/2005 11/16/2005	2005-3/39 2005-9/38 2005-20/45
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		20052	EVD	06/20/2005	2005 14/100
R722-310 R722-330	Regulation of Bail Bond Recovery and Enforcement Agents Licensing of Private Investigators	28052 28053	5YR 5YR	06/29/2005 06/29/2005	2005-14/100 2005-14/100
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R708-10	Classified License System	28113	NSC	08/01/2005	Not Printed
R708-14	Adjudicative Proceedings For Driver License Actions Involving Alcohol and Drugs	28104	NSC	08/01/2005	Not Printed
D709 16	Pedestrian Vehicle Rule	28108	NSC	00/01/2005	Not Drinted
R708-16				08/01/2005	Not Printed
R708-18	Regulatory and Administrative Fees	28165	AMD	10/27/2005	2005-18/60
R708-31	Ignition Interlock Systems	28103	NSC	08/01/2005	Not Printed
R708-32	Uninsured Motorist Database	27877	5YR	05/10/2005	2005-11/100
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R708-36 R708-37	Disclosure of Personal Identifying Information in MVRs Certification of Licensed Instructors of Commercial Driver	27878 27898	5YR 5YR	05/11/2005 05/13/2005	2005-11/100 2005-11/101
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R708-40	Driving Simulators	27579	NEW	04/18/2005 see CPR in 03/15/2005	2005-1/31
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R708-40	Driving Simulators	27579	CPR	04/18/2005	2005-6/28
R708-41	Requirements for Acceptable Documentation	27808	EMR	04/11/2005	2005-9/74
R708-41	Requirements for Acceptable Documentation	27809	NEW	06/01/2005	2005-9/41
Fire Marshal	Assessment and Additions	00400	ANAD	00/45/0005	0005 40/04
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R710-3-3	Amendments and Additions	27654	AMD	03/04/2005	2005-3/42
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R710-4-3	Amendments and Additions	27976	AMD	07/19/2005	2005-12/67
R710-6	Liquefied Petroleum Gas Rules	27573	AMD	01/19/2005	2004-24/54
R710-6	Liquefied Petroleum Gas Rules	28171	AMD	10/18/2005	2005-18/61
R710-7-1	Adoption of Codes	27671	AMD	06/13/2005	2005-4/21
R710-9-6	Amendments and Additions	27655	AMD	03/04/2005	2005-3/47
R710-9-6	Amendments and Additions	27754	AMD	05/04/2005	2005-7/68
R710-9-6	Amendments and Additions	27975	AMD	07/19/2005	2005-12/69
R710-9-6	Amendments and Additions	28115	AMD	09/15/2005	2005-16/36
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R714-500	Chemical Analysis Standards and Training	27882	5YR	05/12/2005	2005-11/102
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R746-240	Telecommunication Service Rules	27855	AMD	08/08/2005	2005-10/29
R746-340	Service Quality for Telecommunications Corporations	27856	AMD	08/08/2005	2005-10/32
R746-341	Lifeline Rule	27821	AMD	06/20/2005	2005-9/42
R746-341	Lifeline/Link-up Rule	28137	AMD	10/20/2005	2005-17/28
R746-341	Lifeline/Link-up Rule	28306	5YR	10/28/2005	2005-22/51
R746-349	Competitive Entry and Reporting Requirements	27857	AMD	08/08/2005	2005-10/34
R746-349-9	Pricing Flexibility Revocation, Conditions, or Restrictions	28129	AMD	10/11/2005	2005-17/35
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R746-356	Intrastate (IntraLATA) Equal Access to Toll Calling Services	27859	AMD	08/08/2005	2005-10/40
111 40 000	By Telecommunications Carriers	27000	7 WILD	00/00/2000	2000 10/40
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				see CPR in	
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D746 260 0	One Time Distributions from the Fund	27202	CDD		2004 22/54
R746-360-9	One-Time Distributions from the Fund	27302	CPR	01/04/2005	2004-23/54
R746-405-1	General Provisions	27861	AMD	08/08/2005	2005-10/44
R746-407	Annualization of Test-year Data	28307	5YR	10/28/2005	2005-22/52
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R765-605-4	Policy			09/01/2005	2005-15/21
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R765-626	Lender-of-Last-Resort Program	27841	5YR	04/26/2005	2005-10/53
R765-685	Utah Educational Savings Plan Trust	28062	REP	08/17/2005	2005-14/60
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R850-2	State Land Management Objectives	27812		05/01/2005	Not Printed
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R850-21	Oil, Gas and Hydrocarbon Resources	27612	NEW	04/01/2005	2005-2/58
R850-21	Oil, Gas and Hydrocarbon Resources	27813	AMD	06/01/2005	2005-9/46
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R850-23	Sand, Gravel and Cinders Permits	27609	NEW	04/01/2005	2005-2/72
R850-24	General Provisions: Mineral and Material Resources.	27607	NEW	04/01/2005	2005-2/76
R650-24	·	27007	INLVV	04/01/2003	2003-2/10
D0-004000	Mineral Leases and Material Permits	a=a			
R850-24-200	Insurance Requirements	27814	AMD	06/01/2005	2005-9/49
R850-25	Mineral Leases and Materials Permits	27606	NEW	04/01/2005	2005-2/81
R850-26	Coal Leases	27604	NEW	04/01/2005	2005-2/84
R850-27	Geothermal Steam	27601	NEW	04/01/2005	2005-2/86
R850-50	Range Management	27811	AMD	06/01/2005	2005-9/49
R850-130	Materials Permits	27602	REP	04/01/2005	2005-2/89
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R865-9I-21	Return By Partnership Pursuant to Utah Code Ann. Section	27804	AMD	06/08/2005	2005-9/51
1003-91-21	59-10-507	27004	AIVID	00/00/2003	2003-9/31
5005 01 54					
R865-9I-51	Withholding Tax License Pursuant to Utah Code Ann.	27930	AMD	07/20/2005	2005-12/72
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R865-16R	Severance Tax	27739	5YR	03/08/2005	2005-7/77
R865-19S-6	Tax Collection Pursuant to Utah Code Ann. Section	27868	AMD	07/20/2005	2005-11/64
	59-12-107				
R865-19S-8	Bonds and Securities Pursuant to Utah Code Ann. Section	27931	AMD	07/20/2005	2005-12/73
1000-190-0	59-12-107	21331	AIVID	0112012003	2003-12/73
D005 400 00		07040	A A A D	07/04/0005	0005.0/50
R865-19S-20	Basis for Reporting Tax Pursuant to Utah Code Ann. Section	27819	AMD	07/01/2005	2005-9/52
	59-12-107				
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R865-19S-51	Fabrication and Installation Labor in Connection With Retail	27822	AMD	07/01/2005	2005-9/55
	Sales of Tangible Personal Property Pursuant to Utah Code		,2	0170112000	
	Ann. Section 59-12-103				
D005 400 50				0=1041000=	
R865-19S-52	Federal, State and Local Taxes Pursuant to Utah Code Ann.	27825	AMD	07/01/2005	2005-9/56
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R865-19S-60	Sales of Machinery, Fixtures and Supplies to Manufacturers,	27826	AMD	07/01/2005	2005-9/56
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	Section 59-12-103				
R865-19S-68	Premiums, Gifts, Rebates, and Coupons Pursuant to Utah	27020	AMD	07/01/2005	2005 0/57
K005-195-00		27828	AMD	07/01/2005	2005-9/57
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R865-19S-71	Transportation Charges in Connection With the Sale of	27831	AMD	07/01/2005	2005-9/58
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ABBREVIATIONS

AMD = Amendment

NEW = New rule EXD = Expired

CPR = Change in Proposed Rule EMR = Emergency rule (120-day)

NSC = Nonsubstantive rule change REP = Repeal R&R = Repeal and reenact 5YR = Five-Year Review

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Workforce Services; Workforce Information and Payment Services EMPLOYMENT Human Resource Management; Administration Labor Commission; Antidiscrimination and Labor, Antidiscrimination Workforce Services; Workforce Information and Payment Services EMPLOYMENT AGENCIES Labor Commission; Antidiscrimination and Labor, Antidiscrimination EMPLOYMENT SUPPORT PROCEDURES Workforce Services; Employment Development	27886 28004 28005 28008 28033 27927 28005	R477-4-7 R606-4 R606-5 R994-202 R994-405 R994-405	AMD 5YR 5YR NSC NSC AMD 5YR	07/02/2005 06/08/2005 06/08/2005 08/01/2005 08/01/2005 09/29/2005 06/08/2005	2005-11/31 2005-13/55 2005-13/55 Not Printed Not Printed 2005-11/77 2005-13/55
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Workforce Services; Workforce Information and Payment Services EMPLOYMENT Human Resource Management; Administration Labor Commission; Antidiscrimination and Labor, Antidiscrimination Workforce Services; Workforce Information and Payment Services EMPLOYMENT AGENCIES Labor Commission; Antidiscrimination and Labor, Antidiscrimination EMPLOYMENT SUPPORT PROCEDURES Workforce Services; Employment Development EMPLOYMENT TESTS Workforce Services; Workforce Information and Payment	27886 28004 28005 28008 28033 27927 28005 27661 28227 27789 28009 27791 28014	R477-4-7 R606-4 R606-5 R994-202 R994-405 R994-405 R606-5 R986-100 R986-100 R994-204 R994-204 R994-205 R994-205	AMD 5YR 5YR NSC NSC AMD 5YR AMD 5YR AMD 5YR NSC 5YR NSC	07/02/2005 06/08/2005 06/08/2005 08/01/2005 08/01/2005 09/29/2005 06/08/2005 04/07/2005 09/13/2005 04/01/2005 04/01/2005 08/01/2005 08/01/2005	2005-11/31 2005-13/55 2005-13/55 Not Printed Not Printed 2005-11/77 2005-13/55 2005-4/24 2005-19/105 2005-8/59 Not Printed 2005-8/59 Not Printed
Workforce Services; Workforce Information and Payment Services EMPLOYMENT Human Resource Management; Administration Labor Commission; Antidiscrimination and Labor, Antidiscrimination Workforce Services; Workforce Information and Payment Services EMPLOYMENT AGENCIES Labor Commission; Antidiscrimination and Labor, Antidiscrimination EMPLOYMENT SUPPORT PROCEDURES Workforce Services; Employment Development EMPLOYMENT TESTS Workforce Services; Workforce Information and Payment	27886 28004 28005 28008 28033 27927 28005 27661 28227 27789 28009 27791 28014 27796	R477-4-7 R606-4 R606-5 R994-202 R994-405 R994-405 R606-5 R986-100 R986-100 R994-204 R994-204 R994-205 R994-205 R994-205	AMD 5YR 5YR NSC NSC AMD 5YR AMD 5YR AMD 5YR NSC 5YR NSC 5YR	07/02/2005 06/08/2005 06/08/2005 08/01/2005 08/01/2005 09/29/2005 06/08/2005 04/07/2005 09/13/2005 04/01/2005 04/01/2005 04/01/2005 04/01/2005 04/01/2005	2005-11/31 2005-13/55 2005-13/55 Not Printed Not Printed 2005-11/77 2005-13/55 2005-4/24 2005-19/105 2005-8/59 Not Printed 2005-8/59 Not Printed 2005-8/60
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Development, Community Services	27421 27419 27420	R202-203-324 R202-203-328 R202-207-702	AMD AMD AMD	01/12/2005 01/12/2005 01/12/2005	2004-19/25 2004-19/26 2004-19/27
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ENROLLMENT OPTIONS Education; Administration	27799	R277-437	AMD	05/19/2005	2005-8/17
ENTERPRISE Tax Commission; Auditing	27804	R865-9I-21	AMD	06/08/2005	2005-9/51
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ENVIRONMENTAL HEALTH SCIENTIST	27815	R309-605	5YR	04/14/2005	2005-9/76
Commerce; Occupational and Professional Licensing	28276	R156-20a	5YR	10/06/2005	2005-21/80
ENVIRONMENTAL PROTECTION					
Environmental Quality; Air Quality	28078	R307-115	5YR	07/07/2005	2005-15/45
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	27964	R309-100	AMD	09/13/2005	2005-12/29
	27909	R309-150	5YR	05/16/2005	2005-11/92
	27906	R309-300	5YR	05/16/2005	2005-11/96
	27781	R309-405	NSC	05/16/2005 see 5YR DAR No. 27916	Not Printed
	27916	R309-405	5YR	05/16/2005	2005-11/97
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ESSENTIAL FACILITIES					
Public Service Commission; Administration	27857	R746-349	AMD	08/08/2005	2005-10/34
	28129	R746-349-9	AMD	10/11/2005	2005-17/35
EXEMPTIONS					
Environmental Quality; Radiation Control	27746	R313-12	AMD	05/13/2005	2005-7/29
	27745	R313-19	AMD	05/13/2005	2005-7/34
EXHIBITIONS					
Agriculture and Food; Marketing and Conservation	28160	R65-8	NSC	09/01/2005	Not Printed
EXTENDED BENEFITS Workforce Services; Workforce Information and Payment Services	28023	R994-402	NSC	08/01/2005	Not Printed
<u>EXTINGUISHERS</u>					
Public Safety; Fire Marshal	28122	R710-1-8	AMD	09/15/2005	2005-16/34

EYEGLASSES Health; Health Care Financing, Coverage and Reimbursement Policy	27849	R414-53	AMD	07/01/2005	2005-10/22
FACILITIES USE Capitol Preservation Board (State); Administration	27712	R131-2	5YR	02/16/2005	2005-6/33
FACILITY Human Services; Mental Health, State Hospital	27994	R525-8	NSC	08/01/2005	Not Printed
FAIR EMPLOYMENT PRACTICES					
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	20121	K000-1-0	AIVID	10/07/2005	2005-17727
FAMILY EMPLOYMENT PROGRAM Workforce Services; Employment Development	27957 28202 28229 28134 27824	R986-200 R986-200 R986-200 R986-200 R986-200-214	AMD EMR 5YR AMD AMD	08/01/2005 09/02/2005 09/14/2005 10/05/2005 06/01/2005	2005-12/84 2005-19/33 2005-19/105 2005-17/49 2005-9/65
FEED CONTAMINATION Agriculture and Food; Plant Industry	28208	R68-2	5YR	09/06/2005	2005-19/41
FEES Labor Commission; Industrial Accidents	27894 27895 27900 27899 27893	R612-2-1 R612-2-2 R612-2-3 R612-2-5 R612-2-18	AMD AMD AMD AMD	07/02/2005 07/02/2005 07/02/2005 07/02/2005 07/02/2005	2005-11/51 2005-11/52 2005-11/53 2005-11/54 2005-11/56
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	28035 27937	R994-403 R994-403-123	NSC AMD	08/01/2005 09/29/2005	Not Printed 2005-12/86
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FINANCIAL AID Regents (Board Of); Administration	28084	R765-605-4	AMD	09/01/2005	2005-15/21
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FINANCIAL INFORMATION Human Services; Recovery Services	27640	R527-10	5YR	01/06/2005	2005-3/58
FINANCIAL INSTITUTIONS Money Management Council; Administration	27689 28281 28314 28332	R628-11 R628-11 R628-12 R628-13	AMD 5YR 5YR 5YR	03/22/2005 10/12/2005 11/01/2005 11/07/2005	2005-4/18 2005-21/82 2005-22/50 2005-23/68
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FIRE Environmental Quality; Air Quality	27758	R307-204-3	AMD	07/07/2005	2005-7/11
FIRE PREVENTION					
Public Safety; Fire Marshal	28122	R710-1-8	AMD	09/15/2005	2005-16/34
	27653	R710-4-3	AMD	03/04/2005	2005-3/44
	27976	R710-4-3	AMD	07/19/2005	2005-12/67
	27671	R710-7-1	AMD	06/13/2005	2005-4/21
	27655	R710-9-6	AMD AMD	03/04/2005	2005-3/47
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	28115	R710-9-6	AMD	09/15/2005	2005-12/09
	20113	K7 10-9-0	AIVID	09/15/2005	2005-10/30
FIREPLACES Environmental Quality; Air Quality	28214	R307-201	5YR	09/07/2005	2005-19/95
Environmental Quality, Air Quality	27760	R307-201 R307-207	NEW	09/07/2005	2005-19/95
	21100	K307-207	INLVV	see CPR in	2003-1710
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	27760	R307-207	CPR	09/02/2005	2005-15/33
	27761	R307-302	AMD	09/02/2005	2005-15/33
	21101	K307-302	AIVID	see CPR in	2003-1711
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	07764	D207 202	CDD	09/02/2005	2005 15/24
	27761 28219	R307-302 R307-302	CPR 5YR	09/02/2005	2005-15/34 2005-19/98
	20219	K307-302	SIK	09/07/2005	2005-19/96
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	07400	D057.40	CDD		2004 22/00
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FLEET EXPANSION VEHICLE REPLACEMENT					
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	28197	R58-11	5YR	09/02/2005	2005-19/36
	28198	R58-12	5YR	09/02/2005	2005-19/37
	28199	R58-13	5YR	09/02/2005	2005-19/37
	28201	R58-16	5YR	09/02/2005	2005-19/38
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	27667	R70-440-2	NSC	03/01/2005	Not Printed
	27569	R70-540-14	AMD	03/18/2005	2004-24/7
	28194	R70-610	5YR	09/02/2005	2005-19/44
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Workforce Services; Employment Development	28235	R986-900	5YR	09/14/2005	2005-19/108
FORENSIC	0700	D505.0	NOC	00/04/222=	N (B)
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EOSTED CADE					
FOSTER CARE Human Services: Child and Family Services	27982	R512-306	AMD	08/03/2005	2005_13/31
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				see 5YR DAR	
				No. 28223	
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,	28189	R657-11	AMD	10/25/2005	2005-18/58
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	28082	R657-6	5YR	07/08/2005	2005-15/49
	28081	R657-6	AMD	09/06/2005	2005-15/7
	28188	R657-10	AMD	10/25/2005	2005-18/52
	28168	R657-11	5YR	08/24/2005	2005-18/73
	28189	R657-11	AMD	10/25/2005	2005-18/58
	28363	R657-17	5YR	11/21/2005	2005-24/56
	27649	R657-33	AMD	03/04/2005	2005-3/36
	27751	R657-33-2	NSC	04/01/2005	Not Printed
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	27700	R35-1a	NSC	04/01/2005	Not Printed
	27625	R35-2	AMD	03/04/2005	2005-2/18
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HAZARDOUS WASTE Environmental Quality; Solid and Hazardous Waste	28095 28094	R315-16 R315-102	5YR 5YR	07/19/2005 07/19/2005	2005-16/53 2005-16/53
Transportation; Motor Carrier	28243	R909-75	AMD	11/04/2005	2005-19/28
HEALTH CARE Health; Community and Family Health Services, Children with Special Health Care Needs	28074	R398-1	AMD	10/25/2005 see CPR in 09/15/2005	2005-15/4
	28074	R398-1	CPR	Bulletin 10/25/2005	2005-18/70
HEALTH EFFECTS Environmental Quality; Drinking Water	27914	R309-220	5YR	10/25/2005 05/16/2005	2005-11/95
Environmental Quality; Drinking Water				10/25/2005	
	27914	R309-220	5YR	10/25/2005 05/16/2005	2005-11/95
Environmental Quality; Drinking Water HEALTH FACILITIES	27914 27962 27674 27675 27676 27677 27678 27679 27680 27681 27682 27884 27683	R309-220 R309-220 R432-7 R432-8 R432-9 R432-10 R432-11 R432-12 R432-13 R432-14 R432-30 R432-150 R432-270	5YR AMD 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR	05/16/2005 09/13/2005 09/13/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005	2005-11/95 2005-12/45 2005-12/45 2005-4/47 2005-4/48 2005-4/49 2005-4/50 2005-4/50 2005-4/51 2005-4/51 2005-4/51 2005-4/52
Environmental Quality; Drinking Water HEALTH FACILITIES Health; Health Systems Improvement, Licensing HEALTH INSURANCE	27914 27962 27674 27675 27676 27677 27678 27679 27680 27681 27682 27884 27683 27692	R309-220 R309-220 R432-7 R432-8 R432-9 R432-10 R432-11 R432-12 R432-13 R432-14 R432-30 R432-30 R432-270 R432-270	5YR AMD 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR	05/16/2005 09/13/2005 09/13/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/31/2005 05/10/2005 11/17/2005 05/05/2005 09/30/2005 see CPR in 08/15/2005	2005-11/95 2005-12/45 2005-4/47 2005-4/48 2005-4/49 2005-4/50 2005-4/50 2005-4/51 2005-4/51 2005-11/26 2005-4/52 2005-5/24
Environmental Quality; Drinking Water HEALTH FACILITIES Health; Health Systems Improvement, Licensing HEALTH INSURANCE Human Services; Recovery Services	27914 27962 27674 27675 27676 27677 27678 27679 27680 27681 27682 27884 27683 27692 27640 28244 27866	R309-220 R309-220 R432-7 R432-8 R432-9 R432-10 R432-11 R432-12 R432-13 R432-14 R432-30 R432-150 R432-270 R432-270 R432-270-10	5YR AMD 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR 5YR AMD 5YR AMD 5YR	05/16/2005 09/13/2005 09/13/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/28/2005 01/31/2005 05/10/2005	2005-11/95 2005-12/45 2005-12/45 2005-4/47 2005-4/48 2005-4/49 2005-4/50 2005-4/50 2005-4/51 2005-4/51 2005-4/52 2005-5/24 2005-3/58 2005-20/37 2005-11/98

HEARING IMPAIRED					
Public Service Commission; Administration	28057	R746-510	NEW	08/25/2005	2005-14/58
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<u>HEARINGS</u>					
Environmental Quality; Air Quality	28221	R307-103	5YR	09/07/2005	2005-19/45
Environmental Quality; Drinking Water	27908	R309-115	5YR	05/16/2005	2005-11/92
Labor Commission; Adjudication	28259	R602-2-3	AMD	11/15/2005	2005-20/42
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<u>HEAT</u>					
Community and Economic Development; Community	27418	R202-202-202	AMD	01/12/2005	2004-19/24
Development, Community Services					
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HIGH QUALITY GROUND WATER					
Environmental Quality; Drinking Water	27963	R309-505	AMD	09/13/2005	2005-12/47
Environmental addity, Drinking Water	2,000	1,000 000	7 11112	00/10/2000	2000 12/11
HIGHER EDUCATION					
Education; Administration	27662	R277-713	AMD	03/21/2005	2005-4/14
Eddodion, Administration	27875	R277-713	NSC	07/01/2005	Not Printed
Money Management Council; Administration	28228	R628-2	AMD	11/01/2005	2005-19/25
Regents (Board Of); Administration	27663	R765-604	5YR	01/19/2005	2005-4/56
Regents (Board Or), Administration	27666	R765-604			
			AMD	03/22/2005 09/01/2005	2005-4/22
	28084	R765-605-4	AMD		2005-15/21
	28251	R765-610	NSC	11/01/2005	Not Printed
	27841	R765-626	5YR	04/26/2005	2005-10/53
	28062	R765-685	REP	08/17/2005	2005-14/60
HIGHWAYO					
HIGHWAYS		50101			
Transportation; Operations, Construction	27846	R916-4	NEW	06/27/2005	2005-10/46
Transportation; Program Development	28024	R926-7	NEW	09/15/2005	2005-13/42
	28274	R926-8	NEW	12/07/2005	2005-21/41
HIRING PRACTICES		_			
Human Resource Management; Administration	27886	R477-4-7	AMD	07/02/2005	2005-11/31
HISTORIC PRESERVATION					
Tax Commission; Auditing	27929	R865-6F-35	AMD	07/20/2005	2005-12/71
	27804	R865-9I-21	AMD	06/08/2005	2005-9/51
	27930	R865-9I-51	AMD	07/20/2005	2005-12/72
<u>HOLIDAYS</u>					
Human Resource Management; Administration	27896	R477-7	AMD	07/02/2005	2005-11/36
HOME-DELIVERED MEALS					
Human Services; Aging and Adult Services	28040				
	20040	R510-104	5YR	06/22/2005	2005-14/98
	20040	R510-104	5YR	06/22/2005	2005-14/98
<u>HORSES</u>	20040	R510-104		06/22/2005	2005-14/98
HORSES Agriculture and Food; Marketing and Conservation	28159	R510-104 R65-7	5YR NSC	06/22/2005 09/01/2005	2005-14/98 Not Printed
Agriculture and Food; Marketing and Conservation					
Agriculture and Food; Marketing and Conservation HOSPITALS	28159	R65-7	NSC	09/01/2005	Not Printed
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and					
Agriculture and Food; Marketing and Conservation HOSPITALS	28159	R65-7	NSC	09/01/2005	Not Printed
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy	28159	R65-7	NSC	09/01/2005	Not Printed
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING	28159 27582	R65-7 R414-1B	NSC NSC	09/01/2005 02/01/2005	Not Printed Not Printed
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community	28159	R65-7	NSC	09/01/2005	Not Printed
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History	28159 27582 28055	R65-7 R414-1B R212-11	NSC NSC 5YR	09/01/2005 02/01/2005 06/30/2005	Not Printed Not Printed 2005-14/97
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair	28159 27582	R65-7 R414-1B	NSC NSC	09/01/2005 02/01/2005	Not Printed Not Printed
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History	28159 27582 28055 28126	R65-7 R414-1B R212-11 R608-1-8	NSC NSC 5YR EMR	09/01/2005 02/01/2005 06/30/2005 08/02/2005	Not Printed Not Printed 2005-14/97 2005-17/52
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair	28159 27582 28055	R65-7 R414-1B R212-11	NSC NSC 5YR	09/01/2005 02/01/2005 06/30/2005	Not Printed Not Printed 2005-14/97
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing	28159 27582 28055 28126	R65-7 R414-1B R212-11 R608-1-8	NSC NSC 5YR EMR	09/01/2005 02/01/2005 06/30/2005 08/02/2005	Not Printed Not Printed 2005-14/97 2005-17/52
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES	28159 27582 28055 28126 28127	R65-7 R414-1B R212-11 R608-1-8 R608-1-8	NSC NSC 5YR EMR AMD	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126	R65-7 R414-1B R212-11 R608-1-8	NSC NSC 5YR EMR	09/01/2005 02/01/2005 06/30/2005 08/02/2005	Not Printed Not Printed 2005-14/97 2005-17/52
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES	28159 27582 28055 28126 28127 28167	R65-7 R414-1B R212-11 R608-1-8 R608-1-8	NSC NSC 5YR EMR AMD	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127	R65-7 R414-1B R212-11 R608-1-8 R608-1-8	NSC NSC 5YR EMR AMD	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167	R65-7 R414-1B R212-11 R608-1-8 R608-1-8	NSC NSC 5YR EMR AMD	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167 28185	R65-7 R414-1B R212-11 R608-1-8 R608-1-8 R501-1	NSC NSC 5YR EMR AMD AMD NEW	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005 10/18/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27 2005-18/25 2005-18/30
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167 28185 28268 28132	R65-7 R414-1B R212-11 R608-1-8 R608-1-8 R501-1 R501-4 R501-14 R501-15	NSC NSC 5YR EMR AMD AMD NEW REP NEW	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005 10/18/2005 11/16/2005 10/05/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27 2005-18/30 2005-20/30 2005-17/22
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167 28185 28268 28132 27673	R65-7 R414-1B R212-11 R608-1-8 R608-1-8 R501-1 R501-4 R501-14 R501-15 R501-18	NSC NSC 5YR EMR AMD AMD NEW REP NEW 5YR	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005 10/18/2005 11/16/2005 10/05/2005 01/27/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27 2005-18/30 2005-20/30 2005-17/22 2005-4/52
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167 28185 28268 28132 27673 28270	R65-7 R414-1B R212-11 R608-1-8 R608-1-8 R501-1 R501-4 R501-14 R501-15 R501-18 R501-18	NSC NSC 5YR EMR AMD AMD NEW REP NEW 5YR REP	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005 10/18/2005 11/16/2005 10/05/2005 01/27/2005 11/16/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-18/25 2005-18/30 2005-20/30 2005-17/22 2005-4/52 2005-20/34
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167 28167 28185 28268 28132 27673 28270 27839	R65-7 R414-1B R212-11 R608-1-8 R608-1-8 R501-1 R501-4 R501-14 R501-15 R501-18 R501-18 R501-19	NSC NSC 5YR EMR AMD AMD NEW REP NEW 5YR REP 5YR	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005 10/18/2005 11/16/2005 11/16/2005 11/16/2005 04/25/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-18/25 2005-18/30 2005-20/30 2005-17/22 2005-4/52 2005-20/34 2005-10/51
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167 28185 28268 28132 27673 28270 27839 27836	R65-7 R414-1B R212-11 R608-1-8 R608-1-8 R501-1 R501-4 R501-15 R501-15 R501-18 R501-18 R501-19 R501-20	NSC NSC 5YR EMR AMD NEW REP NEW 5YR REP 5YR 5YR	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005 10/18/2005 11/16/2005 11/16/2005 01/27/2005 01/27/2005 04/25/2005 04/21/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-17/27 2005-18/30 2005-20/30 2005-17/22 2005-4/52 2005-20/34 2005-10/51 2005-10/51
Agriculture and Food; Marketing and Conservation HOSPITALS Health; Health Care Financing, Coverage and Reimbursement Policy HOUSING Community and Economic Development; Community Development, History Labor Commission; Antidiscrimination and Labor, Fair Housing HUMAN SERVICES Human Services; Administration, Administrative Services,	28159 27582 28055 28126 28127 28167 28167 28185 28268 28132 27673 28270 27839	R65-7 R414-1B R212-11 R608-1-8 R608-1-8 R501-1 R501-4 R501-14 R501-15 R501-18 R501-18 R501-19	NSC NSC 5YR EMR AMD AMD NEW REP NEW 5YR REP 5YR	09/01/2005 02/01/2005 06/30/2005 08/02/2005 10/07/2005 10/18/2005 11/16/2005 11/16/2005 11/16/2005 04/25/2005	Not Printed Not Printed 2005-14/97 2005-17/52 2005-18/25 2005-18/30 2005-20/30 2005-17/22 2005-4/52 2005-20/34 2005-10/51

Human Services; Administration, Administrative Services,	27838	R501-22	5YR	04/22/2005	2005-10/52
Licensing	07500	DE20.4	AND	04/05/0005	2004 24/47
Human Services; Services for People with Disabilities	27568	R539-1	AMD	01/25/2005	2004-24/17
HUNTING					
Natural Resources; Wildlife Resources	27552	R657-38	AMD	01/15/2005	2004-24/48
	28367	R657-38	5YR	11/21/2005	2005-24/56
LILINTING AND EIGHING LICENSES					
HUNTING AND FISHING LICENSES Natural Resources; Wildlife Resources	28363	R657-17	5YR	11/21/2005	2005-24/56
Tradara resources, vinding resources	20000	11007 17	OTIC	1 1/2 1/2000	2000 2-700
IGNITION INTERLOCK SYSTEMS					
Public Safety; Driver License	28103	R708-31	NSC	08/01/2005	Not Printed
ILLEGAL DRUG LABORATORIES					
Health; Epidemiology and Laboratory Services,	27650	R392-600	NEW	05/02/2005	2005-3/19
Environmental Services	27000	11002 000	14244	00/02/2000	2000 0/10
IMMUNIZATION					
Health; Community and Family Health Services,	27897	R396-100	AMD	07/21/2005	2005-11/6
Immunization					
IMMUNIZATION DATA REPORTING					
Health; Epidemiology and Laboratory Services,	27934	R386-800	5YR	05/24/2005	2005-12/89
Epidemiology					
IMPAIRMENT RATINGS	00000	D040.7.0	NOO	40/04/0005	Net Delete d
Labor Commission; Industrial Accidents	28299	R612-7-3	NSC	12/01/2005	Not Printed
IMPLEMENTS OF HUSBANDRY					
Transportation; Motor Carrier	28242	R909-1	AMD	11/04/2005	2005-19/27
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IMPUTATION Debtion Commission Administration	07057	D740 040	AND	00/00/0005	0005 40/04
Public Service Commission; Administration	27857 28129	R746-349 R746-349-9	AMD AMD	08/08/2005 10/11/2005	2005-10/34 2005-17/35
	20129	11740-049-9	AIVID	10/11/2003	2005-17755
<u>INCOME</u>					
Health; Health Care Financing, Coverage and	28315	R414-302-6	AMD	12/16/2005	2005-22/33
Reimbursement Policy	0=000	B		0=1001000=	000= 4444
	27923	R414-304	AMD	07/02/2005	2005-11/18
INCOME ELIGIBILITY	07404	D000 000 004	AND	04/40/2005	2004 40/25
Community and Economic Development; Community Development, Community Services	27421	R202-203-324	AMD	01/12/2005	2004-19/25
Development, Community Services	27419	R202-203-328	AMD	01/12/2005	2004-19/26
				0 12.2000	200: 10:20
INCOME TAX					
Tax Commission; Auditing	27804	R865-9I-21	AMD	06/08/2005	2005-9/51
	27930	R865-9I-51	AMD	07/20/2005	2005-12/72
INDEPENDENT CONTRACTOR					
Workforce Services; Workforce Information and Payment	27789	R994-204	5YR	04/01/2005	2005-8/59
Services		Dags		00/04/000=	
	28009	R994-204	NSC	08/01/2005	Not Printed
INDEPENDENT LIVING					
Human Services; Child and Family Services	27982	R512-306	AMD	08/03/2005	2005-13/31
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INDUSTRIAL WASTE	07050	D047.4	AND	04/00/0005	2005 2/5
Environmental Quality; Water Quality	27659 27817	R317-1 R317-1-7	AMD AMD	04/20/2005 06/29/2005	2005-3/5 2005-9/5
	21011	1.017 1-7	י יואור	55/25/2005	2000-0/0
INSPECTIONS					
Agriculture and Food; Animal Industry	27695	R58-22	5YR	02/03/2005	2005-5/29
Agriculture and Food; Plant Industry	27773	R68-8-2	NSC	05/01/2005	Not Printed
Agriculture and Food; Regulatory Services	27697 28328	R68-20 R70-910	5YR 5YR	02/04/2005 11/03/2005	2005-5/30 2005-23/64
Agriculture and Food, Regulatory Oct VICES	28329	R70-910	5YR	11/03/2005	2005-23/64
Environmental Quality; Radiation Control	27746	R313-12	AMD	05/13/2005	2005-7/29
•	27991	R313-16	AMD	08/12/2005	2005-13/26

INSURANCE	27004	D477.6	AMD	07/02/2005	2005 11/22
Human Resource Management; Administration	27904	R477-6	AMD	07/02/2005	2005-11/32 Not Printed
Insurance; Administration	27715	R590-102-13	NSC	04/01/2005	
	27785	R590-140	5YR	03/31/2005	2005-8/56
	27810	R590-146	AMD	08/25/2005	2005-9/19
				see CPR in	
				07/15/2005	
				Bulletin	
	27810	R590-146	CPR	08/25/2005	2005-14/76
	28172	R590-146-24	NSC	09/01/2005	Not Printed
	27556	R590-147	R&R	02/10/2005	2004-24/21
	27719	R590-148-12	AMD	04/28/2005	2005-6/19
	28098	R590-148-21	AMD	09/30/2005	2005-16/24
	27554	R590-163	REP	02/10/2005	2004-24/23
	28027	R590-171	5YR	06/14/2005	2005-13/53
	28334	R590-175	5YR	11/08/2005	2005-23/67
	27644	R590-196	5YR	01/07/2005	2005-3/60
	27558	R590-196	AMD	02/10/2005	2004-24/25
	27504	R590-203	AMD	07/22/2005	2004-22/47
				see CPR	
				(First) in	
				01/15/2005	
				Bulletin	
	27504	R590-203	CPR	07/22/2005	2005-2/95
			(First)	see CPR	
				(Second) in	
				06/01/2005	
				Bulletin.	
	27504	R590-203	CPR	07/22/2005	2005-11/87
			(Second)		
	27776	R590-212	NSC	05/01/2005	Not Printed
Natural Resources; Parks and Recreation	28061	R651-409	5YR	07/01/2005	2005-14/99
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INSURANCE COMPANIES					
Insurance; Administration	28135	R590-124	NSC	09/01/2005	Not Printed
	27685	R590-128	5YR	01/31/2005	2005-4/53
	28099	R590-145	REP	09/30/2005	2005-16/21
INSURANCE FEE		D-00 / 0		00/04/000=	
Insurance; Administration	28136	R590-157-3	NSC	09/01/2005	Not Printed
INCURANCELAW					
INSURANCE LAW	27604	DE00 88	EVD	04/24/2005	2005-4/53
Insurance; Administration	27684	R590-88	5YR	01/31/2005	
	27723	R590-99-4	NSC	04/01/2005	Not Printed
	28260	R590-130	5YR	09/29/2005	2005-20/66
	27686 27784	R590-132 R590-164	5YR 5YR	01/31/2005 03/31/2005	2005-4/54 2005-8/57
	27755	R590-174	REP	02/10/2005	2003-8/37
	28120	R590-202	5YR	08/01/2005	2004-24/24
	28110	R590-202 R590-202	REP	09/30/2005	2005-16/34
	20110	11030-202	IXLI	09/30/2003	2005-10/20
INSURANCE LAW PRIVACY					
Insurance; Administration	28423	R590-205	5YR	12/15/2005	2006-1/50
INTERNET ACCESS					
Community and Economic Development; Community	28333	R223-2	5YR	11/07/2005	2005-23/65
Development, Library					
<u>INTERPRETERS</u>					
Public Service Commission; Administration	28057	R746-510	NEW	08/25/2005	2005-14/58
INTERSTATE COMPACTS					
Workforce Services; Workforce Information and Payment	28001	R994-106	NSC	08/01/2005	Not Printed
Services					
INTOVIL VZED					
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	20144	R211-510	REP	10/05/2005	2005-17/8
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Education; Administration	28141 28373	R277-474 R277-477	5YR 5YR	08/15/2005 11/23/2005	2005-17/54 2005-24/52
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	27777	R164-9-1	EMR	03/25/2005	2005-8/53
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	27939	R539-5-5	NSC	06/01/2005	Not Printed
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Human Services; Services for People with Disabilities	27626 27794	R539-2 R539-2-5	NEW NSC	03/12/2005 05/01/2005	2005-2/45 Not Printed

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