The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah State Government. The Department of Administrative Services, Division of Administrative Rules produces the *Bulletin* under authority of Section 63G-3-402.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Division of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3764. Additional rulemaking information, and electronic versions of all administrative rule publications are available at: 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.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EDITOR'S NOTES</strong></td>
<td>1</td>
</tr>
<tr>
<td>Administrative Services</td>
<td></td>
</tr>
<tr>
<td>Legislative Services</td>
<td>1</td>
</tr>
<tr>
<td>Administrative Rules</td>
<td></td>
</tr>
<tr>
<td>Legislation Affecting Administrative Rulemaking</td>
<td>1</td>
</tr>
<tr>
<td>Delayed Notice and Publication of the Expiration of Rules R426-2 and R426-6</td>
<td>1</td>
</tr>
<tr>
<td><strong>NOTICES OF PROPOSED RULES</strong></td>
<td>3</td>
</tr>
<tr>
<td>Administrative Services</td>
<td></td>
</tr>
<tr>
<td>Fleet Operations</td>
<td></td>
</tr>
<tr>
<td>No. 37392 (Amendment): R27-3-5 Personal Use Standards</td>
<td>4</td>
</tr>
<tr>
<td>Commerce</td>
<td></td>
</tr>
<tr>
<td>Real Estate</td>
<td></td>
</tr>
<tr>
<td>No. 37393 (Amendment): R162-2f Real Estate Licensing and Practices Rules</td>
<td>8</td>
</tr>
<tr>
<td>No. 37394 (Amendment): R162-2f-403 Trust Accounts</td>
<td>16</td>
</tr>
<tr>
<td>Education</td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
</tr>
<tr>
<td>No. 37413 (Amendment): R277-600 Student Transportation Standards and Procedures</td>
<td>20</td>
</tr>
<tr>
<td>No. 37414 (Amendment): R277-610 Released-Time Classes</td>
<td>24</td>
</tr>
<tr>
<td>No. 37415 (Amendment): R277-702 Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009)</td>
<td>26</td>
</tr>
<tr>
<td>Health</td>
<td></td>
</tr>
<tr>
<td>Family Health and Preparedness, Children with Special Health Care Needs</td>
<td></td>
</tr>
<tr>
<td>No. 37381 (Amendment): R398-1 Newborn Screening</td>
<td>28</td>
</tr>
<tr>
<td>Family Health and Preparedness, Emergency Medical Services</td>
<td></td>
</tr>
<tr>
<td>No. 37411 (New Rule): R426-2 Air Medical Service Rules</td>
<td>32</td>
</tr>
<tr>
<td>No. 37410 (New Rule): R426-6 Emergency Medical Services Competitive Grants Program Rules</td>
<td>36</td>
</tr>
<tr>
<td>Judicial Performance Evaluation Commission</td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
</tr>
<tr>
<td>No. 37383 (Amendment): R597-1 General Provisions</td>
<td>37</td>
</tr>
<tr>
<td>No. 37382 (Amendment): R597-3 Judicial Performance Evaluations</td>
<td>38</td>
</tr>
<tr>
<td><strong>NOTICES OF CHANGES IN PROPOSED RULES</strong></td>
<td>43</td>
</tr>
<tr>
<td>Environmental Quality</td>
<td></td>
</tr>
<tr>
<td>Air Quality</td>
<td></td>
</tr>
<tr>
<td>No. 36738 (Second): R307-343 Emissions Standards for Wood Furniture Manufacturing Operations</td>
<td>44</td>
</tr>
<tr>
<td>No. 36735 (Second): R307-353 Plastic Parts Coatings</td>
<td>46</td>
</tr>
<tr>
<td>Health</td>
<td></td>
</tr>
<tr>
<td>Health Care Financing, Coverage and Reimbursement Policy</td>
<td></td>
</tr>
<tr>
<td>No. 37085: R414-29 Client Review/Education and Restriction Policy</td>
<td>49</td>
</tr>
<tr>
<td>Human Services</td>
<td></td>
</tr>
<tr>
<td>Services</td>
<td></td>
</tr>
<tr>
<td>Services for People with Disabilities</td>
<td></td>
</tr>
<tr>
<td>No. 37163: R539-3 Rights and Protections</td>
<td>51</td>
</tr>
<tr>
<td><strong>NOTICES 120-DAY (EMERGENCY) RULES</strong></td>
<td>55</td>
</tr>
<tr>
<td>Health</td>
<td></td>
</tr>
<tr>
<td>Family Health and Preparedness, Emergency Medical Services</td>
<td></td>
</tr>
<tr>
<td>No. 37409: R426-2 Air Medical Service Rules</td>
<td>55</td>
</tr>
<tr>
<td>No. 37408: R426-6 Emergency Medical Services Competitive Grants Program Rules</td>
<td>59</td>
</tr>
<tr>
<td><strong>FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION</strong></td>
<td>61</td>
</tr>
<tr>
<td>Corrections</td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
</tr>
<tr>
<td>No. 37389: R251-114 Offender Long-Term Health Care - Notice</td>
<td>61</td>
</tr>
</tbody>
</table>
### TABLE OF CONTENTS

**Education**

**Administration**

- No. 37399: R277-518 Career and Technical Education Licenses ................................................................. 61
- No. 37400: R277-600 Student Transportation Standards and Procedures .................................................. 62
- No. 37401: R277-605 Coaching Standards and Athletic Clinics ...................................................................... 62
- No. 37402: R277-610 Released-Time Classes ................................................................................................. 63
- No. 37403: R277-700 The Elementary and Secondary School Core Curriculum .......................... 63
- No. 37404: R277-702 Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009) ................................................................................................................................................................. 64
- No. 37405: R277-709 Education Programs Serving Youth in Custody ........................................ 64
- No. 37406: R277-719 Standards for Selling Foods Outside of the Reimbursable Meal in Schools .............................................................................................................................................................................. 65

**Health**

- Health Care Financing, Coverage and Reimbursement Policy
  - No. 37391: R414-6 Reduction in Certain Targeted Case Management Services .................. 65

**Insurance**

**Administration**

- No. 37412: R590-94 Rule Permitting Smoker/Nonsmoker Mortality Tables For Use In Determining Minimum Reserve Liabilities and Nonforfeiture Benefits ............................................................................................................. 66

**Natural Resources**

- Water Rights
  - No. 37388: R655-5 Maps Submitted to the Division of Water Rights .............................................. 66
- Wildlife Resources
  - No. 37384: R657-3 Collection, Importation, Transportation, and Possession of Animals .................. 67

**Public Safety**

- Fire Marshal
  - No. 37390: R710-12 Hazardous Materials Training and Certification ............................................. 67

**Public Service Commission**

- Administration
  - No. 37385: R746-330 Rules for Water and Sewer Utilities Operating in Utah ......................... 68
  - No. 37386: R746-347 Extended Area Service (EAS) ............................................................................. 68

**Regents (Board Of)**

- University of Utah, Administration
  - No. 37407: R805-1 Operating Regulations for Bicycles, Skateboards and Scooters .................. 69

**NOTICES OF FIVE YEAR EXPIRATIONS**
........................................................................................................................................................................... 71

**Health**

- Family Health and Preparedness, Emergency Medical Services
  - No. 37397: R426-2 Air Medical Service Rules ..................................................................................... 71
  - No. 37398: R426-6 Emergency Medical Services Competitive Grants Program Rules .......................... 71

**Regents (Board Of)**

- University of Utah, Commuter Services
  - No. 37387: R810-12 Bicycles, Skateboards and Other Toy Vehicles .................................................. 71

**NOTICES OF RULE EFFECTIVE DATES**
........................................................................................................................................................................... 73

**RULES INDEX**

**BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)**
........................................................................................................................................................................... 75
EDITOR'S NOTES

Legislation Affecting Administrative Rulemaking

During the 2013 General Session, the Legislature passed the following bills that affect rulemaking.


H.B. 256, entitled "Reauthorization of Administrative Rules", passed and now awaits the Governor's action. H.B. 256 is the legislation required annually by Subsection 63G-3-502(3). The bill reauthorizes all administrative rules except Subsection R592-2-7(2) from the Title and Escrow Commission which addresses Title Insurance Administrative Hearings and Penalty Imposition, Imposition of Penalties. This subsection will be removed from the Utah Administrative Code effective May 1, 2013. A separate notice of the Legislative Nonreauthorization will be published in the May 15, 2013, issue of the Utah State Bulletin. Under the terms of Section 2 of the bill, it takes effect on May 1, 2013.

The law governing reauthorization of administrative rules is found at Section 63G-3-502. Questions about the reauthorization process may be directed to Ken Hansen, 801-538-3777. Additional information about H.B. 256 is available on the Legislature's web site at http://le.utah.gov/~2013/bills/static/hb0256.html.

S.B. 107, Public Shooting Ranges (Sen. A. Christensen)

2nd Substitute S.B. 107 as amended, Public Shooting Ranges, passed and now awaits the Governor's action. Beginning at line 135, the bill requires the "State Armory Board, any state agency, or institution of higher education that operates or has control of a shooting range" to make rules pursuant to the Utah Administrative Rulemaking Act. The bill specifies minimum content of the rules. The bill, beginning at line 163, excludes specified ranges (ranges operated by the Division of Wildlife Resources, the Utah National Guard ranges located at Camp Williams and the Salt Lake International Airport; and ranges owned, operated, or currently leased by a state public safety agency) from the Part, including the rulemaking requirement. Under the terms of Section 10 of the bill, it takes effect upon approval by the governor.

Additional information about S.B. 107 is available on the Legislature's web site at http://le.utah.gov/~2013/bills/static/sb0107.html.

Questions about this legislation may be directed to Ken Hansen (801-538-3777).

Delayed Notice and Publication of the Expiration of Rules R426-2 and R426-6

Rule R426-2, entitled "Air Medical Service Rules," expired effective 02/24/2013. Rule R426-6, entitled "Emergency Medical Services Competitive Grants Program Rules," expired 03/01/2013. The rules expired because the required five-year review was not filed by the due date (see Subsection 63G-3-305(8)).

The Division of Administrative Rules should have published Notices of the Expirations in the March 15, 2013, issue of the Utah State Bulletin. Due to a clerical oversight, the Division did not record the expiration until 03/12/2013. Thus, notice is published in this issue.

Questions regarding the expiration of Rules R426-2 and R426-6 should be addressed to Nancy Lancaster at 801-538-3218 or by email at nilancaster@utah.gov. The Division of Administrative Rules regrets any inconvenience caused by this error.
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 March 02, 2013, 12:00 a.m., and March 15, 2013, 11:59 p.m., are included in this, the April 01, 2013 issue of the Utah State Bulletin.

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

Following the Rule Analysis, the text of the Proposed Rule is usually printed. New rules or additions made to existing rules are underlined (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., [example]). Rules being repealed are completely struck out. A row of dots in the text between paragraphs (........) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not printed. 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 May 1, 2013. The agency may accept comment beyond this date and will indicate 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 hold a hearing on a specific Proposed Rule. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through July 30, 2013, 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 seven calendar days after the close of the public comment period 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 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 Section 63G-3-301; 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, Fleet Operations
R27-3-5
Personal Use Standards

NOTICE OF PROPOSED RULE (Amendment)
DAR FILE NO.: 37392
FILED: 03/08/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: In a meeting of the Motor Vehicle Review Committee, dated 12/11/2012, the committee voted to remove language from Section R27-3-5 that implied the Division of Fleet Operations had authority to approve the personal use of state vehicles.

SUMMARY OF THE RULE OR CHANGE: This action removes language in Subsections R27-3-5(1)(a), (b), and (c) that discusses circumstances where personal use of state vehicles is approved.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 63A-9-401(1)(d)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--The rule change only addresses the division's authority, not any cost-related activities.
♦ LOCAL GOVERNMENTS: None--The rule change only addresses the division's authority, not any cost-related activities.
♦ SMALL BUSINESSES: None--The rule change only addresses the division's authority, not any cost-related activities.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--The rule change only addresses the division's authority, not any cost-related activities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--The rule change only addresses the division's authority, there are no associated compliance-related activities.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact on businesses.

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

SALT LAKE CITY, UT 84114-1201
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Gary Robertson by phone at 801-538-3792, by FAX at 801-359-0759, or by Internet E-mail at garyrobertson@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/08/2013

AUTHORIZED BY: Sam Lee, Director

R27. Administrative Services, Fleet Operations.
R27-3-1. Authority and Purpose.
(1) This rule is established pursuant to Section 63A-9-401(1)(d), which authorizes the Division of Fleet Operations (DFO) to establish the requirements for the use of state vehicles, including business and personal use practices, and commute standards.
(2) This rule defines the vehicle use standards for state employees while operating a state vehicle.

R27-3-2. Agency Contact.
(1) Each agency, as defined in Subsection 63A-9-101, shall appoint and designate, in writing, a main contact person from within the agency to act as a liaison between the Division of Fleet Operations and the agency.

(1) Agencies authorized to enter information into DFO's fleet information system shall, for each employee, as defined in section 63G-7-102(2), Utah Governmental Immunity Act, to whom the agency has granted the authority to operate a state vehicle, directly enter into DFO's fleet information system, the following information:
(a) Driver's name;
(b) Driver license number;
(c) State that issued the driver license;
(d) Each Risk Management-approved driver training program(s) taken;
(e) Date each driver safety program(s) was completed;
(f) The type vehicle that each safety program is geared towards.
(2) Agencies without authorization to enter information into DFO's fleet information system shall provide the information required in paragraph 1 to DFO for entry into DFO's fleet information system.
(3) For the purposes of this rule, any employee, as defined in section 63G-7-102(2), whose fleet information system record does not have all the information required in paragraph 1 shall be deemed not to have the authority to drive state vehicles and shall not be allowed to drive either a monthly or a daily lease vehicle.
(4) To operate a state vehicle, employees, as defined in section 63G-7-102(2), whose names have been entered into DFO's fleet information system as authorized drivers shall have:
(a) a valid driver license for the type and class of vehicle being operated;
(b) completed the driver safety course required by DFO and the Division of Risk Management for the type or class of vehicle being operated; and
(c) met the age restrictions imposed by DFO and the Division of Risk Management for the type or class of vehicle being operated.

(5) Agencies shall develop and establish procedures to ensure that any individual listed as an authorized driver is not allowed to operate a state vehicle when the individual:
(a) does not have a valid driver license for the type or class of vehicle being operated; or
(b) has not completed all training and/or safety programs required by either DFO or the Division of Risk Management for the type or class of vehicle being operated; or
(c) does not meet the age restrictions imposed by either DFO or the Division of Risk Management for the type or class of vehicle being operated.

(6) A driver license verification check shall be conducted on a regular basis in order to verify the status of the driver license of each employee, as defined in section 63G-7-102(2), whose name appears in the DFO fleet information system as an authorized driver.

(7) In the event that an authorized driver is found not to have a valid driver license, the agency shall be notified, in writing, of the results of the driver license verification check.

(8) Any individual who has been found not to have a valid driver license shall have his or her authority to operate a state vehicle immediately withdrawn.

(9) Any employee, as defined in section 63G-7-102(2), who has been found not to have a valid driver license shall not have the authority to operate a state vehicle reinstated until such time as the individual provides proof that his or her driver license is once again valid.

(10) Authorized drivers shall operate a state vehicle in accordance with the restrictions or limitations imposed upon their respective driver license.

(11) Agencies shall comply with the requirements set forth in Risk Management General Rules, R37-1-8 (3) to R37-1-8 (9).

R27-3-4. Authorized and Unauthorized Use of State Vehicles.

(1) State vehicles shall only be used for official state business.

(2) Except in cases where it is customary to travel out of state in order to perform an employee's regular employment duties and responsibilities, the use of a state vehicle outside the State of Utah shall require the approval of the director of the department that employs the individual.

(3) The use of a state vehicle for travel outside the continental U.S. shall require the approval of the director of the employing department, the director of DFO, and the director of the Division of Risk Management. All approvals must be obtained at least 30 days from the departure date. The employing agency shall, prior to the departure date, provide DFO and the Division of Risk Management with proof that proper automotive insurance has been obtained. The employing agency shall be responsible for any damage to vehicles operated outside the United States regardless of fault.

(4) Unless otherwise authorized, the following are examples of the unauthorized use of a state vehicle:

(a) Transporting family, friends, pets, associates or other persons who are not state employees or are not serving the interests of the state.
(b) Transporting hitchhikers.
(c) Transporting acids, explosives, hazardous materials, flammable materials, and weapons and ammunition (except as authorized by federal and/or state laws). Otherwise, the transport of the above-referenced items or materials is deemed authorized when it is specifically related to employment duties.
(d) Extending the length of time that the state vehicle is in the operator's possession beyond the time needed to complete the official purposes of the trip.
(e) Operating or being in actual physical control of a state vehicle in violation of Subsection 41-6a-502, (Driving under the influence of alcohol, drugs or with specified or unsafe blood alcohol concentration), Subsection 53-3-231, (Person under 21 may not operate a vehicle with detectable alcohol in body), or an ordinance that complies with the requirements of Subsection 41-6a-510, (Local DUI and related ordinances and reckless driving ordinances).
(f) Operating a state vehicle for personal use as defined in R27-1-2(36). Generally, except for approved personal uses set forth in R27-3-5 and when necessary for the performance of employment duties, the use of a state vehicle for activities such as shopping, participating in sporting events, hunting, fishing, or any activity that is not included in the employee's job description, is not authorized.
(g) Using a state vehicle for personal convenience, such as when a personal vehicle is not operational.
(h) Pursuant to the provisions of R27-7-1 et seq., the unauthorized use of a state vehicle may result in the suspension or revocation of state driving privileges.

R27-3-5. Personal Use Standards.

(1) Personal use of state vehicles is not allowed without the direct authorization of the Legislature. The following are circumstances where personal use of state vehicles are approved:

(a) Elected and appointed officials that receive a state vehicle as a part of their respective compensation package, and have been granted personal use privileges by state statute.
(b) Sworn law enforcement officers, as defined in Utah Code §23-12-103, whose agencies have received funding from the legislature for personal use of state vehicles.
(c) In an emergency, a state vehicle may be used as necessary to safeguard the life, health or safety of the driver or passenger.

(2) An employee or representative of the state spending at least one night on approved travel to conduct state business, may use a state vehicle in the general vicinity of the overnight lodging for the following approved activities:

(a) Travel to restaurants and stores for meals, breaks and personal needs;
(b) Travel to grooming, medical, fitness or laundry facilities; and
(c) Travel to and from recreational activities, such as to theaters, parks, or to the home of friends or relatives, provided said employee or representative has received approval for such travel from his or her supervisor.

(d) Pursuant to the provisions of R27-7-1 et seq., the unauthorized personal use of a state vehicle may result in the suspension or revocation of state driving privileges.
R27-3-6. Application for Commute or Take Home Use.

(1) Each petitioning agency shall, for each driver being granted commute or take home privileges, annually submit an online take home spreadsheet from the DFO take home website. Take home authority is granted when the Agency Executive Director submits the spreadsheet form to DFO designating his/her approval.

(2) DFO shall enter the approved commute or take home request into the fleet information system and provide an identification number to both the driver and the agency.

(3) All approvals for commute or take home privileges shall expire at the end of the calendar year on which they were issued and DFO shall notify the agency of said expiration. Agencies shall be responsible for submitting any request for annual renewal of commute or take home use privileges.

(4) Commute use is, unless specifically exempted under R27-3-8, infra, considered a taxable fringe benefit as outlined in IRS publication 15-B. All approved commute use drivers will be assessed the IRS imputed daily fringe benefit rate while using a state vehicle for commute use.

(5) For each individual with commute use privileges, the employing agency shall, pursuant to Division of Finance Policy FIAACC10-01-00, prepare an Employee Reimbursement/Earnings Request Form and enter the amount of the commute fringe benefit into the payroll system on a monthly basis.

R27-3-7. Criteria for Commute or Take Home Privilege Approval.

(1) Commute or Take Home use may be approved when one or more of the following conditions exist:

(a) 24-hour "On-Call." Where the agency clearly demonstrates that the nature of a potential emergency is such that an increase in response time, if a commute or take home privilege is not authorized, could endanger a human life or cause significant property damage. Each driver is required to keep a complete list of all call-outs for renewal of the take home privilege the following year. Agencies may use DFO's online forms to track take home mileage.

(b) Virtual office. Where an agency clearly demonstrates that an employee is required to work at home or out of a vehicle, a minimum of 80 percent of the time and the assigned vehicle is required to perform critical duties in a manner that is clearly in the best interest of the state.

(c) When the agency clearly demonstrates that it is more practical for the employee to go directly to an alternate work-site rather than report to a specific office to pick-up a state vehicle.

(d) When a vehicle is provided to appointed or elected government officials who are specifically allowed by law to have an assigned vehicle as part of their compensation package.

(e) Questions relating to the imputed daily taxable fringe benefit for the use of a state vehicle and exemptions thereto should be directed to DFO.


(1) In accordance with IRS publication 15-b, employees with an individual permanently assigned vehicle are exempt from the imputed daily fringe benefit for commute use when the permanently assigned vehicles are either:

(a) Clearly marked police and fire vehicles;

(b) Unmarked vehicles used by law enforcement officers if the use is specifically authorized;

(c) An ambulance or hearse used for its specific purpose;

(d) Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 lbs;

(e) Delivery trucks with seating for the driver only, or the driver plus a folding jump seat;

(f) A passenger bus with the capacity of at least 20 passengers used for its specific purpose;

(g) School buses;

(h) Tractors and other special purpose farm vehicles;

(i) A pick up truck with a loaded gross vehicle weight of 14,000 lbs or less, if it has been modified so it is not likely to be used more than minimally for personal purposes.

Example: According to the IRS, a pick up truck qualifies for the exemption if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business or function and meets either of the following requirements:

(i) It is equipped with at least one of the following items:

(a) A hydraulic lift gate;

(b) Permanent tanks or drums;

(c) Permanent sideboards or panels that materially raise the level of the sides of the truck bed;

(d) Other heavy equipment (such as an electronic generator, welder, boom or crane used to tow automobiles or other vehicles).

(ii) It is used primarily to transfer a particular type of load (other than over public highways) in a construction, manufacturing process, farming, mining, drilling, timbering or other similar operation for which it is specifically modified.

(j) A van with a loaded gross vehicle weight of 14,000 lbs or less, if it has been specifically modified so it is not likely to be used more than minimally for personal purposes.

Example: According to the IRS, a van qualifies for the exemption if it is clearly marked with permanently affixed decals, special painting or other advertising associated with your trade, business and has a seat for the driver only (or the driver and one other person) and either of the following items:

(i) permanent shelving that fills most of the cargo area; or

(ii) An open cargo area and the van always carries merchandise, material or equipment used in your trade, business or function.

(2) Commute or take home use that is unauthorized shall result in the suspension or revocation of the commute use privilege by the agency. Additional instances of unauthorized commute or take home use may result in the suspension or revocation of the state driving privilege by the agency.


(1) Agencies with drivers who have been granted commute or take home privileges shall establish internal policies to enforce the commute use, take home use and personal use standards established in this rule. Agencies shall not adopt policies that are less stringent than the standards established in these rules.

(2) Commute or take home use that is unauthorized shall result in the suspension or revocation of the commute use privilege by the agency. Additional instances of unauthorized commute or take home use may result in the suspension or revocation of the state driving privilege by the agency.

R27-3-10. Use Requirements for Monthly Lease Vehicles.

(1) Agencies that have requested, and received monthly lease options on state vehicles shall:

(a) Ensure that only authorized drivers whose names and all other information required by R27-3-3(1) have been entered into...
DFO's fleet information system, completed all the training and/or safety programs, and met the age restrictions for the type of vehicle being operated, shall operate monthly lease vehicles.

(b) Report the correct odometer reading when refueling the vehicle. In the event that an incorrect odometer reading is reported, agencies shall be assessed a fee whenever the agency fails to correct the mileage within three (3) business days of the agency's receipt of the notification that the incorrect mileage was reported. When circumstances indicate that there was a blatant disregard of the vehicle's actual odometer reading at the time of refueling, a fee shall be assessed to the agency even though the agency corrected the error within three (3) days of the notification.

(c) Return the vehicle in good repair and in clean condition at the completion of the replacement cycle period or when the vehicle has met the applicable mileage criterion for replacement, reassignment or reallocation.

(i) Agencies shall be assessed a detailing fee for vehicles returned that are in need of extensive cleaning.

(ii) Agencies shall pay the insurance deductible associated with repairs made to a vehicle that is damaged when returned.

(d) Return the vehicle unaltered and in conformance with the manufacturer's specifications.

(e) Pay the applicable insurance deductible in the event that monthly lease vehicle in its possession or control is involved in an accident.

(f) Not place advertising or bumper stickers on state vehicles without prior approval of DFO.

(2) The provisions of Rule R27-4 shall govern agencies when requesting a monthly lease.

(3) Under no circumstances shall the total number of occupants in a monthly lease full-size passenger van exceed ten (10) individuals, the maximum number recommended by the Division of Risk Management.


(1) DFO offers state vehicles for use on a daily basis at an approved daily rental rate. Drivers of a state vehicle offered through the daily pool shall:

(a) Be an authorized driver whose name and all other information required by R27-3-3(1) have been entered into DFO's fleet information system, completed all the training and/or safety programs, and met the age restrictions for the type of vehicle being operated. In the event that any of the information required by R27-3-3(1) has not been entered in DFO's fleet information system, the rental vehicle will not be released.

(b) Read the handouts, provided by DFO, containing information regarding the safe and proper operation of the vehicle being leased.

(c) Verify the condition of, and acknowledge responsibility for the care of, the vehicle prior to rental by filling out the daily motor pool rental form provided by daily rental personnel.

(d) Report the correct odometer reading when refueling the vehicle at authorized refueling sites, and when the vehicle is returned. In the event that incorrect odometer reading is reported, agencies shall be assessed a fee whenever the agency fails to correct the mileage within three (3) business days of the agency's receipt of the notification that the incorrect mileage was reported. When circumstances indicate that there was a blatant disregard of the vehicle's actual odometer reading at the time of refueling, a fee shall be assessed to the agency even though the agency corrected the error within three (3) days of the notification.

(e) Return vehicles with a full tank of fuel. Agencies shall be assessed a fee for vehicles that are returned with less than a full tank of fuel.

(f) Return rental vehicles in good repair and in clean condition.

(ii) Agencies shall be assessed a detailing fee for vehicles returned that are in need of extensive cleaning.

(ii) Agencies shall pay the insurance deductible associated with repairs made to a vehicle that is damaged when returned.

(g) Call to extend the reservation in the event that they need to keep rental vehicles longer than scheduled. Agencies shall be assessed a late fee, in addition to applicable daily rental fees, for vehicles that are not returned on time.

(h) Use their best efforts to return rented vehicles during regular office hours. Agencies may be assessed a late fee equal to one day's rental for vehicles that are not returned on time.

(i) Call the daily pool location, at least one hour before the scheduled pick-up time, to cancel the reservation. Agencies shall be assessed a fee for any unused reservation that has not been canceled.

(j) Not place advertising or bumper stickers on state vehicles without prior approval from DFO.

(2) The vehicle shall be inspected upon its return. The agency shall either be held responsible for any damages not acknowledged prior to rental, or any applicable insurance deductibles associated with any repairs to the vehicle.

(3) Agencies are responsible for paying all applicable insurance deductibles whenever a vehicle operated by an authorized driver is involved in an accident.

(4) The DFO shall hold items left in daily rental vehicles for ten days. Items not retrieved within the ten-day period shall be turned over to the Surplus Property Office for sale or disposal.


(1) The standard state vehicle is a compact sedan, and shall be the vehicle type most commonly used when conducting state business.

(2) Requests for vehicles other than a compact sedan may be honored in instances where the agency and/or driver is able to identify a specific need.

(a) Requests for a four wheel drive sport utility vehicle (4x4 SUV) may be granted with written approval from an employee's supervisor.

(b) Requests for a seven-passenger van may be granted in the event that the driver is going to be transporting more than three authorized passengers.

(c) Requests for full-size passenger vans may be granted in the event that the driver is going to be transporting more than six authorized passengers. Under no circumstances shall the total number of occupants exceed the maximum number of passengers recommended by the Division of Risk Management.

(3) Cargo vans shall be used to transport cargo only. Passengers shall not be transported in cargo area of said vehicles.
R27-3-13. Alcohol and Drugs.
(1) No authorized driver shall operate or be in actual physical control of a State vehicle in violation of subsection 41-6a-502, any ordinance that complies with the requirements of subsection 41-6a-510, or subsection 53-3-231.
(2) Any individual on the list of authorized drivers who is convicted of Driving Under the Influence of alcohol or drugs (DUI), Reckless Driving or any felony in which a motor vehicle is used, either on-duty or off-duty, may have his or her state driving privileges withdrawn, suspended or revoked.
(3) No operator of a State vehicle shall transport alcohol or illegal drugs of any type in a State vehicle unless they are:
   (a) Sworn peace officers, as defined in Section 53-13-102, in the process of investigating criminal activities;
   (b) Employees of the Alcohol Beverage Control Commission conducting business within the guidelines of their daily operations; or
   (c) investigators for the Department of Commerce in the process of enforcing the provisions of section 58-37, Utah Controlled Substances Act.
(4) Except as provided in paragraph 3, above, any individual who uses a State vehicle for the transportation of alcohol or drugs may have his or her state driving privileges withdrawn, suspended or revoked.

(1) Authorized drivers shall obey all motor vehicle laws while operating a state vehicle.
(2) Any authorized driver who, while operating a state vehicle, receives a citation for violating a motor vehicle law shall immediately report the receipt of the citation to their respective supervisor. Failure to report the receipt of a citation may result in the withdrawal, suspension or revocation of State driving privileges.
(3) Any driver who receives a citation for violating a motor vehicle law while operating a state vehicle shall attend an additional Risk Management-approved mandatory defensive driver training program. The failure to attend the additional mandatory defensive driver training program shall result in the loss of state driving privileges.
(4) Any driver who receives a citation for a violation of motor vehicle laws, shall be personally responsible for paying fines associated with any and all citations. The failure to pay fines associated with citations for the violation of motor vehicle laws may result in the loss of state driving privileges.

(1) All operators and passengers in State vehicles shall wear seat belt restraints while in a moving vehicle.
(2) All children being transported in State vehicles shall be placed in proper safety restraints for their age and size as stated in Subsection 41-6a-1803.

R27-3-16. Driver Training.
(1) Any individual shall, prior to the use of a State vehicle, complete all training required by DFO or the Division of Risk Management, including, but not limited to, the defensive driver training program offered through the Division of Risk Management.
(2) Each agency shall coordinate with the Division of Risk Management, specialty training for vehicles known to possess unique safety concerns.
(3) Each agency shall require that all employees who operate a state vehicle, or their own vehicles, on state business as an essential function of the job, or all other employees who operate vehicles as part of the performance of state business, comply with the requirements of Division of Risk Management rule R37-1-8(5).
(4) Agencies shall maintain a list of all employees who have completed the training courses required by DFO, Division of Risk Management and their respective agency.
(5) Employees operating state vehicles must have the correct license required for the vehicle they are operating and any special endorsements required in order to operate specialty vehicles.

R27-3-17. Smoking in State Vehicles.
(1) All State vehicles are designated as "nonsmoking". Agencies shall be assessed fees for any damage incurred as a result of smoking in vehicles.

KEY: state vehicle use
Date of Enactment or Last Substantive Amendment: [March 7, 2013]
Notice of Continuation: November 29, 2010
Authorizing, and Implemented or Interpreted Law: 63A-9-401(1)
(d)
SUMMARY OF THE RULE OR CHANGE: The new Subsection R162-2f-202b(5) provides that a property management company that is not registered under a dual broker license is no longer prohibited from engaging in the business of real estate. The subsection also creates a process by which the Division will convert existing property management registrations and licenses to real estate registrations and licenses. In Section R162-2f-401a, existing language is amended to clarify: 1) that a licensee is required to obtain an agency agreement as to all sellers or buyers the licensee represents; and 2) that parties under a contract for new construction may use forms that are not approved by the state as long as they comply with Subsections 61-2f-306(2)(b) and (c). In Section R162-2f-401b, existing language is amended to clarify: 1) that a nominal payment to an employee or client in a property management transaction does not constitute unprofessional conduct; and 2) that a licensee may not charge inflated or unearned fees in a real estate transaction. In Section R162-2f-401c, record-keeping requirements are moved into a new subsection. Language is modified to clarify how the existing requirements apply differently in real estate and property management transactions. In Section R162-2f-401j, existing language is amended to clarify a principal broker's supervisory duties in property management transactions, particularly as to unlicensed employees. Section R162-2f-401k is a new section in which all existing requirements regarding record retention and management are combined for easy reference.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Affected persons will be required to understand and comply with the amended language regarding unprofessional conduct and record keeping. It is not anticipated that complying will require affected persons to make expenditures or incur costs beyond the current and ordinary costs of compliance.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: As stated in the rule analysis, these proposed amendments are primarily for clarification. Certain property management companies will have the option of expanding their business models to include real estate transactions. Otherwise, no fiscal impact to businesses is anticipated.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
- Ben Jensen by phone at 801-530-6603, by FAX at 801-526-4387, or by Internet E-mail at bjensen@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/08/2013

AUTHORIZED BY: Jonathan Stewart, Director
(B) completing other equivalent real estate education within the 12-month period prior to the date of application;
(d)(i) apply with a testing service designated by the division to sit for the licensing examination; and
(ii) pay a nonrefundable examination fee to the testing center;
(e) pursuant to this Subsection (3)(a), take and pass both the state and national components of the licensing examination;
(f)(i) unless Subsection (2)(a) applies, evidence the individual's having, within the five-year period preceding the date of application, a minimum of three years experience related to real estate, including the following:
(A) at least two years full-time licensed, active experience selling, listing, or managing the property types identified in Appendix 1; and
(B) up to one year full-time professional experience related to real estate, as outlined in Appendix 3; and
(ii) evidence having accumulated, within the five-year period preceding the date of application, a total of at least 60 experience points as follows:
(A) 45 to 60 points pursuant to the experience points tables found in Appendices 1 and 2; and
(B) 0 to 15 points pursuant to the experience point table found in Appendix 3;
(g) pursuant to this Subsection (3)(b), submit to the division an application for licensure including:
(i) documentation indicating successful completion of the approved broker prelicensing education;
(ii) a report of the examination showing a passing score for each component of the examination; and
(iii) the applicant's business, home, and e-mail addresses;
(h) provide from any state where licensed as a real estate agent or broker:
(i) a written record of the applicant's license history; and
(ii) complete documentation of any disciplinary action taken against the applicant's license;
(i) if applying for an active license, affiliate with a registered company;
(j) pay the nonrefundable fees required for licensure, including the nonrefundable fee required under Section 61-2f-505 for the Real Estate Education, Research, and Recovery Fund; and
(k) establish real estate and property management trust accounts, as applicable pursuant to Section R162-2f-403, that:
(i) contain the term "real estate trust account" or "property management trust account", as applicable, in the account name; and
(ii) are separate from any operating account(s) of the registered entity for which the individual will serve as a broker; and
(l) identify the location(s) where brokerage records will be kept.
(2)(a) If an individual applies under this Subsection R162-2f-202b within two years of allowing a principal broker license to expire, the experience required under Subsection (1)(f) shall be accumulated within the seven-year period preceding the date of application.
(b) Pursuant to Section R162-2f-407, an individual whose application is denied by the division for failure to meet experience requirements under this Subsection (1)(f) may bring the application before the commission.
(3) Deadlines.
(a) If an individual passes one test component but fails the other, the individual shall retake and pass the failed component:
(i) within six months of the date on which the individual achieves a passing score on the passed component; and
(ii) within 12 months of the date on which the individual completes the prelicensing education.
(b) An application for licensure shall be submitted:
(i) within 90 days of the date on which the individual achieves passing scores on both examination components; and
(ii) within 12 months of the date on which the individual completes the prelicensing education.
(c) If any deadline in this Section R162-2f-202b falls on a day when the division is closed for business, the deadline shall be extended to the next business day.
(4) Restriction. A principal broker license may not be granted to an applicant whose sales agent license is on suspension or probation at the time of application.
(5) Dual broker licenses.
(a)(i) A person who holds or obtains a dual broker license and
(ii) it shall be permissible to conduct real estate sales activities under this Subsection but not conduct real estate sales activities from the separate property management company.
(iii) A principal broker may conduct property management activities from the person's real estate brokerage:
(A) without holding a dual broker license; and
(B) in accordance with Subsections R162-2f-401j and R162-2f-403a-403c;
(b) A dual broker who wishes to consolidate real estate and property management operations into a single brokerage may:
(i) at the broker's request, convert the dual broker license to a principal broker license; and
(ii) A convert the property management company to a branch office of the real estate brokerage, including the assignment of a branch broker and using the same name as the real estate brokerage; or
(B) close the separate property management company.
(c) As of May 8, 2013:
(i) the Division shall:
(A) cease issuing property management principal broker (PMPB) licenses;
(B) cease issuing property management company (MN) registrations except as to a second company registered under a dual broker license;
(C) convert any property management principal broker (PMPB) license to a real estate principal broker (PB) license; and
(D) as to any property management company (MN) registration that is not a second company under a dual broker license, convert the registration to a real estate brokerage (CN) registration; and
(ii) it shall be permissible to conduct real estate sales activities under any company registration that is converted pursuant to this Subsection (5)(c)(i)(C).
R162-2f-205. Registration of Entity.
(1) A principal broker [shall] may not conduct business through an entity, including a branch office, dba, or separate property
management company, without first registering the entity with the division.

(2) Exemptions. The following locations may be used to conduct real estate business without being registered as branch offices:
   (a) a model home;
   (b) a project sales office; and
   (c) a facility established for twelve months or less as a temporary site for marketing activity, such as an exhibit booth.

(3) To register an entity with the division, a principal broker shall:
   (a) evidence that the name of the entity is registered with the Division of Corporations;
   (b) certify that the entity is affiliated with a principal broker who:
      (i) is authorized to use the entity name; and
      (ii) will actively supervise the activities of all sales agents, associate brokers, branch brokers, and unlicensed staff;
   (c) if registering a branch office, identify the branch broker who will actively supervise all licensees and unlicensed staff working from the branch office;
   (d) submit an application that includes:
      (i) the physical address of the entity;
      (ii) if the entity is a branch office, the name and license number of the branch broker;
   (iii) the names of associate brokers and sales agents assigned to the entity; and
   (iv) the location and account number of any real estate and property management trust account(s) in which funds received at the registered location will be deposited;
   (e) inform the division of:
      (i) the location and account number of any operating account(s) used by the registered entity; and
      (ii) the location where brokerage records will be kept; and
   (f) pay a nonrefundable application fee.

(4) Restrictions.
   (a)(i) The division shall not register an entity proposing to use a business name that:
      (A) is likely to mislead the public into thinking that the entity is a real estate brokerage or property management company;
      (B) closely resembles the name of another registered entity; or
      (C) the division determines might otherwise be confusing or misleading to the public.
      (ii) Approval by the division of an entity's business name does not ensure or grant to the entity a legal right to use or operate under that name.
   (b) A branch office shall operate under the same business name as the principal brokerage.
   (c) An entity may not designate a post office box as its business address, but may designate a post office box as a mailing address.
   (d) All trust accounts and operating accounts used by a registered entity shall be maintained in a bank or credit union located in the state of Utah.
(5) Registration not transferable.
   (a) A registered entity shall not transfer the registration to any other person.

   (b) A registered entity shall not allow an unlicensed person to use the entity's registration to perform work for which licensure is required.
   (c) If a change in corporate structure of a registered entity creates a separate and unique legal entity, that entity shall obtain a unique registration, and shall not operate under an existing registration.
   (d) The dissolution of a corporation, partnership, limited liability company, association, or other entity registered with the division terminates the registration.

R162-2f-401a. Affirmative Duties Required of All Licensed Individuals.

   An individual licensee shall:
   (1) uphold the following fiduciary duties in the course of representing a principal:
      (a) loyalty, which obligates the agent to place the best interests of the principal above all other interests, including the agent's own;
      (b) obedience, which obligates the agent to obey all lawful instructions from the principal;
      (c) full disclosure, which obligates the agent to inform the principal of any material fact the agent learns about:
         (i) the other party; or
         (ii) the transaction;
      (d) confidentiality, which prohibits the agent from disclosing, without permission, any information given to the agent by the principal that would likely weaken the principal's bargaining position if it were known, but excepting any known material fact concerning:
         (i) a defect in the property; or
         (ii) the client's ability to perform on the contract;
         (e) reasonable care and diligence;
         (f) holding safe and accounting for all money or property entrusted to the agent; and
      (g) any additional duties created by the agency agreement;
   (2) for the purpose of defining the scope of the individual's agency, execute a written agency agreement between the individual and the individual's principal, including:
      (a) [*] seller(s) the individual represents;
      (b) [*] buyer(s) the individual represents;
      (c) [*] buyer(s) and seller(s) the individual represents as a limited agent in the same transaction pursuant to this Subsection (4);
      (d) the owner of a property for which the individual will provide property management services; and
      (e) a tenant whom the individual represents;
   (3) in order to represent both principals in a transaction as a limited agent, obtain informed consent by:
      (a) clearly explaining in writing to both parties:
         (i) that each is entitled to be represented by a separate agent;
         (ii) the type(s) of information that will be held confidential;
         (iii) the type(s) of information that will be disclosed; and
         (iv) the circumstances under which the withholding of information would constitute a material misrepresentation regarding the property or regarding the abilities of the parties to fulfill their obligations;
      (b) obtaining a written acknowledgment from each party affirming that the party waives the right to:
(i) undivided loyalty;  
(ii) absolute confidentiality; and  
(iii) full disclosure from the licensee; and  
(c) obtaining a written acknowledgment from each party affirming that the party understands that the licensee will act in a neutral capacity to advance the interests of each party;  
(4) when acting under a limited agency agreement:  
(a) act as a neutral third party; and  
(b) uphold the following fiduciary duties to both parties:  
(i) obedience, which obligates the limited agent to obey all lawful instructions from the parties, consistent with the agent's duty of neutrality;  
(ii) reasonable care and diligence;  
(iii) holding safe all money or property entrusted to the limited agent; and  
(iv) any additional duties created by the agency agreement;  
(5) prior to executing a binding agreement, disclose in writing to clients, agents for other parties, and unrepresented parties:  
(a) the licensee’s position as a principal in any transaction where the licensee operates either directly or indirectly to buy, sell, lease, or rent real property;  
(b) the fact that the licensee holds a license with the division, whether the license status is active or inactive, in any circumstance where the licensee is a principal in an agreement to buy, sell, lease, or rent real property;  
(c) the licensee’s agency relationship(s);  
(d) the existence or possible existence of a due-on-sale clause in an underlying encumbrance on real property; and  
(ii) the potential consequences of selling or purchasing a property without obtaining the authorization of the holder of an underlying encumbrance;  
(6) in order to offer any property for sale or lease, make reasonable efforts to verify the accuracy and content of the information and data to be used in the marketing of the property;  
(7) in order to offer a residential property for sale, disclose the source on which the licensee relies for any square footage data that will be used in the marketing of the property:  
(a) in the written agreement, executed with the seller, through which the licensee acquires the right to offer the property for sale; and  
(b) in a written disclosure provided to the buyer, at the licensee's direction, at or before the deadline for the seller's disclosure per the contract for sale;  
(8) upon initial contact with another agent in a transaction, disclose the agency relationship between the licensee and the client;  
(9) when executing a binding agreement in a sales transaction, confirm the prior agency disclosure:  
(a) in the currently approved Real Estate Purchase Contract; or  
(b) in a separate provision with substantially similar language incorporated in or attached to the binding agreement;  
(10) when executing a lease or rental agreement, confirm the prior agency disclosure by:  
(a) incorporating it into the agreement; or  
(b) attaching it as a separate document;  
(11) when offering an inducement to a buyer who will not pay a real estate commission in a transaction:  
(a) obtain authorization from the licensee's principal broker to offer the inducement;  
(b) comply with all underwriting guidelines that apply to the loan for which the borrower has applied; and  
(c) provide notice of the inducement, using any method or form, to:  
(i) the principal broker of the seller's agent, if the seller paying a commission is represented; or  
(ii) the seller, if the seller paying a commission is not represented;  
(12) if the licensee desires to act as a sub-agent for the purpose of showing property owned by a seller who is under contract with another brokerage, prior to showing the seller's property:  
(a) notify the listing brokerage that sub-agency is requested; and  
(b) enter into a written agreement with the listing brokerage with which the seller has contracted:  
(i) consenting to the sub-agency; and  
(ii) defining the scope of the agency;  
(c) obtain from the listing brokerage all available information about the property; and  
(d) uphold the same fiduciary duties outlined in this Subsection (1);  
(13) provide copies of a lease or purchase agreement, properly signed by all parties, to the party for whom the licensee acts as an agent;  
(14)(a) in identifying the seller’s brokerage in paragraph 5 of the approved Real Estate Purchase Contract, use:  
(i) the principal broker's individual name; or  
(ii) the principal broker's brokerage name; and  
(b) personally fulfill the licensee's agency relationship with the client, notwithstanding the information used to complete paragraph 5;  
(15) timely inform the licensee's principal broker or branch broker of real estate transactions in which:  
(a) the licensee is involved as agent or principal;  
(b) the licensee has received funds on behalf of the principal broker; or  
(c) an offer has been written;  
(16)(a) disclose in writing to all parties to a transaction any compensation in addition to any real estate commission that will be received in connection with a real estate transaction; and  
(b) ensure that any such compensation is paid to the licensee's principal broker;  
(17)(a) in negotiating and closing a transaction involving a property for which a certificate of occupancy has been issued, use:  
[(16)(A)] the standard forms approved by the commission and identified in Section R162-2F-401f;  
[(16)(B)] standard supplementary clauses approved by the commission; and  
[(16)(C)] as necessary, other standard forms including settlement statements, warranty deeds, and quit claim deeds;  
[(18)(A)] forms prepared by an attorney for a party to the transaction, if  
[(18)(B)] the licensee first verifies that the forms have in fact been drafted by the party's attorney; or
An individual licensee may not:

1. engage in any of the practices described in Section 61-2f-401 et seq., whether acting as agent or on the licensee's own account, in a manner that:
   a. fails to conform with accepted standards of the real estate sales, leasing, or management industries;
   b. could jeopardize the public health, safety, or welfare; or
   c. violates any provision of Title 61, Chapter 2f et seq., or the rules of this chapter;

2. require parties to acknowledge receipt of a final copy of any document prepared by the licensee prior to all parties signing a contract evidencing agreement to the terms thereof;

3. make a misrepresentation to the division:
   a. in an application for license renewal; or
   b. in an investigation.

4. (a) propose, prepare, or cause to be prepared a document, agreement, settlement statement, or other device that the licensee knows or should know does not reflect the true terms of the transaction; or
   (b) knowingly participate in a transaction in which such a false device is used;

5. participate in a transaction in which a buyer enters into an agreement that:
   a. is not disclosed to the lender; and
   b. if disclosed, might have a material effect on the terms or the granting of the loan;

6. use or propose the use of a double contract;

7. place a sign on real property without the written consent of the property owner;

8. take a net listing;

9. sell listed properties other than through the listing broker;

10. subject a principal to paying a double commission without the principal's informed consent;

11. enter or attempt to enter into a concurrent agency representation when the licensee knows or should know that the principal has an existing agency representation agreement with another licensee;

12. pay a finder's fee or give any valuable consideration to an unlicensed person or entity for referring a prospect in a real estate transaction, except that:

13. accept a referral fee from:
   a. a lender; or
   b. a mortgage broker;

14. act as a real estate agent or broker in the same transaction in which the licensee also acts as a:
   a. mortgage loan originator, associate lending manager, or principal lending manager;
   b. appraiser or appraiser trainee;
   c. escrow agent; or
   d. provider of title services;

15. act or attempt to act as a limited agent in any transaction in which:
   a. the licensee is a principal in the transaction; or
   b. any entity in which the licensee is an officer, director, partner, member, employee, or stockholder is a principal in the transaction;

16. make a counteroffer by striking out, whiting out, substituting new language, or otherwise altering:
   a. the boilerplate provisions of the Real Estate Purchase Contract; or
   b. as to a property management transaction, a licensee may compensate an unlicensed employee or current tenant up to $200 per lease for assistance in retaining an existing tenant or securing a new tenant;
(b) language that has been inserted to complete the blanks of the Real Estate Purchase Contract;

(17) advertise or offer to sell or lease property without the written consent of:

(a) the owner of the property; and

(b) if the property is currently listed, the listing broker;

(18) advertise or offer to sell or lease property at a lower price than that listed without the written consent of the seller or lessor;

(19) represent on any form or contract that the individual is holding client funds without actually receiving funds and securing them pursuant to Subsection R162-2f-401a(23);

(20) when acting as a limited agent, disclose any information given to the agent by either principal that would likely weaken that party's bargaining position if it were known, unless the licensee has permission from the principal to disclose the information;

(21) disclose, or make any use of, a short sale demand letter outside of the purchase transaction for which it is issued;[—] or

(22) in a short sale, have the seller sign a document allowing the licensee to lien the property[—]; or

(23) charge any fee that represents the difference between:

(a) the total concessions authorized by a seller and the actual amount of the buyer's closing costs; or

(b) in a short sale, the sale price approved by the lender and the total amount required to clear encumbrances on title and close the transaction.

R162-2f-401c. Additional Provisions Applicable to Principal Brokers. (1) A principal broker shall:

[a] maintain all records pertaining to a real estate transaction for at least three calendar years following the year in which:

(A) an offer is rejected; or

(B) the transaction either closes or fails; and

(ii) make such records available for inspection and copying by the division;

(b) unless otherwise authorized by the division in writing, maintain business records at:

(i) the principal business location designated by the principal broker on division records; or

(ii) where applicable, a branch office as designated by the principal broker on division records;

(c) notify the division in writing within ten business days after terminating business operations as to where business records will be maintained;

(d) upon filing for brokerage bankruptcy, notify the division in writing:

(i) the filing; and

(ii) the current location of brokerage records;

(e) strictly comply with the record retention and maintenance requirements of Subsection R162-2f-401k;

(f) provide to the person whom the principal broker represents in a real estate transaction:

(i) a detailed statement showing the current status of a transaction upon the earlier of:

(A) the expiration of 30 days after an offer has been made and accepted; or

(B) a buyer or seller making a demand for such statement; and

(ii) an updated transaction status statement at 30-day intervals thereafter until the transaction either closes or fails; [¶] regardless of who closes a real estate transaction, ensure that final settlement statements are reviewed for content and accuracy at or before the time of closing by:

(A) the principal broker;

(B) an associate broker or branch broker affiliated with the principal broker; or

(C) the sales agent who is:

(I) affiliated with the principal broker; and

(II) representing the principal in the transaction; and

(ii) ensure the principals in each closed real estate transaction receive copies of all documents executed in the transaction closing; [¶] in order to assign all or part of the principal broker's compensation to an associate broker or sales agent in accordance with Section 61-2f-305, provide written instructions to the title insurance agent that include the following:

(i) an identification of the property involved in the real estate transaction;

(ii) an identification of the principal broker and sales agent or associate broker who will receive compensation in accordance with the written instructions;

(iii) a designation of the amount of compensation that will be received by both the principal broker and the sales agent or associate broker;

(iv) a prohibition against alteration of the written instructions by anyone other than the principal broker; and

(v) additional instructions at the discretion of the principal broker;

[¶] obtain written consent from both the buyer and the seller before retaining any portion of an earnest money deposit being held by the principal broker;

[f] exercise active supervision over the conduct of all licensees and unlicensed staff employed by or affiliated with the principal broker, whether acting as:

(i) the principal broker for an entity; or

(ii) a branch broker;

[g] strictly adhere to the rules governing real estate auctions, as outlined in Section R162-2f-401u;

[h] strictly adhere to the rules governing property management, as outlined in Section R162-2f-401v;

[i] except as provided in this Subsection (1)[¶](ii)(i) (ii); within three business days of receiving a client's money in a real estate transaction, deposit the client's money into a trust account:

(A) maintained by the principal broker pursuant to Section R162-2f-403; or

(B) if the parties to the transaction agree in writing, maintained by:

(I) a title company pursuant to Section 31A-23a-406; or

(II) another authorized escrow entity; and

(ii) within three business days of receiving money from a client or a tenant in a property management transaction, deposit the money into a trust account maintained by the principal broker pursuant to Section R162-2f-403 or forward or deposit client or tenant money into an account maintained by the property owner; [¶] a principal broker is not required to comply with this Subsection (1)[¶](i)(i) or (ii) if:
(A) the Real Estate Purchase Contract or other written agreement states that the money is to be:
(I) held for a specific length of time; or
(II) as to a real estate transaction, deposited upon acceptance by the seller;
(B) as to a real estate transaction, the Real Estate Purchase Contract or other written agreement states that a promissory note may be tendered in lieu of good funds and the promissory note:
(I) names the seller as payee; and
(II) is retained in the principal broker's file until closing;[163] maintain at the principal business location a complete record of all consideration received or escrowed for real estate and property management transactions; and
(ii) be personally responsible at all times for deposits held in the principal broker's trust account;
[163] in a real estate transaction, assign a consecutive, sequential number to each offer[—such that all pertinent documents may be readily identified as relating to the offer] and
(I) assign a unique identification to each property management client; and
(B) include the transaction number or client identification, as applicable, on:
(I) trust account deposit records; and
(II) trust account checks or other equivalent records evidencing the transfer of trust funds;
(ii) maintain a separate transaction file for each offer in a real estate transaction, including a rejected offer, that involves funds tendered through the brokerage and deposited into a trust account;
(iii) maintain a record of each rejected offer in a real estate transaction that does not involve funds deposited to trust:
(A) in separate files; or
(B) in a single file holding all such offers; and
[163] if the principal broker assigns an affiliated associate broker or branch broker to assist the principal broker in accomplishing the affirmative duties outlined in this Subsection (1):
(i) actively supervise any such associate broker or branch broker; and
(ii) remain personally responsible and accountable for adequate supervision of all licensees and unlicensed staff affiliated with the principal broker.
(2) A principal broker shall not be deemed in violation of this Subsection (1)[163] where:
(a) an affiliated licensee or unlicensed staff member violates a provision of Title 61, Chapter 2F et seq. or the rules promulgated thereunder;
(b) the supervising broker had in place at the time of the violation specific written policies or instructions to prevent such a violation;
(c) reasonable procedures were established by the broker to ensure that licensees receive adequate supervision and the broker has followed those procedures;
(d) upon learning of the violation, the broker attempted to prevent or mitigate the damage;
(e) the broker did not participate in the violation;
(f) the broker did not ratify the violation; and
(g) the broker did not attempt to avoid learning of the violation.

R162-2f-401i. Standards for Real Estate Auctions.
A principal broker who contracts or in any manner affiliates with an auctioneer or auction company to sell at auction real property in this state shall:
(1) ensure that all aspects of the auction comply with the requirements of this section and all other laws otherwise applicable to real estate licensees in real estate transactions;
(2) ensure that advertising and promotional materials associated with an auction name the principal broker;
(3) attend and supervise the auction;
(4) ensure that any purchase agreement used at the auction:
(a) meets the requirements of Subsection R162-2f-401a(18); and
(b) is completed by an individual holding an active Utah real estate license;
(5) ensure that any money deposited at the auction is placed in trust pursuant to Subsection R162-2f-401c(1)(4); and
(6) ensure that adequate arrangements are made for the closing of any real estate transaction arising out of the auction.

(1) Property management performed by a real estate brokerage, or by licensees or unlicensed assistants affiliated with the brokerage, shall be done under the name of the brokerage as registered with the division unless the principal broker holds a dual broker license and obtains a separate registration pursuant to Section R162-2f-205 for a separate business name.
(2)[165] In addition to fulfilling all duties related to supervision per Section 61-2f-401(12), the principal broker of a registered entity, and the branch broker of a registered branch, shall implement training to ensure that [diligently supervise the activities of each sales agent, associate broker, and unlicensed employee who is affiliated with the principal broker and assigned to perform property management tasks within the boundaries of these rules, including this Subsection R162-2f-401j(3).]

R162-2f-401l. Standards for Real Estate Auctions.
(1) A principal broker shall not be deemed in violation of this subsection where:
(a) an affiliated licensee or unlicensed staff member violates a provision of Title 61, Chapter 2F et seq. or the rules promulgated thereunder;
(b) the supervising broker had in place at the time of the violation specific written policies or instructions to prevent such a violation;
(c) reasonable procedures were established by the broker to ensure that licensees receive adequate supervision and the broker has followed those procedures;
(d) upon learning of the violation, the broker attempted to prevent or mitigate the damage;
(e) the broker did not participate in the violation;
(f) the broker did not ratify the violation; and
(g) the broker did not attempt to avoid learning of the violation.

NOTICES OF PROPOSED RULES

UTAH STATE BULLETIN, April 01, 2013, Vol. 2013, No. 7
(b) providing secretarial, bookkeeping, maintenance, or rent collection services;
(c) quoting [predetermined] rent and lease terms as established or approved by the principal broker; and
(d) completing pre-printed lease or rental agreements, except as to terms that may be determined through negotiation of the principals;

(e) serving or receiving legal notices;
(f) addressing tenant or neighbor complaints; and
(g) inspecting units.

(4) Within 30 days of terminating a contract with a property owner for property management services, the principal broker shall return to the property owner or the property owner's designated agent all trust money that:

(a) is due to the property owner; or
(b) is being held for the benefit of the property owner or the owner's property.

R162-2f-401k. Recordkeeping Requirements.

A principal broker shall:

(1) maintain and safeguard the following records to the extent they relate to the business of a principal broker:
(a) all trust account records;
(b) any document submitted by a licensee affiliated with the principal broker to a lender or underwriter as part of a real estate transaction;
(c) any document signed by a seller or buyer with whom the principal broker or an affiliated licensee is required to have an agency agreement; and
(d) any document created or executed by a licensee over whom the principal broker has supervisory responsibility pursuant to Subsection R162-2f-401c(1)(f);

(2) maintain the records identified in Subsection R162-2f-401k(1):

(a)(i) physically:

(A) at the principal business location designated by the principal broker on division records; or
(B) where applicable, at a branch office as designated by the principal broker on division records; or
(ii) electronically, in a storage system that complies with Title 46 Chapter 04, Utah Uniform Electronic Transactions Act; and
(b) for at least three calendar years following the year in which:

(1) an offer is rejected; or
(2) the transaction either closes or fails;
(3) upon request of the division, make any record identified in Subsection R162-2f-401k(1) available for inspection and copying by the division;
(4) notify the division in writing within ten business days after terminating business operations as to where business records will be maintained; and
(5) upon filing for brokerage bankruptcy, notify the division in writing of:

(a) the filing; and
(b) the current location of brokerage records.
with the amended language. It is not anticipated that complying will require an affected person to make expenditures or incur costs beyond the current and ordinary costs of compliance.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Affected persons will be required to understand and comply with the amended language. It is not anticipated that complying will require an affected person to make expenditures or incur costs beyond the current and ordinary costs of compliance.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: As stated in the rule analysis, this filing reorganizes the current section regarding trust account management into three new, separate sections. This reorganization is intended to make it easier for licensees to understand any differences in how the rules apply to the real estate and property management industries. No fiscal impact to businesses is anticipated from this filing.

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

160 E 300 S
SALT LAKE CITY, UT 84111-2316
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Ben Jensen by phone at 801-530-6603, by FAX at 801-526-4387, or by Internet E-mail at bjensen@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/08/2013

AUTHORIZED BY: Jonathan Stewart, Director

R162. Commerce, Real Estate.


(1) A principal broker shall:

(a) maintain a trust account in a bank or credit union located within the state of Utah;

(b) notify the division in writing of:

(i) the account number; and

(ii) the address of the bank or credit union where the account is located; and

(iii) use the account for the purpose of securing client funds.

(2) A principal broker who deposits in any trust account more than $500 of the principal broker’s own funds violates Subsection 61-2f-401(4)(b).

(3) A principal broker may not deposit into the principal broker’s real estate trust account funds received in connection with the rental of tourist accommodations where the rental period is less than 30 consecutive days.

(4)(a) A principal broker who regularly engages in property management on behalf of seven or more individual units shall establish a property management trust account separate from the real estate trust account.

(b) A principal broker who collects rents or otherwise manages property for no more than six individual units at any given time may use the real estate trust account to secure funds received in connection with the principal broker’s property management activities.

(5) A trust account maintained by a principal broker shall be non-interest bearing, unless:

(a) the parties to the transaction agree in writing to deposit the funds in an interest-bearing account;

(b) the parties to the transaction designate in writing the person to whom the interest will be paid upon completion or failure of the sale;

(c) the person designated under this Subsection (5)(b):

(i) qualifies at the time of payment as a non-profit organization under Section 501(c)(3) of the Internal Revenue Code; and

(ii) operates exclusively to provide grants to affordable housing programs in Utah; and

(d) the affordable housing program that is the recipient of the grant under this Subsection (5)(c)(ii) qualifies at the time of payment as a non-profit organization under Section 501(c)(3) of the Internal Revenue Code.

(6) Disbursement of funds held in trust.

(a) A principal broker may disburse funds only in accordance with:

(i) specific language in the Real Estate Purchase Contract authorizing disbursement;

(ii) other proper written authorization of the parties having an interest in the funds; or

(iii) court order.

(b) A principal broker may not release for construction purposes those funds held as deposit money under an agreement that provides for the construction of a dwelling unless the purchaser authorizes such disbursement in writing.

(c) A principal broker may not withdraw any portion of the principal broker’s sales commission:

(i) without written authorization from the seller and buyer; or

(ii)(A) until after the settlement statements have been delivered to the buyer and seller; and

(B) the buyer or seller has been paid for the amount due as determined by the settlement statement.
(d) Unless otherwise agreed pursuant to this Subsection (6)(a), a principal broker may not pay a commission from the real estate trust account without first:

(i) closing or otherwise terminating the transaction;

(ii) making a record of each disbursement; and

(iii) depositing the withdrawn funds into the principal broker's operating account.

(e) A principal broker may not release earnest money or other trust funds associated with a failed transaction unless:

(i) a condition in the Real Estate Purchase Contract authorizing disbursement has occurred; or

(ii) the parties execute a separate signed agreement containing instructions and authorization for disbursement.

(f) If both parties to a contract make a written claim to the earnest money or other trust funds and the principal broker cannot determine from any signed agreement which party's claim is valid, the principal broker may:

(i) interplead the funds into court and thereafter disburse;

(ii) upon written authorization of the party who will not receive the funds; or

(iii) pursuant to the order of a court of competent jurisdiction.

(g) If a principal broker is unable to disburse trust funds within five years after the failure of a transaction, the principal broker shall remit the funds to the State Treasurer's Office as unclaimed property pursuant to Title 67, Chapter 4a et seq.

**R162-2f-403a. Trust Accounts - General Provisions.**

(1) A principal broker shall:

(a)(i) if engaged in listing or selling real estate, maintain at least one real estate trust account in a bank or credit union located within the state of Utah; and

(ii) if engaged in property management, refer to Subsection R162-2f-403b(4);

(b) at the time a trust account is established, notify the division in writing of:

(i) the account number;

(ii) the address of the bank or credit union where the account is located; and

(iii) the type of activity for which the account is used;

(2) A trust account maintained by a principal broker shall be non-interest-bearing, unless:

(a) the parties to the transaction agree in writing to deposit the funds in an interest-bearing account;

(b) the parties to the transaction designate in writing the person to whom the interest will be paid upon completion or failure of the sale;

(c) the person designated under this Subsection (2)(b);

(i) qualifies at the time of payment as a non-profit organization under Section 501(c)(3) of the Internal Revenue Code; and

(ii) operates exclusively to provide grants to affordable housing programs in Utah; and

(d) the affordable housing program that is the recipient of the grant under this Subsection (2)(c)(ii) qualifies at the time of payment as a non-profit organization under Section 501(c)(3) of the Internal Revenue Code.

(3) A principal broker may not deposit into the principal broker's real estate trust account funds received in connection with rental of tourist accommodations where the rental period is less than 30 consecutive days.

(4) Records of deposits to a trust account shall include:

(a) transaction number or unique client identifier, as applicable pursuant to Subsection R162-2f-401c(1)(k);

(b) identification of payee and payor;

(c) amount of deposit;

(d) location of property subject to the transaction; and

(e) date and place of deposit.

(5) Any instrument by which funds are disbursed from a real estate or property management trust account shall include:

(a) the business name of the registered entity;

(b) the address of the registered entity;

(c) clear identification of the trust account from which the disbursement is made, including:

(i) account name; and

(ii) account number;

(d) the type of activity for which the account is used.

(6) Any instrument of conveyance that is voided shall be clearly marked with the term "void" and the original instrument retained pursuant to Subsection R162-2f-401k.

(7) If both parties to a contract make a written claim to money held in a principal broker's trust fund and the principal broker cannot determine from any signed agreement which party's claim is valid, the principal broker may:

(a) interplead the funds into court and thereafter disburse;

(i) upon written authorization of the party who will not receive the funds; or

(ii) pursuant to the order of a court of competent jurisdiction;

(b) within 15 days of receiving written notice that both parties claim the funds, refer the parties to mediation if:

(i) no party has filed a civil suit arising out of the transaction; and

(ii) the parties have contractually agreed to submit disputes arising out of their contract to mediation.

(8) If a principal broker is unable to disburse trust funds within five years after the failure of a transaction, the principal broker shall remit the funds to the State Treasurer's Office as unclaimed property pursuant to Title 67, Chapter 4a et seq.

(9) Trust account reconciliation. For each real estate or property management trust account operated by a registered entity, the principal broker of the entity shall:
R162-2f-403b. Real Estate Trust Accounts.

(1) A real estate trust account shall be used for the purpose of securing client funds:

(a) deposited with the principal broker in connection with a real estate transaction regulated under Title 61, Chapter 2f et seq.; and
(b) if the principal broker is also a builder or developer, deposited under a real estate purchase contract, construction contract, or other agreement that provides for the construction of a dwelling; and
(c) collected in the performance of property management duties, pursuant to this Subsection (4).

(2) A principal broker violates Subsection 61-2f-401(4)(B) if the principal broker deposits into the real estate trust account more than $500 of the principal broker's own funds.

(3) A principal broker who regularly engages in property management on behalf of seven or more individual units shall establish at least one property management trust account that is:

(a) separate from the real estate trust account; and
(b) operated in accordance with Subsection R162-2f-403c.

(4) A principal broker who collects rents or otherwise manages property for no more than six individual units at any given time may use the real estate trust account to secure funds received in connection with the principal broker's property management activities.

(5) A principal broker may disburse funds from a real estate trust account only in accordance with:

(a) specific language in the real estate purchase contract authorizing disbursement;
(b) other proper written authorization of the parties having an interest in the funds; or
(c) court order.

(6) A principal broker may not release for construction purposes those funds held as deposit money under an agreement that provides for the construction of a dwelling unless the purchaser authorizes such disbursement in writing.

(7) A principal broker may not release earnest money or other trust funds associated with a failed transaction unless:

(a) a condition in the real estate purchase contract authorizing disbursement has occurred; or
(b) the parties execute a separate signed agreement containing instructions and authorization for disbursement.


(1) As of January 1, 2014, a trust account that is used exclusively for property management purposes shall be used to secure the following:

(a) tenant security deposits;
(b) rents; and
(c) money tendered by a property owner as a reserve fund or for payment of unexpected expenses.

(2) A principal broker violates Subsection 61-2f-401(4)(B) if the principal broker deposits into a property management trust account any funds belonging to the principal broker without:

(a) maintaining records to clearly identify the total amount belonging to the principal broker; or
(b) performing a monthly line-item reconciliation of all deposits and withdrawals of funds belonging to the principal broker.

(3) A principal broker may disburse funds from a property management trust account only in accordance with:

(a) specific language in the property management contract or tenant lease agreement, as applicable, authorizing disbursement;
(b) other proper written authorization of the parties having an interest in the funds; or
(c) court order.

(4) A principal broker who transfers funds from a property management trust account for any purpose shall maintain records to clearly evidence that:

(a) prior to making the transfer, the principal broker verified the money as belonging to the property owner for whose benefit, or on whose instruction, the funds are transferred;
(b) any money transferred into an operating account as the principal broker's property management fee is earned according to the terms of the principal broker's contract with the property owner;
(c) any transfer for maintenance, repair, or similar purpose is;

(i) authorized according to the terms of the applicable property management contract, tenant lease agreement, or other instruction of the property owner; and
(ii) used strictly for the purpose for which the transfer is authorized, with any excess returned to the trust account.
KEY: real estate business, operational requirements, trust account records, notification requirements

Date of Enactment or Last Substantive Amendment: [August 21, 2013]

Authorizing, and Implemented or Interpreted Law: 61-2f-103(1); 61-2f-105; 61-2f-307

NOTICE OF PROPOSED RULE

Education, Administration

R277-600

Student Transportation Standards and Procedures

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 37413

FILED: 03/15/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is amended to provide clarifications on transportation services for students with disabilities, to eliminate the requirement for Annual Program Reports (APR), and to provide clarification on how approved to-and-from school expenses are determined.

SUMMARY OF THE RULE OR CHANGE: Language is removed from the definition of IEP to make it consistent with state definitions, language is added to indicate when it is appropriate for students to be transported with special transportation services, and language is added/changed to clarify how approved to-and-from school expenses are determined.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53A-17a-126 and Section 53A-17a-127 and Subsection 53A-1-402(1)(d)

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: There is no anticipated cost or savings to the state budget. Funding is provided for students with disabilities transportation. The new language provides clarification for eligibility during the regular school year and during the extended school year.

♦ LOCAL GOVERNMENTS: There is no anticipated cost or savings to local government. School districts will receive funding for student transportation needs.

♦ SMALL BUSINESSES: There is no anticipated cost or savings to small businesses. This rule and the amendments to the rule apply to public education and do not affect businesses.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no anticipated cost or savings to persons other than small businesses, businesses, or local government entities.

The amendments to the rule provide clarification for eligible individuals for student transportation.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. Funding is provided to school districts to support the needs of eligible student transportation.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule and I see no fiscal impact on businesses.

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

EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/08/2013

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R277. Education, Administration.
R277-600. Student Transportation Standards and Procedures.

R277-600-1. Definitions.
A. "ADA" means average daily attendance.
B. "ADM" means average daily membership.
C. "AFR" means a school district's annual financial report, one component of which is the AFR for all pupil transportation costs.
D. "Approved costs" means the Board approved costs of transporting eligible students from home to school to home once each day, after-school routes, approved routes for students with disabilities and vocational students attending school outside their regularly assigned attendance boundary, and a portion of the bus purchase prices. All approved costs are adjusted by the USOE consistent with a Board-approved formula per the annual legislative transportation appropriation.
E. "APR" means the school district's annual program report, one component of which is for approved to and from school pupil transportation costs.
F. "Bus route miles" means operating a bus with passengers.
G. "Deadhead" means operating a bus when no passengers are on board.
H. "Filing" means the Utah State Board of Education.

H. "Extended school year (ESY)" means an extension of the school district or charter school traditional school year to provide special education and related services to students with a disability, in accordance with the student's IEP, and at no cost to the student's parents. ESY services shall meet the standards of Part B of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1401(3) and the State Board of Education Special Education Rules.

I. "Hazardous" means danger or potential danger which may result in injury or death.

J. "IDEA" means the Individuals with Disabilities Education Act, Title I, Part A, Section 602.

K. "IEP" (individualized education program) means a written statement for a student with a disability that is developed and implemented under CFR Sections 300.340 through 300.347. [The IEP serves as a communication vehicle between parents and school personnel and enables them as equal participants to decide jointly what the student's needs are, what services shall be provided to meet those needs, what the anticipated outcomes may be, and how the student's progress toward meeting the projected outcomes shall be evaluated.]

L. "Local board" means the local school board of education.

M. "M.P.V." means multipurpose passenger vehicle: any motor vehicle with less than 10 passenger positions, including the driver, which cannot be certified as a bus.

N. "Out-of-pocket expense" means gasoline, oil, and tire expenses.

O. "USOE" means the Utah State Office of Education.

R277-600-2. Authority and Purpose.

A. This rule is authorized under Utah Constitution Article X, Section 3 which vests general control and supervision over public schools in the Board, by Section 53A-1-402(1)(d) which directs the Board to establish rules for bus routes, bus safety and other transportation needs and by Section 53A-17a-126 and 127 which provides for distribution of funds for transportation of public school students and disability standards for [eligibility] students.

B. The purpose of this rule is to specify the standards under which school districts may qualify for and receive state transportation funds.


A. State transportation funds are used to reimburse school districts for the costs reasonably related to transporting students to and from school. The Board defines the limits of school district transportation costs reimbursable by state funds in a manner that encourages safety, economy, and efficiency.

B. Allowable transportation costs are divided into two categories. Expenditures for regular bus routes established by the school district, and approved by the state, are A category costs. Other methods of transporting students to and from school are B category costs. The Board deems a formula to determine the reimbursement rate for A category costs consistent with Section 53A-17a-127(3). B category costs are approved on a line-by-line basis by the USOE after comparing the costs submitted by a school district with the costs of alternative methods of performing the designated function(s) and subject to adjustment per legislative appropriation.

C. The USOE shall develop a uniform accounting procedure for the financial reporting of transportation costs. The procedure shall specify the methods used to calculate allowable transportation costs. The USOE shall also develop uniform forms for the administration of the program.

D. All student transportation costs [are to be] recorded. Accurate mileage, minute, and trip records [are] maintained. Records and financial worksheets shall be maintained during the fiscal year for audit purposes.

R277-600-4. Eligibility.

A. State transportation funds shall be used only for transporting eligible students.

B. Transportation eligibility for elementary students (K-6) and secondary students (7-12) is determined in accordance with the mileage from home specified in Section 53A-17a-127(1) and (2) to the school attended by assignment of the local board.

C. A student whose IEP identifies transportation as a necessary related service is eligible for transportation regardless of distance from the school attended by assignment of the local board.

D. Students who attend school for at least one-half day at an alternative program location other than the local board designated school are expected to walk distances up to 1 and one half miles.

E. A school district that implements double sessions as an alternative to new building construction may transport, one-way to or from school, with Board approval, affected elementary students residing less than one and one-half miles from school, if the local board determines the transportation would improve safety affected by darkness or other hazardous conditions.

F. The distance from home to school is determined as follows: From the center of the public route (road, thoroughfare, walkway, or highway) open to public use, opposite the regular entrance of the one where the pupil is living, over the nearest public route (thoroughfare, road, walkway, or highway) open regularly for use by the public, to the center of the public route (thoroughfare, road, walkway, or highway) open to public use, opposite the nearest public entrance to the school grounds which the student is attending.

R277-600-5. Student with Disabilities Transportation.

A. Students with disabilities are transported on regular buses and regular routes whenever possible, unless the IEP team determines otherwise. School districts may request approval, prior to providing transportation, for reimbursement for transporting students with disabilities who cannot be safely transported on regular school bus runs.

B. School districts may be reimbursed for the costs of transporting or for alternative transportation for students with disabilities whose severity of disability, or combination of disabilities, necessitates special transportation.

C. During the regular school year, an eligible special transportation route from the assigned school site to an alternative program location shall be for a minimum of fifteen days with primarily the same group of students.

D. During the extended school year (ESY), an eligible special transportation route from the assigned school site to an
alternative program location shall be for a minimum of ten days with primarily the same group of students.

Transportation is provided by the Utah Schools for the Deaf and the Blind for students who are transported to its self-contained classes. Exceptions may be approved by the USOE.


A. Transportation is over routes proposed by local boards and approved by the USOE. Information requested by the USOE shall be provided prior to approval of a route. During the regular school year, an eligible route from the assigned school site to an alternative program location shall be for a minimum of fifteen days with primarily the same group of students. [A route usually is not approved for reimbursement] The USOE shall not approve a route for reimbursement if an equitable student transportation allowance or a subsistence allowance [accomplishes the needed transportation at less cost] for the necessary transportation is more cost-effective. The USOE may approve exceptions. A route shall:

(1) traverse the most direct public route;
(2) be reasonably cost-[effective related to other feasible alternatives];
(3) provide adequate safety for students;
(4) traverse roads that are constructed and maintained in a manner that does not cause property damage; and
(5) include an economically [adequate] appropriate number of students.

B. The minimum number of general education students required to establish a route is ten; the minimum number of students with disabilities is five. A route may be established for fewer students upon special permission of the State Superintendent.

C. The school district designates safe areas for bus stops. (1) To promote efficiency, the USOE approved minimum distance between bus stops is 3/10 of a mile. The USOE may [approve][make exceptions for] shorter distances between bus stops for student safety.
(2) Bus routes shall avoid, whenever possible, bus stops on dead-end roads.
(3) Students are responsible for their own transportation to bus stops up to one and one-half miles from home.
(4) [Special education students] Students with disabilities are responsible for their own transportation to bus stops [consistent with their IEPs][] unless the IEP team determines otherwise.

D. Changes made by school districts in existing routes or the addition of new routes shall be reported to the USOE as they occur. The USOE shall review and may refuse to fund route changes [as applicable].

E. The USOE may reimburse a school district for transporting another district's students across school district boundaries so long as:

(1) the route promotes efficient transportation for both districts;
(2) the route serves a group or community of students and families rather than a single student or a single family;
(3) the local boards of both participating districts vote in an open meeting that students who reside in one district can be better and more economically served by another district; and
(4) both districts and the USOE maintain documentation annually of the boards' votes and the map of the approved route.

[IE] [Transporting] Schools may transport eligible students home after school activities held at the students' school of regular attendance and within a reasonable time period after the close of the regular school day [and receive approved route mileage].

G. [A route may be approved as an] The USOE may approve atypical routes as alternatives to building construction[upon special permission of the USOE] if the routes [is] are needed to allow more efficient school district use of school facilities. Building construction alternatives include elementary double sessions, year-round school, and attendance across school district boundaries.

H.(1) School districts may use State Guarantee Transportation Levy or local transportation funds to transport students across state lines or out-of-state for school sponsored activities or required field trips if:
(a) the local board has a policy that includes approval of trips at the appropriate administrative level;
(b) the school or school district has considered the purpose of the trip or activity and any competing risk of liability;
(c) given the distance, purpose and length of the trip, the school district has determined that the use of a publicly owned school bus is most appropriate for the trip or activity; and
(d) the local board has consulted with State Risk Management.

(2) If school bus routes transport students across Utah state lines or outside of Utah for required to and from routes, routes are reimbursable providing school districts maintain documentation that the routes are necessary, or are more cost-effective, or provide greater safety for students than in-state routes.


Bus routes that involve a large number of downhill miles are]will be analyzed by the USOE] for reduction or to determine if an alternative method of transporting students is more efficient. [Approved alternatives include the following:]

A. The costs incurred in transporting eligible pupils in a school district multipurpose passenger vehicle (M.P.V.) are approved costs as long as the costs demonstrate efficiency.

B(1) The costs incurred in paying eligible students an allowance in lieu of school district-supplied transportation are[an] approved costs. A student is reimbursed for the mileage to the bus stop or school, whichever is closer, [nearest] to the student's home. The allowance shall not be less than the standard mileage rate deduction permitted by the United States Internal Revenue Service for charitable contributions, nor greater than the reimbursement allowance permitted by the Utah Department of Administrative Services for use of privately owned vehicles set forth in the Utah Travel Regulations;
(2) a student mileage allowance is made to only one student per family for each trip that is necessary for all the students within a family to attend school. If siblings are on different school schedules or ride buses that are on significantly different schedules, multiple students within a family may claim and be paid for student mileage allowances;
(3) if a student or the student's parent is unable to provide private transportation, with prior state approval, an amount equivalent to the student allowance [is payable][may be paid] to the school district to help pay the costs of school district transportation;
(4) the student's mileage shall be measured and certified in school district records. The student's ADA, as entered in school records, is used to determine the student's attendance.

C(1) The cost incurred in providing a subsistence allowance is an approved cost. If a student lives more than 60 miles (one way) on well-maintained roads from the student's assigned school, a parent may be reimbursed for the student's room and board if the student relocates temporarily to reside in close proximity to the student's assigned school. Payment shall not exceed the Substitute Care Rate for Family Services for the current fiscal year. Adjustments for changes made in the rate during the year are included in the allowance. In addition to the reimbursement for room and board, the subsistence allowance includes the costs of 18 round trips per year.

(2) A subsistence allowance is not applicable to a parent who maintains a separate home during the school year for the convenience of the family. A parent's primary residence during the school year is the residence of the child.

D. Contracting or leasing for pupil transportation

(1) The cost incurred in engaging in a contract or leasing for transportation is an approved cost at the prorated amount available to school districts.

(2) Reimbursements for school districts using a leasing arrangement are determined in accordance with the comparable cost for the school district to operate its own transportation.

(3) Under a contract or lease, the school district's transportation administrator's time shall not exceed one percent of the commercial contract cost.

(4) Eligible student counts, bus route mileage, bus route minutes, service to students with disabilities and bus inventory data are required as if the school district operated its own transportation.

R277-600-8. Other Reimbursable Expenses.

State transportation funds at the USOE[-] determined prorated amount may[ be used to] reimburse a school district for the following costs:

A. Salaries of clerks, secretaries, trainers, drivers, a supervisor, mechanics and other personnel necessary to operate the transportation program:

(1) A full time supervisor may be paid at the same rate as other professional directors in the school district. The supervisor's salary shall be commensurate with the number of buses, number of eligible students transported, and total responsibility relative to other school district supervisory functions. A school district may claim a percentage of the school district superintendent's or other supervisor's salary for reimbursement if the school district's eligibility count is less than 600 and a verifiable record of administrative time spent in the transportation operation is [kept] maintained;

(2) The wage time for bus drivers includes to and from school time: ten minute pre-trip inspection, actual driving time, ten minute post-trip inspection and bus cleanup, and 10 minute bus servicing and fueling;

B. Only a proportionate amount of a superintendent's or supervisor's employee benefits (health, accident, life insurance) may be paid from the school district's transportation fund;

C. Purchased property services;

D. Property, comprehensive, and liability insurance;

E. Communication expenses and travel for supervisors to workshops or the national convention;

F. Supplies and materials for vehicles, the school district transportation office and the garage;

G. Depreciation: The USOE [computer] shall provide an annual formula for school bus depreciation;

H. Training expenses to complete bus driver instruction and certification required by the Board; and

I. Other related costs approved by the USOE which may include additional bus driver training.


A. AFR for all pupil transportation costs shall only include pupil transportation costs and other school district expenditures directly related to pupil transportation.

B. [Expenses for use of school districts buses and equipment which are not approved AFR to and from school pupil transportation costs shall be deleted when transportation costs are calculated.] Bus and equipment in determining expenditures for eligible to and from school transportation, all related costs shall be reduced on a pro rata basis for the miles not connected with approved costs.

C. Expenses determined by the USOE [is] not directly related to transportation of eligible students to and from school [are] not reimbursable.

D. Local boards may determine appropriate non-school uses of school buses. Local boards may lease/rent public school buses to federal, state, county, or municipal entities, and those insured by State Risk Management or to non-government entities or to those not insured through State Risk Management. In making these determinations, local boards shall:

1) require full cost reimbursement for any non-public school use including:
   (a) cost per mile;
   (b) cost per minute;
   (c) bus depreciation.

2) require documentation from the non-school user of insurance through State Risk Management or private insurance coverage and a fully executed agreement for full release of indemnification;

3) require that any non-school use is revenue neutral; and

4) consult with State Risk Management to determine adequacy of documentation of insurance and indemnity for any entity requesting use or rental of publicly owned school buses.

E. If a local board approves the use of school buses by a non-governmental entity or an entity not insured through State Risk Management, the use shall be approved by the local board in an open board meeting.

F. In the event of an emergency, local, regional, state or federal authorities may request the use of school buses or school bus drivers or both for the period of the emergency. The local board shall grant the request so long as the use can be accommodated consistent with continuing student transportation and student safety requirements.
R277-600-10. Board Local Levy.
A. Costs for school district transportation of students which are not reimbursable may be paid for from general[ funds of the] school district funds or from the proceeds of the Board Local Levy authorized under Section 53A-17a-164.
B. The revenue from the Board Local Levy may be used for transporting students and for the replacement of school buses.
C. A local board may approve the [transportation of students in areas where walking constitutes a hazardous condition] may be provided from general[ local board] funds [from the school district] or from the Board Local Levy.
   (1) Hazardous walking conditions shall be determined by an analysis by the local board of the following factors:
      (a) volume, type, and speed of vehicular traffic;
      (b) age and condition of students traversing the area;
      (c) condition of the roadway, sidewalks and applicable means of access in the area; and
      (d) environmental conditions.
   (2) A local board may designate hazardous conditions.
D. Guarantee Transportation Levy
   (1) Appropriated funds under Section 53A-17a-127(7) shall be distributed according to each school district's proportional share of its qualifying state contribution.
   (2) The qualifying state contribution for school districts shall be the difference between 85 percent of the average state cost per qualifying mile multiplied by the number of qualifying miles and the current funds raised per school district by an amount of revenue equal to at least .0002 per dollar of taxable value of the school district's Board Local Levy under Section 53A-17a-164.

A. When undue hardships and inequities are created through exact application of these standards, school districts may request an exception to these rules from the State Superintendent on individual cases. Such hardships or inequities may include written evidence demonstrating that no significant increased costs (less than one percent of a school district's transportation budget) is incurred due to a waiver or that students cannot be provided services consistent with the law due to transportation exigencies. The State Superintendent may consult with the Pupil Transportation Advisory Committee, designated in Section 53A-17a-127(5), in considering the exemption.

   B(1) a school district shall not be penalized in the computation of its state allocation for the presence on an approved to and from school route of an ineligible student who does not create an appreciable increase in the cost of the route;
   (2) there is an appreciable increase in cost if, because of the presence of ineligible students, any of the following occurs:
      (a) another route is required;
      (b) a larger or additional bus is required;
      (c) a route's mileage is increased;
      (d) the number of pick-up points below the mileage limits for eligible students exceeds one;
      (e) significant additional time is required to complete a route.
   (3) ineligible students may ride buses on a space available basis. An eligible student may not be displaced or required to stand in order to make room for an ineligible student.

KEY: school buses, school transportation
Date of Enactment or Last Substantive Amendment: [April 10, 2012]
Notice of Continuation: March 12, 2013
Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-402(1)(d); 53A-17a-126 and 127

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37414
FILED: 03/15/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is amended to provide appropriate flexibility for interaction between public schools and released-time programs. Courts, in recent years, have taken a more accommodating approach to public schools interacting with religious programs and instruction.

SUMMARY OF THE RULE OR CHANGE: Language in the rule is changed to provide appropriate flexibility for interaction between public schools and released-time programs.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1-401(3) and Subsection 53A-1-402(1)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There is no anticipated cost or savings to the state budget. The changes to the rule provide for greater flexibility for interaction between public schools and released-time programs.
♦ LOCAL GOVERNMENTS: There is no anticipated cost or savings to local government. There is no anticipated cost or savings to the state budget. The changes to the rule provide for greater flexibility for interaction between public schools and released-time programs.
♦ SMALL BUSINESSES: There is no anticipated cost or savings to small businesses. This rule and the amendments apply to public education and do not affect businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no anticipated cost or savings to persons other than small businesses, businesses, or local government entities. The amendments apply to released-time programs and public school interaction.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. The changes to the rule provide greater flexibility.
COMMENTS BY THE DEPARTMENT HEAD ON THE
FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:
I have reviewed this rule and I see no fiscal impact on
businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED,
DURING REGULAR BUSINESS HOURS, AT:
EDUCATION
ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-
7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON
THIS RULE BY SUBMITTING WRITTEN COMMENTS NO
LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/08/2013

AUTHORIZED BY: Carol Lear, Director, School Law and
Legislation

R277. Education, Administration.
R277-610. Released-Time Classes and Public Schools.
R277-610-1. Definitions.
A. "Board" means the Utah State Board of Education.
B. "Non-entangling criteria" means neutral course
instruction and standards that are academic not devotional; promote
awareness not acceptance of any religion; expose not impose a
particular view; educate about religion; and inform but not seek to
make students conform to any religion.
C. "Released-time" means a period of time during the
regular school day when a student attending a public school is
excused from the school, at the request of the student's parent.

R277-610-2. Authority and Purpose.
A. This rule is authorized by Utah Constitution Article X,
Section 3 which vests general control and supervision of public
education in the Board, Section 53A-1-402(1) which directs the
Board to adopt minimum standards for public schools, and Section
53A-1-401(3) which permits the Board to adopt rules in accordance
with its responsibilities.
B. The purpose of this rule is to specify standards and
procedures for public schools regarding released-time classes.

Between Public Schools and Released-Time Classes.
A. Students may attend released-time classes during the
regular school day only upon the written request of the student's
parent or legal guardian.
B. A public school shall not maintain records of
attendance for released-time classes or use school personnel or
school resources to regulate such attendance.

C. Teachers of released-time classes are not members of
the public school faculty and shall not participate as faculty
members in any school function. Released-time teachers may
participate in school activities as community members.
D. Public school teachers, administrators, or other
officials shall not request teachers of released-time classes to
equip and assume responsibilities for the public school
program which would result in a commingling of the activities of
the two institutions.
E. Schedules of classes for public school classes shall
not include released-time classes by name. At the convenience of the school, registration
forms may contain a space for released-time designation.
F. Public school publications shall not include pictures,
reports, or records of released-time classes.
G. Public school personnel shall not [be used in any manner to assist in the conduct of] participate in
released-time classes. Released-time classes shall not use school resources or equipment.

R277-610-4. Additional Conditions for Religious Released-Time
Programs.
A. Religious classes shall not be held in school buildings
or on school property in any way that permits public money or
property to be applied to, or that requires public employees to
become entangled with, any religious worship, exercise, or
instruction.
B. Religious released-time scheduling shall [be done] take place on forms and supplies furnished by the religious institution and by personnel employed or engaged by the institution and shall occur off the premises of the public school premises.
C. There shall be no connection of devices between public school buildings and institutions offering religious instruction except as a convenience to the public school in the operation of its own program. When any connection of devices is permitted, the costs shall be borne by the respective institutions.
D. Records of attendance at religious released-time
classes, grades, marks, or other data shall not be included in the correspondence or reports made by the public school to parents.
E. Institutions offering religious instruction are private programs or schools separate and apart from the public schools. Those relationships that are legitimately exercised between the public school and any private school are appropriate with institutions offering released-time classes, so long as public property, public funds, or other public resources are not used to aid such institutions.
F. Public schools may grant elective credit for religious
released-time classes if the school district establishes neutral, non-
entangling criteria with which to evaluate courses.

KEY: released-time classes
Date of Enactment or Last Substantive Amendment: [November 8, 2014]
Notice of Continuation: March 12, 2013
Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-402(1); 53A-1-401(3)
NOTICES OF PROPOSED RULES

Education, Administration

R277-702

Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009)

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 37415

FILED: 03/15/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is amended to provide updated provisions and terminology changes.

SUMMARY OF THE RULE OR CHANGE: Language for computer-based testing is provided; language regarding IDEA and students returning to K-12 is provided; adding an acknowledgement that a GED is only one type of equivalency diploma that could be offered or accepted by the Board; and making terminology changes throughout the rule.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1-401(3) and Subsection 53A-1-402(1)(b)

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: There is no anticipated cost or savings to the state budget. The changes update provisions relating to the GED test and diploma and update terminology throughout the rule which do not result in a cost or savings.

♦ LOCAL GOVERNMENTS: There is no anticipated cost or savings to local government. The changes update provisions relating to the GED test and diploma and update terminology throughout the rule which do not result in a cost or savings.

♦ SMALL BUSINESSES: There is no anticipated cost or savings to small businesses. This rule and the amendments apply to public education and do not affect businesses.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no anticipated cost or savings to persons other than small businesses, businesses, or local government entities. The changes update provisions relating to the GED test and diploma and update terminology throughout the rule which do not result in a cost or savings.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. The changes update provisions relating to the GED test and diploma and update terminology throughout the rule which do not result in compliance costs.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule and I see no fiscal impact on businesses.

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

EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272

or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/08/2013

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R277. Education, Administration.

R277-702. Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009).

R277-702-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "GED Test" means the General Educational Development Test developed by the American Council on Education.

C. "Out-of-school youth" means an individual 16 to 19 years of age whose high school class has not graduated and who is no longer enrolled in a K-12 program of instruction.

D. Utah High School Completion Diploma" means a completion diploma issued by the Board and distributed by a GED Testing Center or GED Testing Service (GEDTS) as agents of the Board, to an individual who has passed all five subject modules of the GED Test at a Utah GED Testing Center based on Utah passing standards; measuring the major and lasting outcomes and concepts associated with a traditional four-year high school experience.[This definition becomes effective on July 1, 2009.]

R277-702-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-402(1)(b) which directs the Board to adopt rules regarding access to programs, competency levels and graduation requirements, and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.
B. The purpose of this rule is to describe the standards and procedures for obtaining a Utah High School Completion Diploma.

A. The Board contracts with the General Educational Testing Service of the American Council on Education to administer the GED Testing Program in the state. The Board may contract with educational institutions within the state to administer the tests and provide related testing services. The number and location of the institutions designated as testing centers is determined in a manner that ensures that the test is reasonably accessible to potential applicants. Testing centers shall meet the GED Testing Service requirements in the GED Examiner's Manual, available at and provided by all Board-approved GED Testing Centers and from the USOE.

B. Individuals desiring to take a GED Test shall complete an application available from any official GED Testing Center, follow GED Test registration procedures established by GEDTS and Pearson VUE as approved by the Board and be eligible to take the GED Test under R277-702-4.

C. Individuals desiring to obtain a Utah High School Completion Diploma shall obtain a standard score of at least 410 on each of the five test [components, modules] of the GED Test and obtain an overall average standard score of 450 on the five test[s] modules combined.

D. The Board recognizes that a GED is only one type of equivalency diploma that could be offered or accepted by the Board.

A. GED [testing is open to all individuals regardless of race, color, national origin, gender or disabilities and is open to all individuals regardless of Utah residency.]

B. Admission to a GED Test requires the following: (effective on July 1, 2009):
   (1) that the [applicant] candidate be at least 16 years of age and is not enrolled in any Utah K-12 school that issues high school credits or diplomas or both;
   (2) if the [applicant] candidate is 16, the GED Testing Center requires the following from the [applicant] candidate shall:
      (a) as part of the GED testing registration process, complete a state of Utah GED Testing Application for 16-18 Year Old Non-Graduates available from public schools, [from accredited providers of public school credits, and from GED Testing Centers] public charter schools, private or special purpose schools:
      (i) completed by the school district, charter school, private or residential special purpose school not associated with a school district, stating the [applicant] candidate is 16, the [applicant] candidate's parent/guardian understands and accepts the consequences and educational choices associated with the withdrawal from a K-12 program of instruction, including the prohibition from returning to a K-12 program anywhere in Utah upon successful passing of all five [sections, modules] of the GED Test; and
      (ii) signed by the [applicant] candidate's parent/guardian specifically stating that the [applicant] candidate and

parent/guardian understand and accept the consequences and educational choices associated with the [applicant] candidate's decision to withdraw from a K-12 program of instruction, and authorizing the GED Test[s]; or
   (iii) signed by representatives from a Utah state-sponsored Adult Education_District Program stating that the [applicant] candidate demonstrates academic competencies to meet with success in passing the GED Test[s]; and
   (iv) a marriage certificate in lieu of the parent/guardian signature if the [applicant] candidate is married.

C. If the [applicant] candidate is 17 or 18 years of age and the [applicant] candidate's graduating class has not graduated, the GED [Testing Center requires candidate shall submit a statement of Utah GED Testing Application for 16-18 Year Old Non-Graduates to a Utah state-sponsored Adult Education School District Program:
   (a) completed by the school district, charter school, private or residential special purpose school not associated with a school district, stating the [applicant] candidate is not enrolled in school; and
   (b) signed by the [applicant] candidate's parent/guardian authorizing the test; or
   (c) a marriage certificate in lieu of the parent/guardian signature if the [applicant] candidate is married.

D. An out-of-school youth of school age who has not successfully passed all five GED Test[s] modules shall be allowed to return to a school district, charter school, private or special purpose school not associated with a school district prior to the time his class graduates with the understanding and expectation that all necessary requirements for the traditional K-12 diploma shall be completed for a regular high school diploma.

E. An out-of-school youth of school age who has received a Utah High School completion Diploma is not eligible to return to a K-12 high school unless it is required for provision of a free appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C., Chapter 33.

F. Individuals, as required by an employer or higher education to provide academic competency, who can not offer proof of high school completion may, upon approval of the USOE GED Testing Administrator, take the GED Test[s].

G. Individuals who have previously passed GED Test[s] modules but seek [ing] higher GED Test scores for specific post-secondary institution admission may seek permission to retake the GED Test[s] modules from the USOE GED Testing Administrator of GED Testing.

R277-702-5. Fees.
A. The Board, or its designee, shall adopt uniform fees for the General Educational Development Certificate and uniform forms, deadlines, and accounting procedures to administer this program as defined by GED Testing Service and Pearson VUE.

B. A GED Testing Center, after consultation with the Board or its designee, shall adopt fees and forms for GED [Testing as defined by GED Testing Service and Pearson VUE.

UTAH STATE BULLETIN, April 01, 2013, Vol. 2013, No. 7

Test scores shall be accepted by the Board when original scores are reported by:
A. Board-approved GED Testing Centers;
B. Transcript service of the Defense Activity for Non-Traditional Educational Support (DANTES);
C. Veterans Administration hospitals and centers; or
D. GED Testing Service or authorized agents.


A. A local board of education may adopt standards and procedures for awarding up to five (5) units of credit on the basis of test results which may be applied toward an [A]Adult [High school]Education Secondary [(D)]Diploma only if the student was enrolled in an Adult Education Program prior to July 1, 2009 and the GED was transcripted prior to July 1, 2009.

B. Individuals enrolled in an adult education program any time during the 2008-2009 program year may apply credits for successfully passing the GED Tests toward an Adult Education Secondary Diploma.

C. Individuals who have taken and passed the GED Tests prior to January 1, 2002 may enroll in an adult education program now and in the future to obtain an Adult Education Secondary Diploma upon completion of graduation requirements as defined in Rule 277-733 - Adult Education Programs, but may not apply for a previously issued GED Test[s] Certificate to be converted to a Utah High School Completion Diploma.

D. Individuals who have taken and passed the GED Test[s] in the state of Utah between the dates of January 1, 2002 and June 30, 2009 may apply after July 1, 2009 for a Utah High School Completion Diploma to replace the originally issued GED Test Certificate from the Board or they may enroll in an adult education program to complete the necessary requirements for an Adult Education Secondary Diploma.


A. Access to the GED Test[s] shall be limited to the USOE Administrator of GED Testing; state authorized GED Examiners or Pearson VUE test facilitators; and during actual testing, those [examiners]test candidates without a GED credential. Any other access to the GED Test[s] shall be cleared in writing through the USOE GED Testing Administrator.

B. All test [administrators]facilitators shall conduct GED Test administration in strict accordance with the procedures and guidelines specified by the GED Testing Service and Pearson VUE, in the GED Test administration manual, [school district rules and policies] and Board rules.

C. Teachers, administrators, and school personnel shall not:
(1) provide students directly or indirectly with specific questions or answers from any official GED Test;
(2) allow students access to any testing material, in any form, prior to test administration, with the exception of GED demographic sheets; or
(3) knowingly and intentionally do anything that would inappropriately affect the density, validity, or reliability of GED Test scores of any individual student or group taking the GED Test.

D. Intentional violation of any of these rules by licensed educators may subject them to disciplinary action under Section [53A-4-402(1)(b); 53A-1-401(3)] or R277-515, Utah Educator Standards, or both.

KEY: adult education, educational testing, student competency
Date of Enactment or Last Substantive Amendment: June 9, 2009
Notice of Continuation: March 12, 2013
Authorizing, and Implemented or Interpreted Law: 53A-1-402(1)(b); 53A-1-401(3)

NOTICE OF PROPOSED RULE
(Effective Upon Board Approval)

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: A recommendation to add "Severe Combined Immune Deficiency (SCID)" to the routine newborn screening panel was approved by the Secretary's Advisory Committee on Heritable Disorders of Newborns and Children approved by the Secretary of Health and Human Services in 2010. The Utah Department of Health's Genetics Advisory Committee and the Newborn Screening Subcommittee have also requested that SCID be added to the newborn screening panel.

SUMMARY OF THE RULE OR CHANGE: Screening for SCID is added in Section R398-1-3. There are several format changes throughout the rule.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-30 and Section 26-10-6

ANTICIPATED COST OR SAVINGS TO:
* THE STATE BUDGET: The cost to Medicaid will be $117,814 based on 2010 Medicaid eligible deliveries. This is calculated as $7.20 X 16,363 Medicaid eligible deliveries in 2010. Medical literature indicates that screening for SCID will identify 1-2 cases in 50,000 births. Early identification results in a decrease in hospitalizations and testing to identify sick newborns with the disorder. Each child not identified through newborn screening requires more in hospitalizations and testing before SCID is identified. Estimated savings per case identified through newborn screening ranges from $350,000 to $2,000,000.

R398-1. Newborn Screening.

R398-1-1. Purpose and Authority.

(1) The purpose of this rule is to facilitate early detection, prompt referral, early treatment, and prevention of disability and mental retardation in infants with certain genetic and endocrine disorders.

(2) Authority for the Newborn Screening program and promulgation of rules to implement the program are found in Sections 26-1-30(2)(a), (b), (c), (d), and (g) and 26-10-6.


(1) "Abnormal test result" means a result that is outside of the normal range for a given test.

(2) "Appropriate specimen" means a blood specimen submitted on the Utah Newborn Screening form that conforms with the criteria in R398-1-8.

(3) "Blood spot" means a clinical specimen(s) submitted on the filter paper (specially manufactured absorbent specimen collection paper) of the Newborn Screening form using the heel stick method.

(4) "Department" means the Utah Department of Health.

(5) "Follow up" means the tracking of all newborns with an abnormal result, inadequate or unsatisfactory specimen or a quantity not sufficient specimen through to a normal result or confirmed diagnosis and referral.

(6) "Inadequate specimen" means a specimen determined by the Newborn Screening Laboratory to be unacceptable for testing.

(7) "Indeterminate result" means a result that requires another specimen to determine normal or abnormal status.

(8) "Institution" means a hospital, alternate birthing facility, or midwife service in Utah that provides maternity or nursery services or both.

(9) "Medical home/practitioner" means a person licensed by the Department of Commerce, Division of Occupational and Professional Licensing to practice medicine, naturopathy, or chiropractic or to be a nurse practitioner, as well as the licensed or unlicensed midwife who takes responsibility for delivery or the ongoing health care of a newborn.

(10) "Metabolic diseases" means those diseases screened by the Department which are caused by an inborn error of metabolism.

(11) "Newborn Screening form" means the Department's demographic form with attached Food and Drug Administration (FDA)-approved filter paper medical collection device.

(12) "Quantity not sufficient specimen" or "QNS specimen" means a specimen that has been partially tested but does not have enough blood available to complete the full testing.

(13) "Unsatisfactory specimen" means an inadequate specimen.

R398-1-3. Implementation.

(1) Each newborn in the state of Utah shall submit to the Newborn Screening testing, except as provided in Section R398-1-11.

(2) The Department of Health, after consulting with the Genetic Advisory Committee, will determine the Newborn Screening battery of tests based on demonstrated effectiveness and available funding. Disorders for which the infant blood is screened are:
(a) Biotinidase Deficiency;
(b) Congenital Adrenal Hyperplasia;
(c) Congenital Hypothyroidism;
(d) Galactosemia;
(e) Hemoglobinopathy;
(f) Amino Acid Metabolism Disorders:
   (i) Phenylketonuria (phenylalanine hydroxylase deficiency and variants);
   (ii) Tyrosinemia type 1 (fumaric acid dehydrogenase deficiency);
   (iii) Tyrosinemia type 2 (tyrosine aminotransferase deficiency);
   (iv) Tyrosinemia type 3 (4-OH-phenylpyruvate dioxygenase deficiency);
   (v) Maple Syrup Urine Disease (branched chain ketoacid dehydrogenase deficiency);
   (vi) Homocystinuria (cystathionine beta synthase deficiency);
   (vii) Citrullinemia (arginino succinic acid synthase deficiency);
   (viii) Argininosuccinic aciduria (arginino succinic acid lyase deficiency);
   (ix) Argininaemia (arginase deficiency);
   (x) Hyperprolinemia type 2 (pyrroline-5-carboxylate dehydrogenase deficiency);
(g) Fatty Acid Oxidation Disorders:
   (i) Medium Chain Acyl CoA Dehydrogenase Deficiency;
   (ii) Very Long Chain Acyl CoA Dehydrogenase Deficiency;
   (iii) Short Chain Acyl CoA Dehydrogenase Deficiency;
   (iv) Long Chain 3-OH Acyl CoA Dehydrogenase Deficiency;
   (v) Short Chain 3-OH Acyl CoA Dehydrogenase Deficiency;
   (vi) Primary carnitine deficiency (OCTN2 carnitine transporter defect);
   (vii) Carnitine Palmitoyl Transferase I Deficiency;
   (viii) Carnitine Palmitoyl Transferase 2 Deficiency;
   (ix) Carnitine Acylcarnitine Translocase Deficiency;
   (x) Multiple Acyl CoA Dehydrogenase Deficiency;
(h) Organic Acids Disorders:
   (i) Propionic Acidemia (propionyl CoA carboxylase deficiency);
   (ii) Methylmalonic acidemia (multiple enzymes);
   (iii) Isovaleric acidemia (isovaleryl CoA dehydrogenase deficiency);
   (iv) 2-Methylbutyryl CoA dehydrogenase deficiency;
   (v) Isobutyryl CoA dehydrogenase deficiency;
   (vi) 2-Methyl-3-0H-butyryl-CoA dehydrogenase deficiency;
   (vii) Glutaric acidemia type 1 (glutaryl CoA dehydrogenase deficiency);
   (viii) 3-Methylcrotonyl CoA carboxylase deficiency;
   (ix) 3-Ketothiolase deficiency;
   (x) 3-Hydroxy-3-methyl glutaryl CoA lyase deficiency;
   (xi) Holocarboxylase synthase (multiple carboxylases) deficiency and variants;
   (j) Cystic Fibrosis, and
   (k) Severe Combined Immunodeficiency syndrome.

R398-1.4, Responsibility for Collection of the First Specimen.
   (1) If the newborn is born in an institution, the institution
   must collect and submit an appropriate specimen, unless the newborn
   is transferred to another institution prior to 48 hours of age.
   (2) If the newborn is born outside of an institution, the
   practitioner or other person primarily responsible for providing
   assistance to the mother at the birth must arrange for the collection and
   submission of an appropriate specimen.
   (3) If there is no other person in attendance of the birth, the
   parent or legal guardian must arrange for the collection and submission
   of an appropriate specimen.
   (4) If the newborn is transferred to another institution prior
   to 48 hours of age, the receiving health institution must collect and
   submit an appropriate specimen.

R398-1.5, Timing of Collection of First Specimen.
   The first specimen shall be collected between 48 hours and
   five days of age. Except:
   (1) If the newborn is discharged from an institution before
   48 hours of age, an appropriate specimen must be collected within four
   hours of discharge.
   (2) If the newborn is to receive a blood transfusion or
dialysis, the appropriate specimen must be collected immediately
   before the procedure, except in emergency situations where time does
   not allow for collection of the specimen. If the newborn receives a
   blood transfusion or dialysis prior to collecting the appropriate
   specimen the following must be done:
      (a) Repeat the collection and submission of an appropriate
          specimen 7-10 days after last transfusion or dialysis for a second
          screening specimen;
      (b) Repeat the collection and submission of an appropriate
          specimen 120 days after last transfusion or dialysis for a first
          screening specimen.

R398-1.6, Parent Education.
   The person who has responsibility under Section R398-1.4
   shall inform the parent or legal guardian of the required collection and
   submission and the disorders screened. That person shall give
   the second half of the Newborn Screening form to the parent or legal
   guardian with instructions on how to arrange for collection and
   submission of the second specimen.

R398-1.7, Timing of Collection of the Second Specimen.
   A second specimen shall be collected between 7 and 28 days of
   age.
   (1) The parent or legal guardian shall arrange for the
   collection and submission of the appropriate second specimen through
   an institution, medical home/practitioner, or local health department.
   (2) If the newborn's first specimen was obtained prior to 48
   hours of age, the second specimen shall be collected by fourteen days
   of age.
   (3) If the newborn is hospitalized beyond the seventh day of
   life, the institution shall arrange for the collection and submission of
   the appropriate second specimen.

R398-1.8, Criteria for Appropriate Specimen.
   (1) The institution or medical home/practitioner collecting
   the appropriate specimen must:
(a) Use only a Newborn Screening form purchased from the Department. The fee for the Newborn Screening form is set by the Legislature in accordance with Section 26-1-6;
(b) Correctly store the Newborn Screening form;
(c) Not use the Newborn Screening form beyond the date of expiration;
(d) Not alter the Newborn Screening form in any way;
(e) Complete all information on the Newborn Screening form. If the infant is being adopted, the following may be omitted: infant's last name, birth mother's name, address, and telephone number. Infant must have an identifying name, and a contact person must be listed;
(f) Apply sufficient blood to the filter paper;
(g) Not contaminate the filter paper with any foreign substance;
(h) Not tear, perforate, scratch, or wrinkle the filter paper;
(i) Apply blood evenly to one side of the filter paper and be sure it soaks through to the other side;
(j) Apply blood to the filter paper in a manner that does not cause caking;
(k) Collect the blood in such a way as to not cause serum or tissue fluids to separate from the blood;
(l) Dry the specimen properly;
(m) Not remove the filter paper from the Newborn Screening form.
(2) Submit the completed Newborn Screening form to the Utah Department of Health, Newborn Screening Laboratory, 4431 South 2700 West, Taylorsville, Utah 84119.
(a) The Newborn Screening form shall be placed in an envelope large enough to accommodate it without folding the form.
(b) If mailed, the Newborn Screening form shall be placed in the U.S. Postal system within 24 hours of the time the appropriate specimen was collected.
(c) If hand-delivered, the Newborn Screening form shall be delivered within 48 hours of the time the appropriate specimen was collected.

(1) (a) If the Department finds an abnormal result consistent with a disease state, the Department shall send written notice to the medical home/practitioner noted on the Newborn Screening form.
(b) If the Department finds an indeterminate result on the first screening, the Department shall determine whether to send a notice to the medical home/practitioner based on the results on the second screening specimen.
(2) The Department may require the medical home/practitioner to collect and submit additional specimens for screening or confirmatory testing. The Department shall pay for the initial confirmatory testing on the newborn requested by the Department. The Department may recommend additional diagnostic testing to the medical home/practitioner. The cost of additional testing recommended by the Department is not covered by the Department.
(3) The medical home/practitioner shall collect and submit specimens within the time frame and in the manner instructed by the Department.
(4) As instructed by the Department or the medical home/practitioner, the parent or legal guardian of a newborn identified with an abnormal test result shall promptly take the newborn to the Department or medical home/practitioner to have an appropriate specimen collected.
(5) The medical home/practitioner who makes the final diagnosis shall complete a diagnostic form and return it to the Department within 30 days of the notification letter from the Department.

R398-1-10. Inadequate or Unsatisfactory Specimen, or QNS Specimen.
(1) If the Department finds an inadequate or unsatisfactory specimen, or QNS specimen, the Department shall inform the medical home/practitioner noted on the Newborn Screening form.
(2) The medical home/practitioner shall submit an appropriate specimen in accordance with Section R398-1-8. The specimen shall be collected and submitted within two days of notice, and the form shall be labeled for testing as directed by the Department.
(3) The parent or legal guardian of a newborn identified with an inadequate or unsatisfactory specimen or QNS specimen shall promptly take the newborn to the medical home/practitioner to have an appropriate specimen collected.

A parent or legal guardian may refuse to allow the required testing for religious reasons only. The medical home/practitioner or institution shall file in the newborn's record documentation of refusal, reason, education of family about the disorders, and a signed waiver by both parents or legal guardian. The practitioner or institution shall submit a copy of the refusal to the Utah Department of Health, Newborn Screening Program, P.O. Box 144710, Salt Lake City, UT 84114-4710.

(1) The Department shall have access to the medical records of a newborn in order to identify medical home/practitioner, reason appropriate specimen was not collected, or to collect missing demographic information.
(2) The institution shall enter the Newborn Screening form number, also known as the Birth Record Number, into the Vital Records database and the Newborn Hearing Screening database.

If the medical home/practitioner or institution has information that leads it to believe that the parent or legal guardian is not complying with this rule, the medical home/practitioner or institution shall report such noncompliance as medical neglect to the Department.

R398-1-14. Confidentiality and Related Information.
(1) The Department initially releases test results to the institution of birth for first specimens and to the medical home/practitioner, as noted on the Newborn Screening form, for the second specimen.
(2) The Department notifies the medical home/practitioner noted on the Newborn Screening form as provided in Section R398-1-9(1) of any results that require follow up.
(3) The Department releases information to a medical home/practitioner or other health practitioner on a need to know basis, i.e., routine pediatric care, timely and effective referral for diagnostic services or to ensure appropriate management for individuals with
NOTICES OF PROPOSED RULES

Health, Family Health and Preparedness, Emergency Medical Services
R426-2
Air Medical Service Rules

NOTICE OF PROPOSED RULE
(New Rule)
DAR FILE NO.: 37411
FILED: 03/15/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule has currently expired. The rule needs to be enacted to match statute. The rule will ensure that the current standards of operations for air ambulance services are maintained.

SUMMARY OF THE RULE OR CHANGE: The rule will allow to maintain standards and criteria for licensed air ambulance providers. (DAR NOTE: A corresponding 120-day (emergency) rule that is effective as of 03/14/2013 is under DAR No. 37409 in this issue, April 1, 2013, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 26, Chapter 8a

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The state budget is affected as licensure fees support the Bureau of EMS and their operation costs.
♦ LOCAL GOVERNMENTS: No new fiscal impacts from recently expired air ambulance rules. Fiscal impacts of past air ambulance rules have not applied to local governments due to the fact air ambulance industry in Utah is currently under cooperative ownerships.
♦ SMALL BUSINESSES: Current providers are all larger than 50 employees. Future business would be required to meet the same operational standards for equipment and staffing.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: No new fiscal impacts to currently existing licensed air ambulance providers. This rule is a replacement for past operational requirements. Licensed providers already have surpassed the minimal requirements required by this rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS:
Affected persons are currently paying for air ambulance services that are provided by the licensed agencies. No changes are expected due to this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:
The air ambulance rule presents no unreasonable barriers to entry for qualified providers.
R426-2. Air Medical Service Rules.
R426-2-1. Authority and Purpose.
(1) This Rule is established under Chapter 8, Title 26a.
(2) The purpose of this Rule is to set forth air ambulance policies and rules and standards adopted by the Utah Emergency Medical Services Committee which promote and protect the health and safety of the people of this state.

R426-2-2. Requirements for Licensure.
(1) The Department may issue licenses and vehicle permits to air medical services conforming to R426-2 for Advanced Life Support Air Medical Service and for Specialized Life Support Air Medical Service. A Specialized Life Support Air Medical Service license must list, on the license, the specialties for which the Specialized Life Support Air Medical Service is licensed.
(2) A person may not furnish, operate, conduct, maintain, advertise, or provide air medical transport services to patients within the state or from within the state to out of state unless licensed by the Department.
(3) An air medical service shall comply with all state and federal requirements governing the specific vehicles utilized for air medical transport services.
(4) An air medical service must provide air medical services 24 hours a day, every day of the year as allowed by weather conditions except when the service is committed to another medical emergency or is unavailable due to maintenance requirements.
(5) To become licensed as an air medical service, an applicant must submit to the Department an application and appropriate fees for an original license which shall include the following:
(a) Certified Articles of Incorporation, if incorporated.
(b) The name, address, and business type of the owner of the air medical service or proposed air medical service.
(c) The name and address of the air ambulance operator(s) providing air ambulance(s) to the service.

(d) The name under which the applicant is doing business or proposes to do business.
(e) A statement summarizing the training and experience of the applicant in the air transportation and care of patients.
(f) A description and location of each dedicated and back-up air ambulance(s) procured for use in the air medical service, including the make, model, year of manufacture, FAA-N number, insignia, name or monogram, or other distinguishing characteristics.
(g) A copy of current Federal Aviation Administration (FAA) Air Carrier Operating Certificate authorizing FAR, Part 135, operations.
(h) A copy of the current certificate of insurance for the air ambulance.
(i) A copy of the current certificate of insurance demonstrating coverage for medical malpractice.
(j) The geographical service area, location and description of the place or places from which the air ambulance will operate.
(k) Name of the training officer responsible for the air medical personnel continuing education.
(l) The name of the air medical service medical director.
(m) A proposed roster of medical personnel which includes level of certification or licensure.
(n) A statement detailing the level of care for which the air medical service wishes to be licensed, either advanced or specialized.

(6) Upon receipt of an appropriately completed application for an air medical service license and submission of license fees, the Department shall collect supporting documentation and review each application. After review and before issuing a license to a new air medical service, the Department shall directly inspect the vehicle(s), the air medical equipment, and required documentation.

(7) The Department shall issue an air medical service license and air ambulance permit for a period of four years from the date of issue and which shall remain valid for the period unless revoked or suspended by the Department. The department may conduct inspections to assure compliance.

(8) Upon change of ownership, an air medical service license and air ambulance permit terminates and the new owner or operator must file within ten business days of acquisition an application for renewal of the air medical service license and air ambulance permit.

(9) Air medical services must have an agreement to allow hospital emergency department physicians, nurses, and other personnel who participate in emergency medical services to fly on air ambulances.

(10) Air medical services must provide reports to the Department, for each mission made, on forms or in a data format specified by the Department.

(11) Effective July 1, 1998, successful completion of the CAMTS certification process is required for licensure and relicensure by the Department as an air medical service.

(a) Air medical services licensed under R426-2 as of July 1, 1997 must achieve CAMTS certification as of July 1, 1998, and meet requirements of R426-2 for relicensure.

(b) Air medical services licensed under R426-2 after July 1, 1997 must submit an application for CAMTS certification within one year of receiving a license under this rule.
**R426-2-3. Personnel Requirements.**

1. Emergency Medical Technicians and Paramedics, when responding to a medical emergency, shall display their certification patch or identification card on outer clothing to identify competency level at the scene.

2. Air medical service providing basic life support must have at least one medical attendant who is an Emergency Medical Technician-Intermediate (EMT-I), EMT-Paramedic, Physician’s Assistant, Registered Nurse, or MD.

3. Air medical services providing advanced life support must have at least one medical attendant who is an EMT-P, PA, RN, or MD. This attendant shall be the primary medical attendant. The second medical attendant may be an EMT-P, PA, Respiratory Therapist, RN, or MD.

4. Air medical services providing specialized life support must have at least one medical attendant who is a RN or MD. This attendant shall be the primary medical attendant. The second medical attendant may be an EMT-P, PA, RT, RN, or MD.

5. All Basic, Advanced, and Specialized Life Support Medical Attendants must:
   - Have a current CPR card or certificate meeting standards approved by the Department.
   - Have verification in the air medical service file of initial and annual training in altitude physiology, safety, stress management, infection control, hazardous materials, survival training, disaster training, triage, and Utah emergency medical system communications.
   - Be knowledgeable in the application, operation, care, and removal of all medical equipment used in the care of the patient. The air medical personnel shall have a knowledge of potential in-flight complications, which may arise from the use of the medical equipment and its in-flight capabilities and limitations.
   - Have available during transport, a current copy of all written protocols authorized for use by the air medical service medical director. Patient care shall be governed by these authorized written protocols.
   - Air medical services licensed for specialized life support shall meet the following requirements:
     - Maintain clinical competency by keeping a current completion card in specialty education programs required by the air medical service job description (e.g., American Heart Association/American Academy of Pediatrics Neonatal Association or Pediatric Advanced Life Support pertinent to appropriate specialty).
     - Attend continuing education for specialty care providers that is specific and appropriate to the mission statement and scope of care for air medical services.
     - Annually demonstrate to the air medical service medical director a knowledge and competency of specialized care and treatment of patients.
   - All air medical services shall have an air medical service medical director who is a physician licensed in the state in which the ground base is located for the air ambulance, knowledgeable and responsible for the air medical care of patients.
   - The air medical service applicant shall provide in writing to the Department the name of the air medical service medical director. If the air medical service medical director is replaced or removed, the air medical service shall notify the Department within thirty days after the action.

**R426-2-4. Air Ambulance Vehicle Requirements.**

1. An air ambulance must have a permit from the Department to operate in Utah. Each air ambulance shall carry a decal showing the permit expiration date and permit number issued by the Department as evidence of compliance with R426-2. The permit holder shall meet all Federal Aviation Regulations specific to the operation of the air medical service.

2. All air medical services shall notify the Department whenever the ground base location of a permitted vehicle is permanently changed.

3. Air ambulances shall be maintained in good mechanical repair and sanitary condition on premises, properly equipped, maintained, and operated to provide quality service.

4. Air ambulance requirements are as follows:
   - The air ambulance must have sufficient space to accommodate at least one patient on a stretcher.
   - The air ambulance must have sufficient space to accommodate at least two medical attendant seats.
   - The patient stretcher shall be FAA-approved. It must be installed using the FAA 337 form or a “Supplemental Type Certificate.” The stretcher shall be of sufficient length and width to support a patient in full supine position who is ranked as a 95th percentile American male that is 6 feet tall and weighing 212 pounds. The head of the stretcher shall be capable of being elevated at least 30 degrees.
   - The air ambulance doors shall be large enough to allow a stretcher to be loaded without rotating it more than 30 degrees about the longitudinal roll axis, or 45 degrees about the lateral pitch axis.
   - The stretcher shall be positioned so as to allow the medical attendants a clear view and access to any part of the patient's body that may require medical attention. Seat-belted medical attendants must have access to the patient's head and upper body.
(f) The patient, stretcher, attendants, seats, and equipment shall be so arranged as to not block the pilot, medical attendants, or patients from easily exiting the air ambulance.

(g) The air ambulance shall have FAA-approved two point safety belts and security restraints adequate to stabilize and secure any patient, patient stretcher, medical attendants, pilots, or other individuals.

(h) The air ambulance shall have a temperature and ventilation system for the patient treatment area.

(i) The patient area shall have overhead or dome lighting of at least 40-foot candle at the patient level, to allow adequate patient care. During night operations the pilot's cockpit shall be protected from light originating from the patient care area.

(j) The air ambulance shall have a self contained interior lighting system powered by a battery pack or portable light with a battery source.

(k) The pilots, flight controls, power levers, and radios shall be physically protected from any intended or accidental interference by patient, air medical personnel or equipment and supplies.

(l) The patient must be sufficiently isolated from the cockpit to minimize in-flight distractions and interference which would affect flight safety.

(m) The interior surfaces shall be of material easily cleaned, sanitized, and designed for patient safety. Protruding sharp edges and corners shall be padded.

(n) Patients whose medical problems may be adversely affected by changes in altitude may only be transported in a pressurized air ambulance.

(o) The air medical service shall provide all medical attendants with sound ear protectors sufficient to reduce excessive noise pollution arising from the air ambulance during flight.

(p) There shall be sufficient medical oxygen to assure adequate delivery of oxygen necessary to meet the patient medical needs and anticipated in-flight complications. The medical oxygen must:

(i) be installed according to FAA regulation;

(ii) have an oxygen flow rate determined by in-line pressure gauges mounted in the patient care area with each outlet clearly identified and within reach of a seat-belted medical attendant;

(iii) allow the oxygen flow to be stopped at or near the oxygen source from inside the air ambulance;

(iv) have gauges that easily identify the quantity of medical oxygen available;

(v) be capable of delivering fifteen liters/minute at fifty psi;

(vi) have a portable oxygen bottle available for use during patient transfer to and from the air ambulance;

(vii) have a fixed back-up source of medical oxygen in the event of an oxygen system failure;

(viii) the oxygen flow meters shall be recessed, padded, or by other means mounted to prevent injury to patients or medical attendants; and

(ix) "No smoking" signs shall be prominently displayed inside the air ambulance.

(q) The air ambulance electric power must be provided through a power source capable to operate the medical equipment and a back-up source of electric power capable of operating all electrically powered medical equipment for one hour.

(r) The air ambulance must have at least two positive locking devices for intravenous containers padded, recessed, or mounted to prevent injury to air ambulance occupants. The containers shall be within reach of a seat-belted medical attendant.

(s) The air ambulance must be fitted with a metal hard lock container, fastened by hard point restraints to the air ambulance, or must have a locking cargo bay for all controlled substances left in an unattended.

(t) An air ambulance shall have properly maintained survival gear appropriate to the service area and number of occupants.

(u) An air ambulance shall have an equipment configuration that is installed according to FAA criteria and in such a way that the air medical personnel can provide patient care.

(v) The air ambulance shall be configured in such a way that the air medical personnel have access to the patient in order to begin and maintain basic and advanced life support care.

(w) The air ambulance shall have space necessary to allow patient airway maintenance and to provide adequate ventilatory support from the secured, seat-belted position of the medical personnel.

R426-2.5. Equipment Standards.

(1) Air ambulances must maintain minimum quantities of supplies and equipment for each air medical transport as listed in the document R426 Appendix in accordance with the air medical service's licensure level. Due to weight and safety concerns on specialized air transports, the air medical service medical director shall insure that the appropriate equipment is carried according to the needs of the patient to be transported. All medications shall be stored according to manufacturer recommendations.

(2) All medical equipment except disposable items, shall be designed, constructed, and made of materials that under normal conditions and operations, are durable and capable of withstanding repeated cleaning.

(3) The equipment and medical supplies shall be maintained in working condition and within legal specifications.

(4) All non-disposable equipment shall be cleaned or sanitized after each air medical transport.

(5) Medical equipment shall be stored and readily accessible by air medical personnel.

(6) Before departing, the air medical personnel shall notify the pilot of any add-on equipment for weight and balance considerations.

(7) Physical or chemical restraints must be available and used for combative patients who could possibly hurt themselves or any other person in the air ambulance.

R426-2.6. Operational Standards.

(1) The pilot may refuse transport to any individual who the pilot considers to be a safety hazard to the air ambulance or any of its passengers.

(2) Records made for each trip on forms or data format specified by the Department, and a copy shall remain at the receiving facility for continuity of care.

(3) The air medical service must maintain a personnel file for personnel which shall include their qualifications and training.

(4) All air medical services must have an operational, manual or policy and procedures manual available for all air medical personnel.

(5) All air medical service records shall be available for inspection by representatives of the Department.
NOTICES OF PROPOSED RULES

(6)(a) All air ambulances shall be equipped to allow air medical service personnel to be able to:
(i) Communicate with hospital emergency medical departments, flight operations centers, air traffic control, emergency medical services, and law enforcement agencies.
(ii) Communicate with other air ambulances while in flight.
(b) The pilot must be able to override any radio or telephonic transmission in the event of an emergency.
(7) The management of the air medical service shall be familiar with the federal regulations related to air medical services.
(8) Each air medical service must have a safety committee, with a designated safety officer. The committee shall meet at least quarterly to review safety issues and submit a written report to the air medical service management and maintain a copy on file at the air medical service office.
(9) All air medical service shall have a quality management team and a program implemented by this team to assess and improve the quality and appropriateness of patient care provided by the air medical service.

R426-2-7. Statutory Penalties.
A person who violates this rule is subject to the provisions of Title 26, Chapter 23.

KEY: emergency medical services, air medical services
Date of Enactment or Last Substantive Amendment: 2013
Authorizing, and Implemented or Interpreted Law: 26-8

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-8a-207

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: No effect on state budgets as the EMS Grants are not funded through the state budget.
♦ LOCAL GOVERNMENTS: Grants are a voluntary process. Savings to local government will be the monies received from grant awards.
♦ SMALL BUSINESSES: Current providers are all larger than 50 employees. Future businesses would be required to meet the same operational standards for equipment and staffing, employing more than 50 people.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Grants are a voluntary process. Savings to local government will be the monies received from grant awards.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Grants are a voluntary process. There are no significant regulations which would burden the EMS agencies to receive grants.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The grants should provide modest stimulus to local business.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Health, Family Health and Preparedness, Emergency Medical Services
3760 S HIGHLAND DR
SALT LAKE CITY, UT 84106
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Allan Liu by phone at 801-273-6664, by FAX at 801-273-4165, or by Internet E-mail at aliu@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/08/2013

AUTHORIZED BY: David Patton, PhD, Executive Director


R426-6-1. Authority and Purpose.
(1) This rule is established under Title 26, Chapter 8a.
(2) The purpose of this rule is to provide guidelines for the equitable distribution of competitive grant funds specified under the Emergency Medical Services Grants Program.
R426-6-2. Definitions.

(1) County EMS Council or Committee means a group of persons recognized by the county commission as the legitimate entity within the county to formulate policy regarding the provision of EMS.

(2) Multi-county EMS council or committee means a group of persons recognized by an association of counties as the legitimate entity within the association to formulate policy regarding the provision of EMS.

R426-6-3. Eligibility.

(1) Competitive grants are available for use specifically related to the provision of emergency medical services.

(2) Grantees must be in compliance with the EMS Systems Act and all EMS rules during the grant period.

(3) An applicant that is six months or more in arrears in payments owed to the Department is ineligible for competitive grant consideration.

R426-6-4. Grant Implementation.

In accordance with Title 26, Chapter 8a, awards shall be implemented by grants between the Department and the grantee.

(1) Grant awards are effective on July 1 and must be used by June 30 of the following year.

(2) Grant funding is on a reimbursable basis after presentation of documentation of expenditures which are in accordance with the approved grant awards budget.

R426-6-5. Competitive Grant Process.

(1) The Grant Program Guidelines, outlining the review schedule, funding amounts, eligible expenditures, and awards schedule shall be established annually by the EMS Committee.

(2) The department may accept only complete applications which are submitted by the deadlines established by the EMS Committee.

(3) It is the intent of the EMS Committee that there be local EMS council or committee review of EMS grant applications. Therefore, copies of grant applications should be provided by the applicants to their respective county EMS councils or committees and the multi-county EMS councils or committees, where organized, for review and recommendation to the State Grants subcommittee.

(4) Agencies that are licensed or designated, whose EMS service area includes multiple local EMS Committee jurisdictions will be reviewed separately by the State Grants Subcommittee.

(5) The Grants Subcommittee shall review the competitive grant applications and forward its recommendations to the EMS Committee. The EMS Committee shall review and comment on the Grants Subcommittee recommendations and forward to the Department.

(6) Grant recipients shall provide matching funds in the amount specified in the Grant Program Guidelines.

(7) The Grants Subcommittee may recommend reducing or waiving the matching fund requirements where appropriate in order to respond to special or pressing local or state EMS issues.

(8) The Grants Subcommittee shall make recommendations based upon the following criteria:

(a) the impact on patient care;

(b) a description of the size and significant impediments of the geographic service area;

(c) the population demographics of the service area;

(d) the urgency of the need;

(e) call volume;

(f) the per capita grant allocated to each agency, and its relative benefit on the agency to provide EMS service;

(g) local county recommendation;

(h) a description of the agency; and

(i) percent of responses to non-residents of the service area.

R426-6-6. Interim or Emergency Grant Awards.

(1) The Grants Subcommittee may recommend interim or emergency grants if all the following are met:

(a) Grant funds are available;

(b) The applicant clearly demonstrates the need;

(c) the application was not rejected by the Grants Subcommittee during the current grant cycle; and

(d) Delay of funding to the next scheduled grant cycle would impair the agency's ability to provide EMS care.

(2) Applicants for interim or emergency grants shall:

(a) submit an interim/emergency grant application, following the same format as annual grant applications; and

(b) submit the interim/emergency grant application to the Department at least 30 days prior to the EMS Committee meeting at which the grant application will be reviewed.

(3) The Grants Subcommittee shall review the interim/emergency grant application and forward recommendations to the EMS Committee. The EMS Committee shall review and comment on the Grants Subcommittee recommendations and forward to the Department.

KEY: emergency medical services, EMS competitive grants

Date of Enactment or Last Substantive Amendment: 2013
Authorizing, and Implemented or Interpreted Law: 26-8a
NOTICES OF PROPOSED RULES

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 78A-12-201 through 78A-12-206

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: No impact because the amendment does not change anything related to how the commission operates or spends its state-allocated budget.
♦ LOCAL GOVERNMENTS: No impact because the commission does not regulate local government or have any dealings with local government.
♦ SMALL BUSINESSES: Because the commission has no authority with respect to small businesses and no dealings of any kind with them, these changes have no impact on small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The only persons other than small businesses, businesses, or local government entities affected by these changes are lay members of the commission. The impact is that they will better understand a legal term that they must use in evaluating judges.

COMPLIANCE COSTS FOR AFFEKTED PERSONS: There are no compliance costs for any affected persons. If there were, the commission would assume them.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The rule amendment has no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
JUDICIAL PERFORMANCE EVALUATION COMMISSION ADMINISTRATION ROOM B-330 SENATE BUILDING 420 N STATE ST SALT LAKE CITY, UT 84114 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Joanne Slotnik by phone at 801-538-1652, by FAX at 801-538-1024, or by Internet E-mail at jslotnik@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/10/2013

AUTHORIZED BY: Anthony Schofield, Chair

---

R597-1-1. Purpose and Intent.
(1) The commission adopts these rules to describe how it intends to conduct judicial performance evaluations.

(2) The purpose of this rule is to ensure that:
(a) voters have information about the judges standing for retention election;
(b) judges have notice of the standards against which they will be evaluated; and
(c) the commission has the time necessary to fully develop the program mandated by Utah Code Ann. 78A-12-101 et seq.

[---(2) These rules are subject to modification pending the outcome of the 2009 pilot programs---]

(1) Closed case.
(a) For purposes of administering a survey to a litigant, a case is "closed":
(i) in a district or justice court, on the date on which the court enters an order from which an appeal of right may be taken;
(ii) in a juvenile court, on the date on which the court enters a disposition;
(iii) in an appellate court, on the date on which the remittitur is issued.
(b) For purposes of administering a survey to a juror, a case is "closed" when the verdict is rendered or the jury is dismissed.

(2) Evaluation cycle. "Evaluation cycle" means a time period during which a judge is evaluated. Judges not on the supreme court are subject to two evaluation cycles over a six-year judicial term. Justices of the supreme court are subject to three evaluation cycles over a ten-year judicial term.

(3) Survey. "Survey" means the aggregate of questionnaires, each targeting a separate classification of survey respondents, which together are used to assess judicial performance.

(4) Surveyor. "Surveyor" means the organization or individual awarded a contract through procedures established by the state procurement code to survey respondents regarding judicial performance.

(5) Rebuttable presumption.
(a) A presumption to recommend a judge for retention arises when the judge meets all minimum performance standards.
(b) A presumption not to recommend a judge for retention arises when the judge fails to meet one or more minimum performance standards.
(c) A commissioner may overcome the presumption for or against a retention recommendation on any judge if the commissioner concludes that substantial countervailing evidence outweighs the presumption.

KEY: performance evaluations, judicial performance evaluations, judiciary, judges
Date of Enactment or Last Substantive Amendment: [August 18, 2010]
Authorizing, and Implemented or Interpreted Law: 78A-12

Judicial Performance Evaluation Commission, Administration
R597-3
Judicial Performance Evaluations

---
NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37382
FILED: 03/04/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE
CHANGE: The rule accounts for circumstances related to
appointment dates in which it is impossible to conduct a
complete midterm evaluation of a judge.

SUMMARY OF THE RULE OR CHANGE: The rule permits
the commission to provide a judge with a partial midterm
evaluation if the judge's appointment date precludes the
collection of sufficient data for a full midterm evaluation.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR
THIS RULE: Sections 78A-12-201 through 78A-12-206

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: Because the rule limits the work that
the commission must do in certain circumstances, there is no
anticipated cost for the state. However, because the work is
contracted for before the appointment date of affected judges,
there is no cost savings either.
♦ LOCAL GOVERNMENTS: The commission has no
authority with respect to local government and its work has
nothing to do with local government. Consequently, there is
no anticipated cost or savings to local government.
♦ SMALL BUSINESSES: Because the commission has no
authority with respect to small businesses and has no
contracts or other dealings with small businesses, there is no
anticipated cost or savings to small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES,
BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:
Because the commission has no authority with respect to
persons other than small businesses, businesses, or local
government entities, there is no anticipated cost or savings to
such persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The
commission assumes all compliance costs, so no costs for
anyone else at all.

COMMENTS BY THE DEPARTMENT HEAD ON THE
FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:
The change has no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED,
DURING REGULAR BUSINESS HOURS, AT:
JUDICIAL PERFORMANCE EVALUATION
COMMISSION
ADMINISTRATION
ROOM B-330 SENATE BUILDING
420 N STATE ST
SALT LAKE CITY, UT 84114
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Joanne Slotnik by phone at 801-538-1652, by FAX at 801-
538-1024, or by Internet E-mail at jslotnik@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON
THIS RULE BY SUBMITTING WRITTEN COMMENTS NO
LATER THAN AT 5:00 PM ON 05/01/2013

THIS RULE MAY BECOME EFFECTIVE ON: 05/10/2013

AUTHORIZED BY: Anthony Schofield, Chair

R597. Judicial Performance Evaluation Commission,
Administration.
R597-3-1. Evaluation Cycles.
(1) For judges not serving on the supreme court:
(a) The mid-term evaluation cycle. Except as provided in
subsection (3) the mid-term evaluation cycle begins upon the
appointment of the judge or on the first Monday in January following the
retention election of the judge and ends 2 1/2 years later, on June
30th of the third year preceding the year of the judge's next retention
election.
(b) The retention evaluation cycle. The retention evaluation
cycle begins the day after the mid-term evaluation cycle is finished and
ends two years later, on June 30th of the year preceding the year of the
judge's next retention election.
(2) For justices serving on the supreme court:
(a) The initial evaluation cycle. The initial evaluation cycle
begins upon the appointment of the justice or on the first Monday in
January following the retention election of the justice and ends 2 1/2
years later, on June 30th of the seventh year preceding the year of the
justice's next retention election.
(b) The mid-term evaluation cycle. The mid-term
evaluation cycle begins the day after the initial evaluation cycle is
finished and ends four years later, on June 30th of the third year
preceding the year of the justice's next retention election.
(c) The retention evaluation cycle. The retention evaluation
cycle begins the day after the mid-term evaluation cycle is finished and
ends two years later, on June 30th of the year preceding the year of the
justice's next retention election.
(3) Transition Evaluation Cycles
(a) For judges not on the supreme court standing for
retention election in 2014, the retention evaluation cycle shall begin on
June 1, 2012 and end on June 30, 2013.
(b) For supreme court justices standing for retention
election in 2014, the retention evaluation cycle shall begin on June 1,
2012 and end on June 30, 2013.
(c) For judges not on the supreme court standing for
retention election in 2016:
(i) Except as provided in subsection (3), the mid-term
evaluation cycle shall begin on July 1, 2011 and end two years later on
June 30, 2013.
(ii) The retention evaluation cycle shall be as described in
R597-3(1)(b), supra.
(d) For supreme court justices standing for retention
election in 2016:
The initial evaluation cycle shall be combined with the mid-term evaluation, beginning in 2009 and ending on June 30, 2013.

The combined initial/mid-term evaluation cycle for surveys of attorneys shall begin in 2009 and end on June 30, 2013.

The combined initial/mid-term evaluation cycle for relevant pilot programs categories shall begin no later than July 1, 2010.

The retention evaluation cycle shall be as described in R597-3-1(2)(c).

Timing of evaluations within cycles. In order to allow judges time to incorporate feedback from midterms evaluations into their practices, no evaluations shall be conducted during the first four months of the retention cycle.

R597-3-2. Survey.

(1) General provisions.
(a) All surveys shall be conducted according to the evaluation cycles described in R597-3-1, supra.
(b) The commission may provide a partial midterm evaluation to any judge whose appointment date precludes the collection of complete midterm evaluation data.
(c) The commission shall post on its website the survey questionnaires upon which the judge shall be evaluated at the beginning of the survey cycle.

(i) Anonymous.
(ii) Identification and number of survey respondents. All attorneys who have appeared before the judge during the evaluation cycle shall be excluded from the attorney pool.

(iii) Identification of survey respondents. Juvenile court professionals shall include, where applicable:
(A)Division of Child and Family Services ("DCFS") child protection services workers;
(B) Division of Child and Family Services ("DCFS") case workers;
(C) Juvenile Justice Services ("JJS") Observation and Assessment Staff;
(D) Juvenile Justice Services ("JJS") case managers;
(E) Juvenile Justice Services ("JJS") secure care staff;
(F) Others who provide substantive professional services on a regular basis to the juvenile court.

(iv) Identification of survey respondents. Court staff who have worked with the judge include, but are not limited to:
(A) judicial assistants;
(B) case managers;
(C) clerks of court;
(D) trial court executives;
(E) interpreters;
(F) bailiffs;
(G) law clerks;
(H) central staff attorneys;
(I) juvenile probation and intake officers;
(J) other courthouse staff, as appropriate;
(K) Administrative Office of the Courts staff.

(v) Identification of survey respondents. Court staff who have worked with the judge refers to employees of the judiciary who have regular contact with the judge as the judge performs judicial duties and also includes those who are not employed by the judiciary but who have ongoing administrative duties in the courtroom.

(ii) Identification of survey respondents. Juvenile court professionals shall include, where applicable:
(A) Division of Child and Family Services ("DCFS") child protection services workers;
(B) Division of Child and Family Services ("DCFS") case workers;
(C) Juvenile Justice Services ("JJS") Observation and Assessment Staff;
(D) Juvenile Justice Services ("JJS") case managers;
(E) Juvenile Justice Services ("JJS") secure care staff;
(F) Others who provide substantive professional services on a regular basis to the juvenile court.

(i) Definition of juvenile court professional. A juvenile court professional is someone whose professional duties place that individual in court on a regular and continuing basis to provide substantive input to the court.

(ii) Identification of survey respondents. Juvenile court professionals shall include, where applicable:
(A) Division of Child and Family Services ("DCFS") child protection services workers;
(B) Division of Child and Family Services ("DCFS") case workers;
(C) Juvenile Justice Services ("JJS") Observation and Assessment Staff;
(D) Juvenile Justice Services ("JJS") case managers;
(E) Juvenile Justice Services ("JJS") secure care staff;
(F) Others who provide substantive professional services on a regular basis to the juvenile court.
(i) Definition of juvenile court professional. A juvenile court professional is someone whose professional duties place that individual in court on a regular and continuing basis to provide substantive input to the court.

(ii) Identification of survey respondents. Juvenile court professionals shall include, where applicable:
(A) Division of Child and Family Services ("DCFS") child protection services workers;
(B) Division of Child and Family Services ("DCFS") case workers;
(C) Juvenile Justice Services ("JJS") Observation and Assessment Staff;
(D) Juvenile Justice Services ("JJS") case managers;
(E) Juvenile Justice Services ("JJS") secure care staff;
(F) Others who provide substantive professional services on a regular basis to the juvenile court.

(iii) Beginning with juvenile court judges standing for retention in 2014, juvenile court professionals shall be included as an additional survey respondent group for both the midterm and retention evaluation cycles.

(iii) Beginning with juvenile court judges standing for retention in 2014, juvenile court professionals shall be included as an additional survey respondent group for both the midterm and retention evaluation cycles.

(3) Anonymity and Confidentiality
(a) Definitions
(i) Anonymous.
(A) "Anonymous" means that the identity of the individual who authors any survey response, including comments, will be protected from disclosure.

(B) The independent contractor conducting the surveys shall provide to the commission all written comments from the surveys, redacted to remove any information that identifies the person commenting. The contractor shall also redact any information that discloses the identity of any crime victims referenced in a written comment.

(C) The submission of a survey form containing an anonymous narrative comment does not preclude any survey respondent from submitting a public comment in writing pursuant to the Judicial Performance Evaluation Commission Act.

(i) Confidentiality: Confidentiality means information obtained from a survey respondent that the respondent may reasonably expect will not be disclosed other than as indicated in the survey instrument.

(ii) The raw form of survey results consists of all quantitative survey data that contributes to the minimum score on the judicial performance survey.

(iii) The summary form of survey results consists of quantitative survey data in aggregated form.

R597-3-3. Courtroom Observation.

(1) General Provisions.

(a) Courtroom observations shall be conducted according to the evaluation cycles described in R597-3-1(1) and (2), supra.

(b) The commission shall provide notice to each judge at the beginning of the survey cycle of the courtroom observation process and of the instrument to be used by the observers.

(c) Only the content analysis of the individual courtroom observation reports shall be included in the retention report for each judge.

(2) Courtroom Observers.

(a) Selection of Observers

(i) Courtroom observers shall be volunteers, recruited by the commission through public outreach and advertising.

(ii) Courtroom observers shall be selected by the commission staff, based on written applications and an interview process.

(b) Selection Criteria. Observers with a broad and varied range of life experiences shall be sought. The following persons shall be excluded from eligibility as courtroom observers:

(i) persons with a professional involvement with the state court system, the justice courts, or the judge;

(ii) persons with a fiduciary relationship with the judge;

(iii) persons within the third degree of relationship with a state or justice court judge (grandparents, parents or parents-in-law, aunts or uncles, children, nieces and nephews and their spouses);

(iv) persons lacking computer access or basic computer literacy skills;

(v) persons currently involved in litigation in state or justice courts;

(vi) convicted felons;

(vii) persons whose background or experience suggests they may have a bias that would prevent them from objectively serving in the program.

(c) Terms and Conditions of Service

(i) Courtroom observers shall serve at the will of the commission staff.

(ii) Courtroom observers shall commit to one one-year term of service.

(iii) Courtroom observers may serve up to three one-year terms, subject to annual renewal at the discretion of the commission.

(iv) Courtroom observers shall not disclose the content of their courtroom evaluations in any form or to any person except as designated by the commission.

(d) Training of Observers

(i) Courtroom observers must satisfactorily complete a training program developed by the commission before engaging in courtroom observation.

(ii) Elements of the training program shall include:

(A) Orientation and overview of the commission process and the courtroom observation program;

(B) Classroom training addressing each level of court;

(C) In-court group observations, with subsequent classroom discussions, for each level of court;

(D) Training on proper use of observation instrument;

(E) Training on confidentiality and non-disclosure issues;

(F) Such other periodic trainings as are necessary for effective observations.

(3) Courtroom Observation Program.

(a) Courtroom Requirements

(i) During each midterm and retention evaluation cycle, a minimum of four different observers shall observe each judge subject to that evaluation cycle.

(ii) Each observer shall observe each judge in person while the judge is in the courtroom and for a minimum of two hours while court is in session. The observations may be completed in one sitting or over several courtroom visits.

(iii) If a judge sits in more than one geographic location at the judge's appointed level or a justice court judge serves in more than one jurisdiction, the judge may be observed in any location or combination of locations in which the judge holds court.

(iv) When the observer completes the observation of a judge, the observer shall complete the observation instrument, which will be electronically transferred to the commission or the third party contractor for processing.

(b) Travel and Reimbursement

(i) All travel must be preapproved by the executive director.

(ii) All per diem and lodging will be reimbursed, when appropriate, in accordance with Utah state travel rules and regulations.

(iii) Travel reimbursement forms shall be submitted on a monthly basis or whenever the observer has accumulated a minimum of 200 miles of travel.

(iv) Travel may be reimbursed only after the observer has satisfactorily completed and successfully submitted the courtroom observation report for which the reimbursement is sought.

(v) Overnight lodging

(A) Overnight lodging is reimbursable when the courtroom is located over 100 miles from home base and court is scheduled to begin before 9:30 a.m., with any exceptions preapproved by commission staff.

(B) Multiple overnight lodging is reimbursable where the commission staff determines it is cost-effective to observe several courtrooms in a single trip.
(v) Each courtroom observer must provide a social security number or tax identification number to the commission in order to process state reimbursement.

(4) Principles and Standards used to evaluate the behavior observed.

(a) Procedural fairness, which focuses on the treatment judges accord people in their courts, shall be used to evaluate the judicial behavior observed in the courtroom observation program.

(b) To assess a judge's conduct in court with respect to procedural fairness, observers shall respond in narrative form to the following principles and behavioral standards:
   (i) Neutrality, including but not limited to:
      (A) displaying fairness and impartiality toward all court participants;
      (B) acting as a fair and principled decision maker who applies rules consistently across court participants and cases;
      (C) explaining transparently and openly how rules are applied and how decisions are reached.
      (D) listening carefully and impartially;
   (ii) Respect, including but not limited to:
      (A) demonstrating courtesy toward attorneys, court staff, and others in the court;
      (B) treating all people with dignity;
      (C) helping interested parties understand decisions and what the parties must do as a result;
      (D) maintaining decorum in the courtroom.
      (E) demonstrating adequate preparation to hear scheduled cases;
      (F) acting in the interests of the parties, not out of demonstrated personal prejudices;
      (G) managing the caseflow efficiently and demonstrating awareness of the effect of delay on court participants;
      (H) demonstrating interest in the needs, problems, and concerns of court participants.
   (iii) Voice, including but not limited to:
      (A) giving parties the opportunity, where appropriate, to give voice to their perspectives or situations and demonstrating that they have been heard;
      (B) behaving in a manner that demonstrates full consideration of the case as presented through witnesses, arguments, pleadings, and other documents.
      (C) attending, where appropriate, to the participants' comprehension of the proceedings.

(c) Courtroom observers may also be asked questions to help the commission assess the overall performance of the judge with respect to procedural fairness.

R597-3-4. Minimum Performance Standards.

(1) In addition to the minimum performance standards specified by statute or administrative rule, the judge shall:
   (a) Demonstrate by a preponderance of the evidence, based on courtroom observations and relevant survey responses, that the judge's conduct in court promotes procedural fairness for court participants.
   (b) Meet all performance standards established by the Judicial Council, including but not limited to:
      (i) annual judicial education hourly requirement;
      (ii) case-under-advisement standard; and
      (iii) physical and mental competence to hold office.

(2) No later than October 1st of the year preceding each general election year, the Judicial Council shall certify to the commission whether each judge standing for retention election in the next general election has satisfied its performance standards.

R597-3-5. Public Comments.

(1) Persons desiring to comment about a particular judge with whom they have had first-hand experience may do so at any time, either by submitting such comments on the commission website or by mailing them to the executive director.

(2) In order for the commission to consider comments in making its retention recommendation on a particular judge, comments about that judge must be received no later than November 1st of the year preceding the election in which the judge's name appears on the ballot.

(3) Persons submitting comments pursuant to this section must include their full name, address, and telephone number with the submission.

(4) All comments must be based upon first-hand experience with the judge.

KEY: judicial performance evaluations, judges, evaluation cycles, surveys

Date of Enactment or Last Substantive Amendment: [November 16, 2012] 2013

Authorizing, and Implemented or Interpreted Law: 78A-12
NOTICES OF
CHANGES IN PROPOSED RULES

After an agency has published a Proposed Rule in the Utah State Bulletin, it may receive public comment that requires the Proposed Rule to be altered before it goes into effect. A Change in Proposed Rule allows an agency to respond to comments it receives.

As with a Proposed Rule, a Change in Proposed Rule is preceded by a Rule Analysis. This analysis provides summary information about the Change in Proposed Rule including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

While the law does not designate a comment period for a Change in Proposed Rule, it does provide for a 30-day waiting period. An agency may accept additional comments during this period, and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for Changes in Proposed Rules published in this issue of the Utah State Bulletin ends May 1, 2013.

Following the Rule Analysis, the text of the Change in Proposed Rule is usually printed. The text shows only those changes made since the Proposed Rule was published in an earlier edition of the Utah State Bulletin. Additions made to the rule appear underlined (e.g., example). Deletions made to the rule appear struck out with brackets surrounding them (e.g., [example]). A row of dots in the text between paragraphs (....... ) indicates that unaffected text, either whole sections or subsections, was removed to conserve space. If a Change in Proposed Rule is too long to print, the Division of Administrative Rules will include only the Rule Analysis. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

From the end of the 30-day waiting period through July 30, 2013, an agency may notify the Division of Administrative Rules that it wants to make the Change in Proposed Rule effective. When an agency submits a Notice of Effective Date for a Change in Proposed Rule, the Proposed Rule as amended by the Change in Proposed Rule becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the Change in Proposed Rule. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another Change in Proposed Rule in response to additional comments received. If the Division of Administrative Rules does not receive a Notice of Effective Date or another Change in Proposed Rule by the end of the 120-day period after publication, the Change in Proposed Rule filing, along with its associated Proposed Rule, lapses and the agency must start the process over.

Changes in Proposed Rules are governed by Section 63G-3-303; Rule R15-2; and Sections R15-4-3, R15-4-5, R15-4-7, and R15-4-9.

The Changes in Proposed Rules Begin on the Following Page
NOTICES OF CHANGES IN PROPOSED RULES

Environmental Quality, Air Quality

R307-343

Emissions Standards for Wood Furniture Manufacturing Operations

NOTICE OF CHANGE IN PROPOSED RULE

(Second)

DAR FILE NO.: 36738
FILED: 03/04/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: During the public comment period, the Division of Air Quality (DAQ) staff determined that some of the language in the rule could be more clearly stated. DAQ also found a discrepancy in Section R307-343-8, where Tooele was not included in the compliance schedule.

SUMMARY OF THE RULE OR CHANGE: Most of the changes are to more clearly state language in the rule. For example, in Subsection R307-343-5(2), the phrase, "emission reductions" is changed to "transfer efficiency". Section R307-343-8 is amended by adding Tooele as a county in Utah where all applicable sources shall be in compliance with this rule by 01/01/2014. (DAR NOTE: This is the second change in proposed rule (CPR) for Rule R307-343. The original proposed amendment upon which the first CPR was based was published in the October 1, 2012, issue of the Utah State Bulletin, on page 56. The first CPR upon which this second CPR is based was published in the January 1, 2013, issue of the Utah State Bulletin, on page 49. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike out indicates text that has been deleted. You must view the first CPR, the second CPR, and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-2-104(1)(a)

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: These changes are merely to clarify the rule applicability, and there are no new requirements added through them. Therefore, there are no anticipated costs or savings.

♦ LOCAL GOVERNMENTS: These changes are merely to clarify the rule applicability, and there are no new requirements added through them. Therefore, there are no anticipated costs or savings.

♦ SMALL BUSINESSES: These changes are merely to clarify the rule applicability, and there are no new requirements added through them. Therefore, there are no anticipated costs or savings.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: These changes are merely to clarify the rule applicability, and there are no new requirements added through them. Therefore, there are no anticipated costs or savings.

COMPLIANCE COSTS FOR AFFECTED PERSONS: These changes are merely to clarify the rule applicability. There are no compliance costs associated with the changes.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:

As this filing does not make any changes to the requirements on business, there is no fiscal impact anticipated.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
AIR QUALITY
FOURTH FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Mark Berger by phone at 801-536-4000, by FAX at 801-536-0085, or by Internet E-mail at mberger@utah.gov

THIS RULE MAY BECOME EFFECTIVE ON: 05/01/2013

AUTHORIZED BY: Bryce Bird, Director

R307-343-1. Purpose.

The purpose of R307-343 is to limit volatile organic compound (VOC) emissions from wood furniture manufacturing.

R307-343 applies to wood furniture manufacturing operations, including related cleaning activities, that have the potential to emit 2.7 tons or more per year of VOCs and that are located in Box Elder, Cache, Davis, Salt Lake, Utah, Tooele, and Weber counties.


The following additional definitions apply to R307-343:

"Affected source" means a wood furniture manufacturing source that meets the criteria in R307-343-2.

"As applied" means the volatile organic compound and solids content of the finishing material that is actually used for coating the substrate. It includes the contribution of materials used for in-house dilution of the finishing material.

"Coating" means a protective, decorative, or functional material applied in a thin layer to a surface. Such materials may include paints, topcoats, varnishes, sealers, stains, washcoats, basecoats, inks, and temporary protective coatings.
"Compliant coating" means a finishing material or strippable booth coating that meets the emission limits specified in R307-343-4(1).

"Control system" means the combination of capture and control devices used to reduce emissions to the atmosphere.

"Conventional Air Spray" means a spray coating method in which the coating is atomized by mixing it with compressed air at an air pressure greater than ten pounds per square inch (gauge) at the point of atomization. Airless, air assisted airless spray technologies, and electrostatic spray technology are not considered conventional air spray.

"Finishing material" means a coating used in the wood furniture industry, including basecoats, stains, washcoats, sealers, and topcoats.

"Finishing Operation" means those activities in which a finishing material is applied to a substrate and is subsequently air-dried, cured in an oven, or cured by radiation.

"Sealer" means a finishing material used to seal the pores of a wood substrate before additional coats of finishing material are applied. A washcoat used to optimize aesthetics is not a sealer.

"Solids" means the part of the coating that remains after the coating is dried or cured; solids content is determined using data from EPA Method 24.

"Stain" means any color coat having a solids content by weight of no more than 8.0% that is applied in single or multiple coats directly to the substrate, including nongrain raising stains, equalizer stains, sap stains, body stains, no-wipe stains, penetrating stains, and toners.

"Topcoat" means the last film-building finishing material applied in a finishing system. Non-permanent final finishes are not topcoats.

"Touch-up and Repair" means the application of finishing materials to cover minor finishing imperfections.

"Washcoat" means a transparent special purpose coating having a solids content by weight of 12.0% or less that is applied over a wood substrate before additional coats of finishing material are applied. A washcoat used to optimize aesthetics is not a sealer.

"Washoff operations" means those operations in which organic solvent is used to remove coating from a substrate.

"Wood furniture" means any product made of wood, a wood product such as rattan or wicker, or an engineered wood product such as particleboard that is manufactured under any of the following standard industrial classification codes: 2434, 2511, 2512, 2517, 2519, 2521, 2531, 2541, 2599, or 5712.

"Wood furniture manufacturing operations" means the finishing, cleaning, and washoff operations associated with the production of wood furniture or wood furniture components.

R307-343-4. Emission Standards.

(1) Each affected source subject to R307-343 shall limit VOC emissions by:

(a) Using the compliant coating method as described in R307-343-4(1)(a)(i) or using the control system method as described in R307-343-4(1)(a)(ii).

(i) Compliant coating method is the use of the topcoats or topcoat/sealer combinations in Table 1:

<table>
<thead>
<tr>
<th>COMPLIANT COATING VOC LIMITATIONS</th>
<th>COATING CATEGORY</th>
<th>VOC EMISSION RATES</th>
<th>CONTENT LIMITATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMISSION RATES</td>
<td>EFFECTIVE THROUGH</td>
<td>EFFECTIVE BEGINNING</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Topcoats</td>
<td>0.8</td>
<td>0.4</td>
<td></td>
</tr>
<tr>
<td>Topcoat/sealer combination</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Topcoat</td>
<td>1.8</td>
<td>0.9</td>
<td></td>
</tr>
<tr>
<td>Sealer</td>
<td>1.9</td>
<td>0.9</td>
<td></td>
</tr>
<tr>
<td>Acid-cured, alkyd amino topcoat/sealer combinations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acid-cured, alkyd amino topcoat</td>
<td>2.0</td>
<td>1.0</td>
<td></td>
</tr>
<tr>
<td>Acid-cured, alkyd amino vinyl topcoat</td>
<td>2.3</td>
<td>1.2</td>
<td></td>
</tr>
<tr>
<td>Sealer</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(ii) Control system method is the use of a VOC control system achieving a 90% or greater emissions reduction.

(b) Using strippable spray booth coatings that contain no greater than 0.8 pounds VOC per pound solids as applied.

(c) Using closed containers for the storing of finishing, gluing, cleaning and washoff materials.


(1) All coatings shall be applied using equipment having a minimum 65% transfer efficiency, except as allowed under R307-343-5(3) and operated according to the equipment manufacturer specifications. Equipment meeting the transfer efficiency requirement includes [but is not limited to]:

(a) Brush, dip, or roll coating;

(b) Electrostatic application; and

(c) High volume, low pressure (HVLP) spray equipment.

(2) Other coating application methods that achieve emission reductions/transfer efficiency equivalent to HVLP or electrostatic spray application methods may be used.

(3) Conventional air spray methods may be used under the following circumstances:

(a) To apply finishing materials that have no greater than 1.0 pound of VOC per pound of solids, as applied;

(b) For touch-up and repair under the following circumstances:

(i) The touchup and repair occurs after completion of the finishing operation; or

(ii) The touchup and repair occurs after the application of stain and before the application of any other type of finishing material, and the materials used for touchup and repair are applied from a container that has a volume of no more than 2.0 gallons;

(c) When the spray gun is aimed and triggered automatically, not manually;

TABLE 1
(1) Emission control systems shall be operated and maintained in accordance with the manufacturer recommendations in order to maintain 90% or greater continuous emission reduction.
(2) The owner or operator of a control device shall provide documentation that the emission control system will attain the requirements of R307-343-4 and R307-343-5.
(3) The owner or operator shall maintain for a minimum of two years records of operating and maintenance sufficient to demonstrate that the equipment is being operated and maintained in accordance with the manufacturer recommendations.

(1) Control techniques and work practices shall be implemented at all times to reduce VOC emissions from fugitive type sources. Control techniques and work practices shall include:. [but are not limited to]:
   (a) Storing all VOC-containing coatings, thinners, and coating-related waste materials in closed containers;
   (b) Ensuring that mixing and storage containers used for VOC-containing coatings, thinners, and coating-related waste material are kept closed at all times except when depositing or removing these materials;
   (c) Minimizing spills of VOC-containing coatings, thinners, and coating-related waste materials; and
   (d) Conveying VOC-containing coatings, thinners, and coating-related waste materials from one location to another in closed containers or pipes.
(2) The work practices for cleaning materials shall be implemented at all times to reduce VOC emissions from fugitive type sources. The work practices shall include:. [but are not limited to]:
   (a) Storing all VOC-containing cleaning materials and used shop towels in closed containers;
   (b) Ensuring that storage containers used for VOC-containing cleaning materials are kept closed at all times except when depositing or removing these materials;
   (c) Minimizing spills of VOC-containing cleaning materials;
   (d) Conveying VOC-containing cleaning materials from one location to another in closed containers or pipes;
   (e) Minimizing VOC emissions from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.
(3) All persons shall perform solvent cleaning operations with cleaning material having VOC content of 0.21 pounds per gallon or less.
(4) For each calendar year, [A] all sources subject to R307-343 shall maintain records demonstrating compliance with all provisions of R307-343 on an annual basis.
   (a) Records shall include, but shall not be limited to, inventory and product data sheets for all coatings and solvents subject to R307-343.
   (b) These records shall be made available to the director upon request.

(1) Sources in Salt Lake and Davis counties that have the potential to emit between 2.7 and 24 tons of VOC per year shall be in compliance by September 1, 2013.
(2) Sources in Salt Lake and Davis counties that have the potential to emit 25 tons or more of VOC per year shall be in compliance upon the effective date of this rule.
(3) All sources in Box Elder, Cache, Tooele, Utah and Weber counties shall be in compliance with this rule by January 1, 2014.

KEY: air pollution, wood furniture, coatings
Date of Enactment or Last Substantive Amendment: 2013
Notice of Continuation: February 1, 2012
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a); 19-2-104(3)(e)

Environmental Quality, Air Quality
R307-353
Plastic Parts Coatings
NOTICE OF CHANGE IN PROPOSED RULE
(Second)
DAR FILE NO.: 36735
FILED: 03/04/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: During the public comment period, the Division of Air Quality (DAQ) staff identified areas in the rule text that needed to be changed in order to more accurately state the rule applicability.

SUMMARY OF THE RULE OR CHANGE: Changes are made throughout the rule to ensure that it is clear that the rule applies to plastic parts coating operations. A definition for “plastic” is added. Table 1 is changed by replacing “VOC EMISSION RATES” with “VOC CONTENT LIMITATIONS”. Other style, formatting, and grammar changes are made.
THIS RULE MAY BECOME EFFECTIVE ON: 05/01/2013

AUTHORIZED BY: Bryce Bird, Director

R307-353-1. Purpose.
The purpose of this rule is to limit volatile organic compound (VOC) emissions from the application of coatings to any plastic product.

(1) R307-353 applies to plastic parts coating operations located in Cache, Davis, Salt Lake, Utah and Weber counties that have the potential to emit 2.7 tons per year or more of VOC, including related cleaning activities; and
(2) New sources as of [February] May 1, 2013 that have the potential to emit 2.7 tons per year or more of VOC, including related cleaning activities.

(1) The provisions of this rule shall not apply to any of the following:
(a) Stencil coatings;
(b) Safety-indicating coatings;
(c) Electric-insulating and thermal-conducting coatings;
(d) Magnetic data storage disk coatings;
(e) Plastic extruded onto metal parts to form a coating; and
(f) Textured finishes.
(2) If a coating line is subject to the requirements for existing automobile, light-duty truck, and other product and material coatings or for existing metallic surface coating lines, the coating line shall be exempt from this rule.

The following additional definitions apply to R307-353:
"Air dried coating" means coatings that are dried by the use of air or a forced warm air at temperatures up to 194 degrees Fahrenheit.
"Baked coating" means coatings that are cured at a temperature at or above 194 degrees Fahrenheit.
"Coating" means a protective, functional, or decorative film applied in a thin layer to a surface. This term often applies to paints such as lacquers or enamels. It is also used to refer to films applied to paper, plastics, or foil.
"Electric-insulating and thermal-conducting" means a coating that displays an electrical insulation of at least 1000 volts DC per mil on a flat test plate and an average thermal conductivity of at least 0.27 BTU per hour-foot-degree-Fahrenheit.
"Magnetic data storage disk coating" means a coating used on a metal disk which stores data magnetically.
"Metallic coating" means a coating which contains more than 5 grams of metal particles per liter of coating as applied.

"Military specification coating" means a coating which has a formulation approved by the United States military agency for use on military equipment.

"Mirror backing" means the coating applied over the silvered surface of a mirror.

"Mold-seal coating" means the initial coating applied to a new mold or a repaired mold to provide a smooth surface which, when coated with a mold release coating, prevents products from sticking to the mold.

"Multi-colored coating" means a coating which exhibits more than one color when applied, and which is packaged in a single container and applied in a single coat.

"Multi-component coating" means a coating requiring the addition of a separate reactive resin, commonly known as a catalyst, before application to form an acceptable dry film.

"One-component coating" means a coating that is ready for application as it comes out of its container to from an acceptable dry film. A thinner necessary to reduce the viscosity is not considered a component.

"Optical coating" means a coating applied to an optical lens.

"Plastic" means a substrate containing one or more resins that may be solid, porous, flexible, or rigid, and includes fiber-reinforced plastic composites.

"Primer" means a coating applied to a surface to provide a firm bond between the substrate and subsequent coats.

"Repair coating" means a coating used to recoat portions of a part or product which has sustained mechanical damage to the coating.

"Roller Coated" means a type of coating application equipment that utilizes a series of mechanical rollers to form a thin coating film on the surface of a roller, which is then applied to a substrate by moving the substrate underneath the roller.

"Safety-indicating coating" means a coating which changes physical characteristics, such as color, to indicate unsafe condition.

"Stencil coating" means an ink or a coating which is rolled or brushed onto a template or stamp in order to add identifying letters or numbers to metal parts and products.

"Textured finish" means a rough surface produced by spraying and splattering large drops of coating onto a previously applied coating. The coatings used to form the appearance of the textured finish are referred to as textured coatings.

"Touch-up coating" means a coating used to cover minor coating imperfections appearing after the main coating operation.

"Topcoat" means the last film-building finishing material applied in a finishing system. Non-permanent final finishes are not topcoats.

R307-353.5. Emission Standards.

(1) For automobile and truck plastic parts categories:
(a) Each owner or operator shall not apply coatings with a VOC content in excess of the amounts specified in Table 1 or shall use an add-on control device as specified in R307-353-8.
(b) For red and black coatings, the emission limitation shall be determined by multiplying the appropriate limit in Table 1 by 1.15.
(c) When EPA Method 24 is used to determine the VOC content of a high bake coating, the applicable emission limitation shall be determined by adding 0.5 to the appropriate limit in Table 1.

(d) When EPA Method 24 is used to determine the VOC content of an air-dried coating, the applicable emission limitation shall be determined by adding 0.1 to the appropriate limit in Table 1.

<table>
<thead>
<tr>
<th>COATING CATEGORY</th>
<th>VOC Content Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Topcoat</td>
<td>2.9</td>
</tr>
<tr>
<td>Texture coat</td>
<td>2.9</td>
</tr>
<tr>
<td>Fog coat</td>
<td>2.2</td>
</tr>
<tr>
<td>Touch-up and repair</td>
<td>2.9</td>
</tr>
</tbody>
</table>
(3) Each owner or operator engaged in other plastic product coating operations shall not apply coatings with a VOC content in excess of the amounts specified in Table 3 or shall use an add-on control device as specified in R307-353-8.

### TABLE 3

<table>
<thead>
<tr>
<th>COATING CATEGORY</th>
<th>VOC EMISSION RATES [values in pounds of VOC per gallon of coating, minus water and exempt solvents (compounds not classified as VOC), as applied]</th>
</tr>
</thead>
<tbody>
<tr>
<td>General One-Component</td>
<td>2.3</td>
</tr>
<tr>
<td>General Multi-Component</td>
<td>3.5</td>
</tr>
<tr>
<td>Electric Dissipating Coatings And Shock-Free Coatings</td>
<td>3.0</td>
</tr>
<tr>
<td>Extreme Performance</td>
<td>3.5 (2-pack coatings)</td>
</tr>
<tr>
<td>Metallic</td>
<td>3.5</td>
</tr>
<tr>
<td>Military Specification</td>
<td>2.8 (1 pack) 3.5 (2 pack)</td>
</tr>
<tr>
<td>Mold-Seal</td>
<td>6.3</td>
</tr>
<tr>
<td>Multi-colored Coatings</td>
<td>5.7</td>
</tr>
<tr>
<td>Optical Coatings</td>
<td>6.7</td>
</tr>
<tr>
<td>Vacuum-Metalizing</td>
<td>6.7</td>
</tr>
<tr>
<td>Mirror Backing Curtain Coated</td>
<td>4.2</td>
</tr>
<tr>
<td>Roll Coated</td>
<td>3.6</td>
</tr>
</tbody>
</table>

(4) If a part consists of both plastic and metal surfaces and is exempted from the requirements for existing metallic surface coating lines, the part shall be subject to this rule.


No person shall apply VOC containing coatings unless the coating is applied with equipment operated according to the manufacturer specifications, and by use of one of the following methods:

(1) Electrostatic application;
(2) Flow coat;
(3) Roller coat;
(4) Dip/electrodeposition coat;
(5) Airless Spray;
(6) High-volume, low-pressure (HVLP) spray; or
(7) Other application method equal to or better than HVLP, as certified by the manufacturer.


(1) The owner or operator shall:
(a) Store all VOC-containing coatings, thinners, and cleaning materials in closed containers;
(b) Minimize spills of VOC-containing coatings, thinners, and cleaning materials;
(c) Clean up spills immediately;
(d) Convey any coatings, thinners, and cleaning materials in closed containers or pipes;
(e) Close mixing vessels that contain VOC coatings and other materials except when specifically in use; and
(f) Minimize usage of solvents during cleaning of storage, mixing, and conveying equipment.

(2) All persons shall perform solvent cleaning operations with cleaning material having VOC content of 0.21 pounds per gallon or less.

(3) All sources subject to R307-353 shall maintain records demonstrating compliance with all provisions of R307-353 on an annual basis.

(a) Records shall include, but not be limited to, inventory and product data sheets of all coatings and solvents subject to R307-350.
(b) These records shall be made available to the director upon request.


(1) The owner or operator may install and maintain an incinerator, carbon adsorption, or any other add-on emission control device, provided that the emission control device will attain at least a 90% or greater efficiency performance emission reduction.

(2) The owner or operator of a control device shall provide documentation that the emission control system will attain the requirements of R307-353-8(1).

(3) Emission control systems shall be operated and maintained in accordance with the manufacturer recommendations. The owner or operator shall maintain for a minimum of two years records of operations and maintenance sufficient to demonstrate that the equipment is being operated and maintained in accordance with the manufacturer recommendations.


All sources within Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties shall be in compliance with this rule by January 1, 2014.

KEY: air pollution, emission controls, coatings, plastic parts

Date of Enactment or Last Substantive Amendment: 2013

Authorizing, and Implemented or Interpreted Law: 19-2-104(1) (a)
RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to clarify restriction policy and the restriction review process for the Medicaid program, based on internal review within the Department.

SUMMARY OF THE RULE OR CHANGE: This change in proposed rule clarifies restriction policy and the restriction review process for the Medicaid program. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was published in the December 15, 2012, issue of the Utah State Bulletin, on page 28. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The Department does not anticipate any impact to the state budget because this change only clarifies restriction policy and the restriction review process for the Medicaid program.
♦ LOCAL GOVERNMENTS: There is no impact to local governments because they neither fund nor provide Medicaid services to Medicaid recipients.
♦ SMALL BUSINESSES: The Department does not anticipate any impact to small businesses because this change only clarifies restriction policy and the restriction review process for the Medicaid program.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The Department does not anticipate any impact to Medicaid providers and to Medicaid recipients because this change only clarifies restriction policy and the restriction review process for the Medicaid program.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Department does not anticipate any impact to a single Medicaid provider or to a Medicaid recipient because this change only clarifies restriction policy and the restriction review process for the Medicaid program.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This change will not impact local business.

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

R414-29. Client Review/Education and Restriction Policy.
R414-29-1. Introduction and Authority.
(1) The Client Restriction Program promotes the appropriate use of quality medical services by identifying and correcting overutilization of services.
(2) This rule is required by 42 CFR 431.54(e) and 456.3.

R414-29-6. Changes.
R414-29-6. Changes in Restriction Case Manager or Restriction Pharmacy.
(1) [If the] When a client requests a change in the Restriction Case Manager or the Restriction Pharmacy, the request may be in writing or a verbal request and must verify that the new Restriction Case Manager verbal or written. Before placing the new Restriction Case Manager on the client's case record, the Department must verify that the proposed Restriction Case Manager agrees to be the client's responsibilities of the Restriction Case Manager.
(2) The Department must approve all changes in the Restriction Case Manager or the Restriction Pharmacy before the client may use a different Restriction Case Manager or Restriction Pharmacy. Circumstances under which the Department may approve such a change are:
(a) client, Restriction Case Manager, or Restriction Pharmacy moves location;
(b) Restriction Case Manager or Restriction Pharmacy discontinues or limits practice;
(c) Restriction Case Manager, or Restriction Pharmacy requests a change;
(d) Department Staff Physician recommends a change, when [his] periodic assessment of the use of services reveals indications of possible overutilization by the restricted client, the Restriction Case Manager, or both.
(3) The Department may mandate a change in the Restriction Case Manager or Restriction Pharmacy whenever it determines that the client:
(a) continues to overutilize services despite being under restriction;
(b) is not receiving appropriate care while being managed by the Restriction provider.
R414-29-7. Length of Restriction.

(1) A client shall continue participation in the Restriction Program until the Division has approved a request for discharge from the Restriction Program after one year. If utilization data supports discharge from the Restriction Program, the client will no longer be enrolled in the program.

(2) If a client loses Medicaid eligibility, and subsequently re-establishes Medicaid eligibility, the Division shall automatically require the client's participation in the Restriction Program for the loss of eligibility is for less than one year.

(3) The Department shall assess the client's utilization of services when requested after Restriction has been maintained for at least one year, based on the client's compliance with the Restriction Case Manager's written treatment plan and recommendations, and shall use information such as:

(a) medical care obtained from multiple practitioners;
(b) prescriptions obtained from multiple practitioners;
(c) emergency rooms used for non-emergency services as defined in the Utah Medicaid Table of Authorized Emergency Diagnosis;
(d) use of multiple emergency rooms;
(e) concurrent use of medications in the same therapeutic class, when prescribed by different practitioners;
(f) indications of forged or altered prescriptions;
(g) use of medical services inconsistent with diagnosis;
(h) other patterns indicating overutilization.

KEY:

Date of enactment or last substantive amendment: 2013
Notice of continuation: October 5, 2012
Authorizing, and implemented or interpreted law: 26-1-5

Human Services, Services for People with Disabilities

R539-3

Rights and Protections

NOTICE OF CHANGE IN PROPOSED RULE

DAR FILE NO.: 37163
FILED: 03/14/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Division received comments from the Disabilities Advisory Council, who suggested a minor change to Subsection R539-3-7(5). The original rule amendment likely prevented a person from electing to have electronic surveillance instead of direct care staff. The Council suggested that in certain cases, it would be proper for a person to make such an election, if due to the person's particular behavioral problems, the provider and the person agree that would make it safer for provider staff to monitor the person, while still providing the person with adequate care.

There have been examples in the past of such suggestions from providers and agreement from persons in services. The Division does not want to preclude this practice, if it is in the best interests of the person.

SUMMARY OF THE RULE OR CHANGE: The proposed rule change makes minor edits to the originally proposed change only in Section R539-3-7. The changes remove the words "direct" and "Persons or" from Subsection R539-3-7(5), and otherwise are minor deletions and additions of one or two words, only slightly changing the rule. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was published in the January 15, 2013, issue of the Utah State Bulletin, on page 21. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-5-102 and Section 62A-5-103

ANTICIPATED COST OR SAVINGS TO:

♦ THE STATE BUDGET: This rule affects providers by requiring criteria for the use of electronic surveillance, should providers choose to use such a system. Therefore no cost increase is expected in the state budget. This change does not affect that original analysis.

♦ LOCAL GOVERNMENTS: This rule affects providers by requiring criteria for the use of electronic surveillance, should providers choose to use such a system. Therefore no cost increase is expected for local governments. The disability program is run through private contractor provider networks and imposes no burden on local governments. This change does not affect that original analysis.

♦ SMALL BUSINESSES: The Division is not requiring the use of electronic surveillance. While some costs associated with meeting criteria for electronic surveillance privacy measures may be incurred, the rule does not dictate that any electronic surveillance is required. Costs to providers are on an elective basis. Requirements listed in this change are minimal and required for the person's privacy and to meet existing rules and regulations. This change does not affect that original analysis.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: This rule provides privacy protections ensuring that persons cannot be electronically surveilled without prior written consent and approval by the Human Rights Committee. Protections are at no cost to the person. This change does not affect that original analysis.

COMPLIANCE COSTS FOR AFFECTED PERSONS: No costs expected to affect persons with disabilities, persons' families or guardians as part of this rule change. This change does not affect that original analysis.
R539. Human Services, Services for People with Disabilities.


R539-3-1. Purpose.

(1) The purpose of this rule is to support Persons in exercising their rights as Persons receiving funding from the Division. The procedures of this rule constitute the minimum rights for Persons receiving Division funded services and supports.

R539-3-2. Authority.

(1) This rule establishes procedures and standards for the protection of Persons' constitutional liberty interests as required by Subsection 62A-5-103(2)(b).

R539-3-3. Definitions.

(1) Terms used in this rule are defined in Section 62A-5-101 and R539-1-3.

R539-3-4. Human Rights Committee.

(1) This rule applies to the Division, Persons funded by the Division, Providers, Providers' Human Rights Committees, and the Division Human Rights Council.

(2) All Persons shall have access to a Provider Human Rights Committee with the exception of the following:

(a) Persons receiving physical disabilities services.

(b) Families using the Self-Administered Model.

(c) Persons receiving only family supports or respite.

(3) The Provider Human Rights Committee approves the services agencies provide relating to rights issues, such as rights restrictions and the use of intrusive behavior supports. In addition, the Committee provides recommendations relating to abuse and neglect prevention, rights training, and supporting people in exercising their rights.

(4) Any interested party may request that the rights of a Person be reviewed by a Provider Human Rights Committee by contacting the Person's Provider agency verbally or in writing.

(5) Any interested party may request an appeal of the Provider Human Rights Committee decision by sending a request to the Division, 195 North 1950 West, Salt Lake City, UT 84116. The Division shall make a decision whether there will be a review and shall notify the Person, Provider, and Support Coordinator concerning the decision within eight business days. The notification shall contain a statement of the issue to be reviewed and the process and timeline for completing the review.

R539-3-5. Representative Payee Services.

(1) Unless a Person voluntarily signs the Division Voluntary Financial Support Agreement Form 1-3 or a Provider Human Rights Committee has approved restriction on the use and access to personal funds, the Person shall have access to and control over such funds.

(2) The Representative Payee shall follow all Social Security Administration requirements outlined in 20CFR416.601-665.

(3) The Division shall review Provider records for a sample of Representative Payee files on an annual basis.

(4) If the Department does not have guardianship or conservatorship and the Division has not been named as Representative Payee by the Social Security Administration, the Person may sign a Voluntary Financial Support Agreement, Division Form 1-3, allowing the Department to act as Representative Payee.

(5) If the Division is acting as the Representative Payee for a Person, the Division may initiate termination of a Representative Payee relationship through written notification to the Person and the funding agency.

(a) The Division shall initiate termination of a Representative Payee arrangement when:

(i) a Person with a voluntary arrangement requests termination of Representative Payee status;

(ii) a funding agency requests termination of Representative Payee status;

(iii) Person with a Representative Payee becomes ineligible for funding; or

(iv) a Person moves out of the service area.

R539-3-6. Personal Property.

(1) Restrictions to property that are implemented by the Division or Provider shall be part of a written plan or as an Emergency Behavior Intervention in accordance with Division Administrative Rule. Restrictions shall be approved by the Team and Provider Human Rights Committee.

R539-3-7. Privacy.

(1) Persons shall have privacy, including private communications (i.e. mail, telephone calls and private conversations), personal space, personal information, and self-care practices (i.e. dressing, bathing, and toileting).

(2) Restrictions to privacy that are implemented by the Division or Provider shall be part of a written plan and approved by the Team and Provider Human Rights Committee. Circumstances that require assistance in self-care due to functional limitations do not require a written plan.
(3) No Person shall be subject to electronic surveillance of any kind without:

(a) express written consent from the Person to be under surveillance [and] the Person's guardian;
(b) approval of both the Person's Team and the Provider Human Rights Committee;
(c) certification by the Provider Human Rights Committee that the electronic surveillance meets a necessary health or safety concern and is done in the least intrusive manner possible; and
(d) submission of Electronic Surveillance Certification to the Division Quality Manager.

(4) Electronic surveillance shall not be placed in common areas without:

(a) express written consent from all Persons who live at the site, [and] the guardians of those Persons;
(b) approval of the Provider Human Rights Committee;
(c) certification by the Provider Human Rights Committee that the electronic surveillance meets a necessary health or safety concern and is done in the least intrusive manner possible; and
(d) submission of Electronic Surveillance Certification to the Division Quality Manager.

(5) Under no circumstances shall electronic surveillance be used by administrative or supervisory staff as a substitute for [direct] supervision of [Persons or] employees providing direct care to Persons.

(6) Visitors shall be provided with notice of electronic surveillance upon entering the premises.

(a) Notice shall be provided by placing a sign of substantial size, in a conspicuous location, so as to attract the attention of visitors as they enter.

(7) The Person's Team and the Provider Human Rights Committee shall conduct reviews of electronic surveillance:

(a) at least annually; and
(b) in response to specific requests for review from the Person under surveillance or that Person's guardian.


(1) Persons have the right to receive adequate written Notice of Agency Action and to present grievances about agency action by requesting a formal or informal administrative hearing in accordance with R497-100 for Persons receiving non-Waiver services, and R410-14 for Persons receiving Waiver services.

(2) Pursuant to Utah Code Annotated, Title 63G, Chapter 4, the Division shall notify a Person in writing before taking any agency action, such as changes in funding, eligibility, or services.

(3) At least 30 calendar days before the Division terminates or reduces a Person's services or benefits, the Division shall send the Person a written Notice of Agency Action.

(4) The Notice of Agency Action shall comply with Subsection 63G-4-201 and R497-100-4(2)(a).

(5) To assist a Person in requesting an administrative hearing, the Division shall send the Person a Hearing Request Form 490S when the Division sends the Notice of Agency Action Form 522.

(6) To request an informal hearing with the Department of Human Services for non-waiver services, the Person must file a Hearing Request Form 490S with the Division within 30 calendar days of the mailing date shown on the Notice of Agency Action Form 522.

(7) To request a formal hearing with the Department of Health for Waiver services, the Person must file the Medicaid Standard Hearing Request Form with the Division and Department of Health, Division of Health Care Finance within 30 calendar days of the mailing date shown on the Notice of Agency Action Form 522.

(8) This 30-day deadline for formal and informal hearings applies regardless of whether the Person also wishes to participate in the Division's conflict resolution process.

(a) If the Person files the Hearing Request within ten calendar days of the mailing date of the Notice of Agency Action, the Person's services shall continue unchanged during the formal or informal hearing process.

(b) If the Person files the Hearing Request between 11 and 30 calendar days after the mailing date of the Notice of Agency Action, the Person is entitled to an administrative hearing, but the Person's services and benefits shall be discontinued or reduced according to the Notice of Agency Action during the formal or informal hearing process.

(9) A Person may file a Request for Hearing Form for a formal or informal hearing and choose to still participate in the Division's conflict resolution process prior to the formal or informal hearing.

(10) If the Person requests an informal hearing and also chooses the conflict resolution process, the conflict resolution process must be completed before the informal hearing can begin, unless the Person submits a written request to the Division to end the conflict resolution process prematurely.


(1) Persons expected by their physicians to live fewer than six months have the right to pursue hospice services as their choice of end-of-life care. A Person who is expected by two physicians to live fewer than six months and who receives Division funding for services and supports may request to continue to receive their Division-funded services and supports while participating in hospice services.

(2) If a Person has not executed a Durable Power of Attorney for Health Care and is incapable of making an informed decision about hospice services or signing a Hospice Agreement, choices related to end-of-life care shall be made on behalf of the Person by the Team upon approval of the Provider Human Rights Committee unless a guardian has been appointed by the Court with the legal authority to make end-of-life decisions for the Person.

(3) If a Person receives Waiver services through the Division and elects the Medicaid hospice benefit and meets the program eligibility requirements in accordance with R414-14A-3, hospice shall become the primary service delivery program, including the primary case management program, for the care of the Person. All other Medicaid programs serving the Person at the time of hospice election, including Waivers, shall coordinate with the hospice case management team to determine the full scope of services that shall be provided from that point forward.

(a) Pursuant to R414-14A-7(A), a Person can continue to receive Division services through the Waiver program that are necessary to prevent institutionalization, are not duplicative of services covered by the hospice benefit, and do not conflict with the hospice plan of treatment.
(b) The Medicaid hospice benefit shall determine the actual number of times a Person can revoke and re-elect hospice services, which hospice Providers and services are available, and which Waiver services may continue concurrently with hospice services.

(c) If the Division wishes to initiate disenrollment of a Medicaid-funded Person from the Waiver based on the Person's election of hospice services, it shall be considered an involuntary disenrollment and will be subject to review and approval by the Department of Health, Division of Health Care Finance.

R539-3-10. Prohibited Procedures.

(1) The following procedures are prohibited for Division staff and Providers, including staff hired for Self-Administered Services, in all circumstances in supporting Persons receiving Division funding:

(a) Physical punishment, such as slapping, hitting, and pinching.
(b) Demeaning speech to a Person that ridicules or is abusive.
(c) Locked confinement in a room.
(d) Denial or restriction of access to assistive technology devices, except where removal prevents injury to self, others, or property as outlined in Section R539-3-6.
(e) Withholding or denial of meals, or other supports for biological needs, as a consequence or punishment for problems.
(f) Any Level II or Level III Intervention, as defined in R539-4-3(n) and R539-4-3(o), used as coercion, as convenience to staff, or in retaliation.

KEY: people with disabilities, rights
Date of Enactment or Last Substantive Amendment: 2013
Notice of Continuation: August 17, 2009
Authorizing, and Implemented or Interpreted Law: 62A-5-102; 62A-5-103

End of the Notices of Changes in Proposed Rules Section
NOTICES OF
120-DAY (EMERGENCY) RULES

An agency may file a 120-DAY (EMERGENCY) RULE when it finds that the regular rulemaking procedures would:

(a) cause an imminent peril to the public health, safety, or welfare;
(b) cause an imminent budget reduction because of budget restraints or federal requirements; or
(c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a PROPOSED RULE, a 120-DAY RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the 120-DAY RULE including the name of a contact person, justification for filing a 120-DAY RULE, anticipated cost impact of the rule, and legal cross-references. A row of dots in the text (........) indicates that unaffected text was removed to conserve space.

A 120-DAY RULE is effective at the moment the Division of Administrative Rules receives the filing, or on a later date designated by the agency. A 120-DAY RULE is effective for 120 days or until it is superseded by a permanent rule.

Because 120-DAY RULES are effective immediately, the law does not require a public comment period. However, when an agency files a 120-DAY RULE, it usually files a PROPOSED RULE at the same time, to make the requirements permanent. Comments may be made on the PROPOSED RULE. Emergency or 120-DAY RULES are governed by Section 63G-3-304; and Section R15-4-8.

Health, Family Health and Preparedness, Emergency Medical Services
R426-2
Air Medical Service Rules

NOTICE OF 120-DAY (EMERGENCY) RULE
DAR FILE NO.: 37409
FILED: 03/14/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule has currently expired. The rule needs to be enacted to match statute.

SUMMARY OF THE RULE OR CHANGE: The rule will allow the Bureau of EMS to maintain standards and criteria for licensed air ambulance providers. (DAR NOTE: A corresponding proposed new Rule R426-2 is under DAR No. 37411 in this issue, April 1, 2013, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 26, Chapter 8a

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD cause an imminent peril to the public health, safety, or welfare; and place the agency in violation of federal or state law.

JUSTIFICATION: The rule will ensure that the current standards of operations for air ambulance services are maintained.

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: State budgets are affected as the fees for the licensure process pays for the costs to regulate the air ambulance agencies operating in Utah.
♦ LOCAL GOVERNMENTS: No new fiscal impacts from recently expired air ambulance rules. Fiscal impacts of past air ambulance rules have not applied to local governments due to the air ambulance industry in Utah is currently under cooperative ownerships.
♦ SMALL BUSINESSES: Current providers are all larger than 50 employees. Future business would be required to meet the same operational standards for equipment and staffing.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: No new fiscal impacts to currently existing licensed air ambulance providers. This rule is a replacement for past operational requirements. Licensed providers already have surpassed the minimal requirements required by this rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Affected persons are currently paying for air ambulance services that are provided by the licensed agencies. No changes are expected due to this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The air ambulance rule presents no unreasonable barriers to entry for qualified providers.
THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HEALTH
FAMILY HEALTH AND PREPAREDNESS,
EMERGENCY MEDICAL SERVICES
3760 S HIGHLAND DR
SALT LAKE CITY, UT 84106
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Allan Liu by phone at 801-273-6664, by FAX at 801-273-4165, or by Internet E-mail at aliu@utah.gov

EFFECTIVE: 03/14/2013

AUTHORIZED BY: David Patton, PhD, Executive Director


R426-2. Air Medical Service Rules.

R426-2-1. Authority and Purpose.

(1) This Rule is established under Chapter 8, Title 26a.
(2) The purpose of this Rule is to set forth air ambulance policies and rules and standards adopted by the Utah Emergency Medical Services Committee which promote and protect the health and safety of the people of this state.

R426-2-2. Requirements for Licensure.

(1) The Department may issue licenses and vehicle permits to air medical services conforming to R426-2 for Advanced Life Support Air Medical Service and for Specialized Life Support Air Medical Service. A Specialized Life Support Air Medical Service license must list, on the license, the specialties for which the Specialized Life Support Air Medical Service is licensed.
(2) A person may not furnish, operate, conduct, maintain, advertise, or provide air medical transport services to patients within the state or from within the state to out of state unless licensed by the Department.
(3) An air medical service shall comply with all state and federal requirements governing the specific vehicles utilized for air medical transport services.
(4) An air medical service must provide air medical services 24 hours a day, every day of the year as allowed by weather conditions except when the service is committed to another medical emergency or is unavailable due to maintenance requirements.
(5) To become licensed as an air medical service, an applicant must submit to the Department an application and appropriate fees for an original license which shall include the following:
   (a) Certified Articles of Incorporation, if incorporated.
   (b) The name, address, and business type of the owner of the air medical service or proposed air medical service.
   (c) The name and address of the air ambulance operator(s) providing air ambulance(s) to the service.
   (d) The name under which the applicant is doing business or proposes to do business.
   (e) A statement summarizing the training and experience of the applicant in the air transportation and care of patients.
   (f) A description and location of each dedicated and back-up air ambulance(s) procured for use in the air medical service, including the make, model, year of manufacture, FAA-N number, insignia, name or monogram, or other distinguishing characteristics.
   (g) A copy of current Federal Aviation Administration (FAA) Air Carrier Operating Certificate authorizing FAR, Part 135, operations.
   (h) A copy of the current certificate of insurance for the air ambulance.
   (i) A copy of the current certificate of insurance demonstrating coverage for medical malpractice.
   (j) The geographical service area, location and description of the place or places from which the air ambulance will operate.
   (k) Name of the training officer responsible for the air medical personnel continuing education.
   (l) The name of the air medical service medical director.
   (m) A proposed roster of medical personnel which includes level of certification or licensure.
   (n) A statement detailing the level of care for which the air medical service wishes to be licensed, either advanced or specialized.
   (6) Upon receipt of an appropriately completed application for an air medical service license and submission of license fees, the Department shall collect supporting documentation and review each application. After review and before issuing a license to a new air medical service, the Department shall directly inspect the vehicle(s), the air medical equipment, and required documentation.
(7) The Department shall issue an air medical service license and air ambulance permit for a period of four years from the date of issue and which shall remain valid for the period unless revoked or suspended by the Department. The department may conduct inspections to assure compliance.
(8) Upon change of ownership, an air medical service license and air ambulance permit terminates and the new owner or operator must file within ten business days of acquisition an application for renewal of the air medical service license and air ambulance permit.
(9) Air medical services must have an agreement to allow hospital emergency department physicians, nurses, and other personnel who participate in emergency medical services to fly on air ambulances.
(10) Air medical services must provide reports to the Department, for each mission made, on forms or a data format specified by the Department.
(11) Effective July 1, 1998, successful completion of the CAMTS certification process is required for licensure and relicensure by the Department as an air medical service.
   (a) Air medical services licensed under R426-2 as of July 1, 1997 must achieve CAMTS certification as of July 1, 1998, and meet requirements of R426-2 for relicensure.
   (b) Air medical services licensed under R426-2 after July 1, 1997 must submit an application for CAMTS certification within one year of receiving a license under this rule.


(1) Emergency Medical Technicians and Paramedics, when responding to a medical emergency, shall display their certification patch or identification card on outer clothing to identify competency level at the scene.
(2) Air medical service providing basic life support must have at least one medical attendant who is an Emergency Medical Technician-Intermediate (EMT-I), EMT-Paramedic, Physician's Assistant, Registered Nurse, or MD.

(3) Air medical services providing advanced life support must have at least one medical attendant who is an EMT-P, PA, RN, or MD. This attendant shall be the primary medical attendant. The second medical attendant may be an EMT-P, PA, Respiratory Therapist, RN, or MD.

(4) Air medical services providing specialized life support must have at least one medical attendant who is a RN or MD. This attendant shall be the primary medical attendant. The second medical attendant may be an EMT-P, PA, RN, or MD.

(5) All Basic, Advanced, and Specialized Life Support Medical Attendants must:

(a) Have a current CPR card or certificate meeting standards approved by the Department.

(b) Have verification in the air medical service file of initial and annual training in altitude physiology, safety, stress management, infection control, hazardous materials, survival training, disaster training, triage, and Utah emergency medical system communications.

(c) Be knowledgeable in the application, operation, care, and removal of all medical equipment used in the care of the patient. The medical personnel shall have a knowledge of potential in-flight complications, which may arise from the use of the medical equipment and its in-flight capabilities and limitations.

(d) Have available during transport, a current copy of all written protocols authorized for use by the air medical service medical director. Patient care shall be governed by these authorized written protocols.

(e) Maintain clinical competency by keeping a current completion card in specialty education programs required by the air medical service job description (e.g., American Heart Association/American Academy of Pediatrics Neonatal Association or Pediatric Advanced Life Support pertinent to appropriate specialty).

(f) Attend continuing education for specialty care providers that is specific and appropriate to the mission statement and scope of care for air medical services.

(g) Annually demonstrate to the air medical service medical director a knowledge and competency of specialized care and treatment of patients.

(7) All air medical services shall have an air medical service medical director who is a physician licensed in the state in which the ground base is located for the air ambulance, knowledgeable and responsible for the air medical care of patients.

(8) The air medical service applicant shall provide in writing to the Department the name of the air medical service medical director. If the air medical service medical director is replaced or removed, the air medical service shall notify the Department within thirty days after the action.

(ii) Shall have a current completion card in Advanced Cardiac Life Support according to the current standards of the American Heart Association.

(iii) Shall have a current completion card in Advanced Trauma Life Support according to the current standards of the American College of Surgeons.

(iv) Shall have a current specialty education completion card in Neonatal Resuscitation Program, Pediatric Advanced Life Support, and other similar courses or equivalent education in these areas.

(v) Shall have access to all specialty physicians as consultants.

(b) It is the responsibility of the air medical director to:

(i) Authorize written protocols for use by air medical attendants and review policies and procedures of the air medical service.

(ii) Develop and review treatment protocols, assess field performance, and critique at least 10% of the air medical service runs.


(1) An air ambulance must have a permit from the Department to operate in Utah. Each air ambulance shall carry a decal showing the permit expiration date and permit number issued by the Department as evidence of compliance with R426-2. The permit holder shall meet all Federal Aviation Regulations specific to the operation of the air medical service.

(2) All air medical services shall notify the Department whenever the ground base location of a permitted vehicle is permanently changed.

(3) Air ambulances shall be maintained in good mechanical repair and sanitary condition on premises, properly equipped, maintained, and operated to provide quality service.

(4) Air ambulance requirements are as follows:

(a) The air ambulance must have sufficient space to accommodate at least one patient on a stretcher.

(b) The air ambulance must have sufficient space to accommodate at least two medical attendant seats.

(c) The patient stretcher shall be FAA-approved. It must be installed using the FAA 337 form or a "Supplemental Type Certificate." The stretcher shall be of sufficient length and width to support a patient in full supine position who is ranked as a 95th percentile American male that is 6 feet tall and weighing 212 pounds. The head of the stretcher shall be capable of being elevated at least 30 degrees.

(d) The air ambulance doors shall be large enough to allow a stretcher to be loaded without rotating it more than 30 degrees about the longitudinal roll axis, or 45 degrees about the lateral pitch axis.

(e) The stretcher shall be positioned so as to allow the medical attendants a clear view and access to any part of the patient's body that may require medical attention. Seat-belted medical attendants must have access to the patient's head and upper body.

(f) The patient, stretcher, attendants, seats, and equipment shall be so arranged as to not block the pilot, medical attendants, or patients from easily exiting the air ambulance.

(g) The air ambulance shall have FAA-approved two point safety belts and security restraints adequate to stabilize and secure any patient, patient stretcher, medical attendants, pilots, or other individuals.
(h) The air ambulance shall have a temperature and ventilation system for the patient treatment area.

(i) The patient area shall have overhead or dome lighting of at least 40-foot candle at the patient level, to allow adequate patient care. During night operations the pilot's cockpit shall be protected from light originating from the patient care area.

(j) The air ambulance shall have a self contained interior lighting system powered by a battery pack or portable light with a battery source.

(k) The pilots, flight controls, power levers, and radios shall be physically protected from any intended or accidental interference by patient, air medical personnel or equipment and supplies.

(l) The patient must be sufficiently isolated from the cockpit to minimize in-flight distractions and interference which would affect flight safety.

(m) The interior surfaces shall be of material easily cleaned, sanitized, and designed for patient safety. Prominent edges and corners shall be padded.

(n) Patients whose medical problems may be adversely affected by changes in altitude may only be transported in a pressurized air ambulance.

(o) The air medical service shall provide all medical attendants with sound ear protectors sufficient to reduce excessive noise pollution arising from the air ambulance during flight.

(p) There shall be sufficient medical oxygen to assure adequate delivery of oxygen necessary to meet the patient medical needs and anticipated in-flight complications. The medical oxygen must:

(i) be installed according to FAA regulation;

(ii) have an oxygen flow rate determined by in-line pressure gauges mounted in the patient care area with each outlet clearly identified and within reach of a seat-belted medical attendant;

(iii) allow the oxygen flow to be stopped at or near the oxygen source from inside the air ambulance;

(iv) have gauges that easily identify the quantity of medical oxygen available;

(v) be capable of delivering fifteen liters/minute at fifty psi;

(vi) have a portable oxygen bottle available for use during patient transfer to and from the air ambulance;

(vii) have a fixed back-up source of medical oxygen in the event of an oxygen system failure;

(viii) the oxygen flow meters shall be recessed, padded, or by other means mounted to prevent injury to patients or medical attendants; and

(ix) "No smoking" signs shall be prominently displayed inside the air ambulance.

(q) The air ambulance electric power must be provided through a power source capable to operate the medical equipment and a back-up source of electric power capable of operating all electrically powered medical equipment for one hour.

(r) The air ambulance must have at least two positive locking devices for intravenous containers padded, recessed, or mounted to prevent injury to air ambulance occupants. The containers shall be within reach of a seat-belted medical attendant.

(s) The air ambulance must be fitted with a metal hard lock container, fastened by hard point restraints to the air ambulance, or must have a locking cargo bay for all controlled substances left in an unattended.

(t) An air ambulance shall have properly maintained survival gear appropriate to the service area and number of occupants.

(u) An air ambulance shall have an equipment configuration that is installed according to FAA criteria and in such a way that the air medical personnel can provide patient care.

(v) The air ambulance shall be configured in such a way that the air medical personnel have access to the patient in order to begin and maintain basic and advanced life support care.

(w) The air ambulance shall have space necessary to allow patient airway maintenance and to provide adequate ventilatory support from the secured, seat-belted position of the medical personnel.

R426-2-5. Equipment Standards.

(1) Air ambulances must maintain minimum quantities of supplies and equipment for each air medical transport as listed in the document R426 Appendix in accordance with the air medical service's licensure level. Due to weight and safety concerns on specialized air transports, the air medical service medical director shall insure that the appropriate equipment is carried according to the needs of the patient to be transported.df All medications shall be stored according to manufacturer recommendations.

(2) All medical equipment except disposable items, shall be designed, constructed, and made of materials that under normal conditions and operations, are durable and capable of withstanding repeated cleaning.

(3) The equipment and medical supplies shall be maintained in working condition and within legal specifications.

(4) All non-disposable equipment shall be cleaned or sanitized after each air medical transport.

(5) Medical equipment shall be stored and readily accessible by air medical personnel.

(6) Before departing, the air medical personnel shall notify the pilot of any add-on equipment for weight and balance considerations.

(7) Physical or chemical restraints must be available and used for combative patients who could possibly hurt themselves or any other person in the air ambulance.

R426-2-6. Operational Standards.

(1) The pilot may refuse transport to any individual who the pilot considers to be a safety hazard to the air ambulance or any of its passengers.

(2) Records made for each trip on forms or data format specified by the Department, and a copy shall remain at the receiving facility for continuity of care.

(3) The air medical service must maintain a personnel file for personnel which shall include their qualifications and training.

(4) All air medical services must have an operational manual or policy and procedures manual available for all air medical personnel.

(5) All air medical service records shall be available for inspection by representatives of the Department.

(6) All air ambulances shall be equipped to allow air medical service personnel to be able to:

(i) Communicate with hospital emergency medical departments, flight operations centers, air traffic control, emergency medical services, and law enforcement agencies.
(ii) Communicate with other air ambulances while in flight.
(b) The pilot must be able to override any radio or telephonic transmission in the event of an emergency.
(7) The management of the air medical service shall be familiar with the federal regulations related to air medical services.
(8) Each air medical service must have a safety committee, with a designated safety officer. The committee shall meet at least quarterly to review safety issues and submit a written report to the air medical service management and maintain a copy on file at the air medical service office.
(9) All air medical service shall have a quality management team and a program implemented by this team to assess and improve the quality and appropriateness of patient care provided by the air medical service.

R426-2-7. Statutory Penalties.
A person who violates this rule is subject to the provisions of Title 26, Chapter 23.

KEY: emergency medical services, air medical services
Date of Enactment or Last Substantive Amendment: March 14, 2013
Authorizing, and Implemented or Interpreted Law: 26-8

Health, Family Health and Preparedness, Emergency Medical Services  
R426-6
Emergency Medical Services
Competitive Grants Program Rules

NOTICE OF 120-DAY (EMERGENCY) RULE  
DAR FILE NO.: 37408
FILED: 03/14/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule has currently expired. The rule needs to be enacted to match statute. Also, without this rule, Competitive Grant funds would not be available to any licensed or designated Emergency Medical Services (EMS) agency.

SUMMARY OF THE RULE OR CHANGE: The rule will allow grant funds to be distributed through a competitive process to EMS agencies statewide. (DAR NOTE: A corresponding proposed new Rule R426-6 is under DAR No. 37410 in this issue, April 1, 2013, of the Bulletin.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-8a-207
NOTICES OF 120-DAY (EMERGENCY) RULES

R426-6-2. Definitions.
(1) County EMS Council or Committee means a group of persons recognized by the county commission as the legitimate entity within the county to formulate policy regarding the provision of EMS.
(2) Multi-county EMS council or committee means a group of persons recognized by an association of counties as the legitimate entity within the association to formulate policy regarding the provision of EMS.

R426-6-3. Eligibility.
(1) Competitive grants are available for use specifically related to the provision of emergency medical services.
(2) Grantees must be in compliance with the EMS Systems Act and all EMS rules during the grant period.
(3) An applicant that is six months or more in arrears in payments owed to the Department is ineligible for competitive grant consideration.

R426-6-4. Grant Implementation.
In accordance with Title 26, Chapter 8a, awards shall be implemented by grants between the Department and the grantee.
(1) Grant awards are effective on July 1 and must be used by June 30 of the following year.
(2) Grant funding is on a reimbursable basis after presentation of documentation of expenditures which are in accordance with the approved grant awards budget.

R426-6-5. Competitive Grant Process.
(1) The Grant Program Guidelines, outlining the review schedule, funding amounts, eligible expenditures, and awards schedule shall be established annually by the EMS Committee.
(2) The department may accept only complete applications which are submitted by the deadlines established by the EMS Committee.
(3) It is the intent of the EMS Committee that there be local EMS council or committee review of EMS grant applications. Therefore, copies of grant applications should be provided by grant applicants to their respective county EMS councils or committees and the multi-county EMS councils or committees, where organized, for review and recommendation to the State Grants subcommittee.
(4) Agencies that are licensed or designated, whose EMS service area includes multiple local EMS Committee jurisdictions will be reviewed separately by the State Grants subcommittee.
(5) The Grants Subcommittee shall review the competitive grant applications and forward its recommendations to the EMS Committee. The EMS Committee shall review and comment on the Grants Subcommittee recommendations and forward to the Department.

R426-6-6. Interim or Emergency Grant Awards.
(1) The Grants Subcommittee may recommend interim or emergency grants if all the following are met:
   (a) Grant funds are available;
   (b) The applicant clearly demonstrates the need;
   (c) the application was not rejected by the Grants Subcommittee during the current grant cycle; and
   (d) Delay of funding to the next scheduled grant cycle would impair the agency's ability to provide EMS care.
(2) Applicants for interim or emergency grants shall:
   (a) submit an interim/emergency grant application, following the same format as annual grant applications; and
   (b) submit the interim/emergency grant application to the Department at least 30 days prior to the EMS Committee meeting at which the grant application will be reviewed.
(3) The Grants Subcommittee shall review the interim/emergency grant application and forward recommendations to the EMS Committee. The EMS Committee shall review and comment on the Grants Subcommittee recommendations and forward to the Department.

KEY: emergency medical services, EMS competitive grants
Date of Enactment or Last Substantive Amendment: March 14, 2013
Authorizing, and Implemented or Interpreted Law: 26-8a

End of the Notices of 120-Day (Emergency) Rules Section
Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended 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 upon filing.

Notices are governed by Section 63G-3-305.

---

**Corrections, Administration**  
R251-114  
Offender Long-Term Health Care - Notice

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 37389  
FILED: 03/07/2013

**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 63G-3-201, based upon this rules impact upon "a class of persons"; Section 64-13-10, outlining the duty and authority to establish rules to accomplish the purpose of correctional programs; and Section 64-13-39.5, outlining definitions related to the care of chronically or terminally ill offenders.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No correspondence has been received by the Utah Department of Corrections regarding this rule since it was enacted.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The conditions which require this rule are still in effect. The rule is for the public's notice and facilities which care for the prison's chronically ill. Therefore, this rule should be continued.

**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:**  
♦ Greg Peay by phone at 801-201-6052, by FAX at 801-545-5572, or by Internet E-mail at gpeay@utah.gov

**AUTHORIZED BY:** Michael Haddon, Interim Executive Director

**EFFECTIVE:** 03/07/2013

---

**Education, Administration**  
R277-518  
Career and Technical Education Licenses

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 37399  
FILED: 03/12/2013

**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: Subsection 53A-1-401(3) allows the Utah State Board of Education (Board) to adopt rules in accordance with its responsibilities and Section 53A-6-104 permits the Board to issue licenses for educators.
SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No written comments have been received.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary because it provides standards for the career and technical education license area and endorsements. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
EDUCATION
ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

EFFECTIVE: 03/12/2013
REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary because it provides standards for school athletic and activity coaches and standards for clinics and workshops. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation
EFFECTIVE: 03/12/2013

Education, Administration
R277-610
Released-Time Classes

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37402
FILED: 03/12/2013

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: Subsections 53A-1-402(1)(b) and (c) direct the Utah State Board of Education (Board) to adopt minimum standards for public schools and Subsection 53A-1-401(3) permits the Board to adopt rules in accordance with its responsibilities.

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

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary because it provides standards and procedures for public schools regarding released-time classes consistent with the law. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation
EFFECTIVE: 03/12/2013

Education, Administration
R277-700
The Elementary and Secondary School Core Curriculum

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37403
FILED: 03/12/2013

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: Subsections 53A-1-402(1)(b) and (c) direct the Utah State Board of Education (Board) to make rules regarding competency levels, graduation requirements, curriculum, and instruction requirements; Section 53A-1-402.6 directs the Board to establish a Core Curriculum in consultation with local education agency boards and superintendents; and Subsection 53A-1-401(3) allows the Board to adopt rules in accordance with its responsibilities.

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

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary because it provides the minimum Core Curriculum and Core Standard
requirements for public schools. Therefore, this rule should be continued.

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

EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

EFFECTIVE: 03/12/2013

Education, Administration

R277-702

Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009)

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37404
Filed: 03/12/2013

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: Subsection 53A-1-402(1)(b) directs the Utah State Board of Education (Board) to adopt rules regarding access to public school programs and Subsection 53A-1-401(3) allows the Board to adopt rules in accordance with its responsibilities.

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

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary because it provides standards and procedures for obtaining a Utah High School Completion Diploma. Therefore, this rule should be continued.

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

EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

EFFECTIVE: 03/12/2013

Education, Administration

R277-709

Education Programs Serving Youth in Custody

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37405
Filed: 03/12/2013

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: Subsection 53A-1-403(2)(b) requires the Utah State Board of Education (Board) to adopt rules for the distribution of funds for the education of youth in custody and Subsection 53A-1-401(3) allows the Board to adopt rules in accordance with its responsibilities.

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

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary because it provides operation standards and procedures for the distribution of funds for youth in custody programs. Therefore, this rule should be continued.

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

EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

EFFECTIVE: 03/12/2013
**Standards for Selling Foods Outside of the Reimbursable Meal in Schools**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 37405  
FILED: 03/12/2013

**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:** Subsection 53A-1-401(3) allows the Utah State Board of Education (Board) to adopt rules in accordance with its responsibilities, Subsection 53A-19-201(1) allows the Board to set standards relating to the use of school lunch revenues, and Subsection 53A-1-402(1)(3) requires the Board to establish rules concerning school productivity and cost effectiveness measures and federal programs.

- **SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE:** No written comments have been received.

- **REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY:** This rule continues to be necessary because it provides requirements for school district and charter school policies regarding foods sold outside of the reimbursable meal service time periods. Therefore, this rule should be continued.

---

**Reduction in Certain Targeted Case Management Services**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 37391  
FILED: 03/08/2013

**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 26-18-3 requires the Department to implement by rule targeted case management (TCM) services for Medicaid recipients. In addition, Section 26-18-2.3 authorizes the reduction of certain TCM services for cost-containment 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:** The Department did not receive any written or oral comments regarding this rule.

- **REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY:** The Department should continue this rule because it defines TCM services for Medicaid recipients and specifies TCM services that are not available.
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 by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

AUTHORIZED BY:  David Patton, PhD, Executive Director
EFFECTIVE:  03/08/2013

Insurance, Administration
R590-94
Rule Permitting Smoker/Nonsmoker Mortality Tables For Use In Determining Minimum Reserve Liabilities and Nonforfeiture Benefits

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.:  37412
FILED:  03/15/2013

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 31A-2-201 authorizes the commissioner to write rules to implement the provisions of Title 31A. Section 31A-22-408 allows the commissioner to adopt rules interpreting, describing and clarifying the application of this nonforfeiture law to any form of life insurance for which the interpretation, description or clarification is deemed necessary by the commissioner, including but not limited to, unusual and new forms of life insurance.

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 regarding this rule in the past five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY:  The rule permits the use of smoker/nonsmoker mortality tables as a reserve standard allowing for a fairer pricing of life insurance products. The rule helps insurers offer lower rates to nonsmokers. Therefore, this rule should be continued.

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 by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

AUTHORIZED BY:  Todd Kiser, Commissioner
EFFECTIVE:  03/15/2013

Natural Resources, Water Rights
R655-5
Maps Submitted to the Division of Water Rights

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.:  37388
FILED:  03/07/2013

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:  Subsection 73-2-1(3)(b)(i) and Sections 73-3-2, 73-3-3, and 73-3-16 establish when maps must be submitted and the minimum standards that must be met for the maps to be accepted by the State Engineer.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE:  No comments have been received in the past five years.
REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is still required for processing and acceptance by the State Engineer. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
WATER RIGHTS
ROOM 220
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Marianne Burbidge by phone at 801-538-7370, by FAX at 801-538-7467, or by Internet E-mail at marianneburbidge@utah.gov

AUTHORIZED BY: Kent Jones, State Engineer/Director
EFFECTIVE: 03/07/2013

Natural Resources, Wildlife Resources
R657-3
Collection, Importation, Transportation, and Possession of Animals

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37384
FILED: 03/05/2013

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: Under Sections 23-14-18 and 23-14-19, the Wildlife Board is authorized and required to regulate and prescribe the means to allow the collection, importation, exportation, transportation, and possession of animals and their parts.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No written comments supporting or opposing Rule R657-3 have been received since 03/10/2008 when the rule was last reviewed.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Rule R657-3 governs the collection, importation, exportation, transportation, and possession of animals and their parts. The procedures adopted in this rule have provided an effective and efficient process. Continuation of this rule is necessary for continued success of this program.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY, UT 84116-3154
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at stacicoons@utah.gov

AUTHORIZED BY: Gregory Sheehan, Director
EFFECTIVE: 03/05/2013

Public Safety, Fire Marshal
R710-12
Hazardous Materials Training and Certification

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37390
FILED: 03/08/2013

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: In accordance with Subsection 53-7-204(1)(o), the fire prevention board is tasked with establishing a process for emergency response personnel to be certified in dealing with hazardous materials emergencies. This rule puts into place an advisory council, training and certification processes. It further identifies a national consensus standard which the training is based upon. Finally, it identifies renewals and fees.

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.
REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: With over 8,000 emergency responders in the state who are required through OSHA 1910.120 to have hazardous materials training and certification, this rule sets the foundation for processes and oversight to ensure that nationally recognized standards are met. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
PUBLIC SAFETY
FIRE MARSHAL
ROOM 302
5272 S COLLEGE DR
MURRAY, UT 84123-2611
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Coy Porter by phone at 801-284-6358, by FAX at 801-284-6351, or by Internet E-mail at coyporter@utah.gov

AUTHORIZED BY: Coy Porter, State Fire Marshal
EFFECTIVE: 03/08/2013

Public Service Commission, Administration
R746-330
Rules for Water and Sewer Utilities Operating in Utah

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments have been received in the last five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary to regulate the methods and conditions of service of water and sewer corporations. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
PUBLIC SERVICE COMMISSION
ADMINISTRATION
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY, UT 84111-2316
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ David Clark by phone at 801-530-6708, by FAX at 801-530-6796, or by Internet E-mail at drexclark@utah.gov
♦ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at sbintz@utah.gov

AUTHORIZED BY: David Clark, Legal Counsel
EFFECTIVE: 03/05/2013

Public Service Commission, Administration
R746-347
Extended Area Service (EAS)

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 54-3-1 requires service offered by a public utility to be "adequate, efficient, just and reasonable". Section 54-3-4 allows utilities to offer joint services. Section 54-8b-11 requires the Public Service Commission to endeavor to make available high-quality telecommunications services at just and reasonable rates for customers throughout the state. Section 54-4-1 authorizes the commission to supervise and regulate public utilities.
Section 54-4-12 requires telephone utilities to interconnect networks in order to provide a continuous line of communication. This rule uses these provisions to enable joint localities of common interest to have local calling areas in which customers may place telephone calls without incurring toll charges for each call made.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments have been received in the last five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule continues to be necessary to establish or restructure EAS under just and reasonable rates offered by Utah telephone corporations. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
PUBLIC SERVICE COMMISSION
ADMINISTRATION
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY, UT 84111-2316
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ David Clark by phone at 801-530-6708, by FAX at 801-530-6796, or by Internet E-mail at drexclark@utah.gov
♦ Sheri Bintz by phone at 801-530-6714, by FAX at 801-530-6796, or by Internet E-mail at sbintz@utah.gov

AUTHORIZED BY: David Clark, Legal Counsel
EFFECTIVE: 03/05/2013

Regents (Board of), University of Utah, Administration

R805-1
Operating Regulations for Bicycles, Skateboards and Scooters

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37407
FILED: 03/12/2013

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: Subsection 53B-2-106 authorizes Rule R805-1 by authorizing the president of each higher educational institution, with approval of that institution's board of trustees, to enact rules for administration and operation of the institution. Section 53B-3-101 authorizes Rule R805-1 by allowing the Board of Regents to pass rules and regulations governing parking and traffic on campuses and related facilities and to enforce the rules and regulations by all appropriate methods; Section 53B-3-101 further allows the Board of Regents to delegate this same authority to the president of each institution so long as the rules and regulations are approved by the institution's Board of Trustees.

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

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The University of Utah's ability to ensure the safety of all persons on campus has been facilitated by Rule R805-1. Rule R805-1 regulates the operation of bicycles, skateboards, and scooters on campus and provides clear standards on the proper operation of such means of transportation. Rule R805-1 further gives the University of Utah the ability to sanction students, staff, and faculty who are in violation of this rule. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
REGENTS (BOARD OF)
UNIVERSITY OF UTAH,
ADMINISTRATION
ROOM 309 PARK BLDG
201 S PRESIDENTS CIR
SALT LAKE CITY, UT 84112-9009
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Robert Payne by phone at 801-585-7002, by FAX at 801-585-7007, or by Internet E-mail at robert.payne@legal.utah.edu

AUTHORIZED BY: Robert Payne, Associate General Counsel
EFFECTIVE: 03/12/2013
NOTICES OF
FIVE-YEAR EXPIRATIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule’s original enactment or the date of last review (Section 63G-3-305). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file an extension with the Division of Administrative Rules (Division). However, if the agency fails to file either the review or the extension by the five-year anniversary date of the rule, the rule expires.

Upon expiration of the rule, the Division is required to remove the rule from the Utah Administrative Code. The agency may no longer enforce the rule, and it must follow regular rulemaking procedures to replace the rule if necessary.

The rules listed below were not reviewed in accordance with Section 63G-3-305. These rules have expired and have been removed from the Utah Administrative Code.

The expiration of administrative rules for failure to comply with the five-year review requirement is governed by Subsection 63G-3-305(8).

---

Health, Family Health and Preparedness, Emergency Medical Services

R426-2
Air Medical Service Rules

FIVE-YEAR REVIEW EXPIRATION
DAR FILE NO.: 37397
FILED: 03/12/2013

SUMMARY: The five-year review and notice of continuation was not filed on this rule by the deadline and it expired and is removed from the Administrative Code as of 02/24/2013.

(DAR NOTE: A 120-day (emergency rule) that puts the rule back into place and is effective as of 03/14/2013 is under DAR No. 37409, and a proposed new Rule R426-2 is under DAR No. 37411 in this issue, April 1, 2013, of the Bulletin.)

EFFECTIVE: 02/24/2013

---

Regents (Board of), University of Utah, Commuter Services

R810-12
Bicycles, Skateboards and Other Toy Vehicles

FIVE-YEAR REVIEW EXPIRATION
DAR FILE NO.: 37398
FILED: 03/12/2013

SUMMARY: The five-year review and notice of continuation was not filed on this rule by the deadline and it expired and is removed from the Administrative Code as of 03/01/2013.

(DAR NOTE: A 120-day (emergency rule) that puts the rule back into place and is effective as of 03/14/2013 is under DAR No. 37408, and a proposed new Rule R426-6 is under DAR No. 37410 in this issue, April 1, 2013, of the Bulletin.)

EFFECTIVE: 03/01/2013

---

Health, Family Health and Preparedness, Emergency Medical Services

R426-6
Emergency Medical Services Competitive Grants Program Rules

FIVE-YEAR REVIEW EXPIRATION
DAR FILE NO.: 37387
FILED: 03/07/2013

SUMMARY: The five-year review and notice of continuation was not filed on this rule by the deadline and it expired and is removed from the Administrative Code as of 03/07/2013.

EFFECTIVE: 03/07/2013

---
NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their rules effective and enforceable after publication in the Utah State Bulletin. In the case of Proposed Rules or Changes in Proposed Rules with a designated comment period, the law permits an agency to file a notice of effective date any time after the close of comment plus seven days. In the case of Changes in Proposed Rules with no designated comment period, the law permits an agency to file a notice of effective date on any date including or after the thirtieth day after the rule's publication date. If an agency fails to file a Notice of Effective Date within 120 days from the publication of a Proposed Rule or a related Change in Proposed Rule the rule lapses and the agency must start the rulemaking process over.

Notices of Effective Date are governed by Subsection 63G-3-301(12), 63G-3-303, and Sections R15-4-5a and 5b.

Abbreviations
AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal & Reenact
REP = Repeal

Administrative Services
Fleet Operations
No. 36949 (AMD): R27-3. Vehicle Use Standards
Published: 11/15/2012
Effective: 03/07/2013

No. 37193 (AMD): R313-18. Notices, Instructions and Reports to Workers by Licensees or Registrants--Inspections
Published: 02/01/2013
Effective: 03/19/2013

No. 37194 (AMD): R313-19. Requirements of General Applicability to Licensing of Radioactive Material
Published: 02/01/2013
Effective: 03/19/2013

No. 37195 (AMD): R313-22. Specific Licenses
Published: 02/01/2013
Effective: 03/19/2013

Published: 02/01/2013
Effective: 03/19/2013

No. 37197 (AMD): R313-30. Therapeutic Radiation Machines
Published: 02/01/2013
Effective: 03/19/2013

No. 37198 (AMD): R313-35. Requirements for X-Ray Equipment Used for Non-Medical Applications
Published: 02/01/2013
Effective: 03/19/2013

Commerce
Occupational and Professional Licensing
No. 37199 (AMD): R156-1-102. Definitions
Published: 02/01/2013
Effective: 03/19/2013

No. 37202 (NEW): R156-82. Electronic Prescribing Act Rule
Published: 02/01/2013
Effective: 03/11/2013

No. 37199 (AMD): R156-1-102. Definitions
Published: 02/01/2013
Effective: 03/11/2013

No. 37190 (AMD): R313-14. Violations and Escalated Enforcement
Published: 02/01/2013
Effective: 03/19/2013

No. 37191 (AMD): R313-15. Standards for Protection Against Radiation
Published: 02/01/2013
Effective: 03/19/2013

No. 37192 (AMD): R313-17. Administrative Procedures
Published: 02/01/2013
Effective: 03/19/2013

No. 37205 (AMD): R651-633. Special Closures or Restrictions
Published: 02/01/2013
Effective: 03/14/2013

No. 37119 (REP): R655-7. Administrative Procedures for Notifying the State Engineer of Sewage Effluent Use or Change in the Point of Discharge for Sewage Effluent
Published: 01/15/2013
Effective: 03/07/2013
NOTICES OF RULE EFFECTIVE DATES

<table>
<thead>
<tr>
<th>Regents</th>
<th>University of Utah, Commuter Services</th>
<th>No. 37098 (AMD): R810-1-14. Living In A Motor Vehicle On Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of</td>
<td>University Vehicle Parking</td>
<td>Published: 01/01/2013</td>
</tr>
<tr>
<td>Published:</td>
<td></td>
<td>Effective: 03/21/2013</td>
</tr>
<tr>
<td>Effective:</td>
<td>03/21/2013</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>No. 37092 (AMD): R810-2-1. Parking Meters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Published: 01/01/2013</td>
</tr>
<tr>
<td>Effective: 03/21/2013</td>
</tr>
</tbody>
</table>

End of the Notices of Rule Effective Dates Section
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, 2013 through March 15, 2013. The Rules Index is published in the Utah State Bulletin and in the annual Utah Administrative Rules 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).

Questions regarding the index and the information it contains should be addressed to 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 (5110 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

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMD</td>
<td>Amendment</td>
</tr>
<tr>
<td>CPR</td>
<td>Change in proposed rule</td>
</tr>
<tr>
<td>EMR</td>
<td>Emergency rule (120 day)</td>
</tr>
<tr>
<td>NEW</td>
<td>New rule</td>
</tr>
<tr>
<td>EXD</td>
<td>Expired</td>
</tr>
<tr>
<td>NSC</td>
<td>Nonsubstantive rule change</td>
</tr>
<tr>
<td>REP</td>
<td>Repeal</td>
</tr>
<tr>
<td>R&amp;R</td>
<td>Repeal and reenact</td>
</tr>
<tr>
<td>5YR</td>
<td>Five-Year Review</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CODE REFERENCE</th>
<th>TITLE</th>
<th>FILE NUMBER</th>
<th>ACTION</th>
<th>EFFECTIVE DATE</th>
<th>BULLETIN ISSUE/PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>R23-13</td>
<td>State of Utah Parking Rules for Facilities Managed by the Division of Facilities and Construction and Management</td>
<td>37357</td>
<td>5YR</td>
<td>02/20/2013</td>
<td>2013-6/49</td>
</tr>
<tr>
<td>R23-22</td>
<td>General Procedures for Acquisition and Selling of Real Property</td>
<td>37358</td>
<td>5YR</td>
<td>02/20/2013</td>
<td>2013-6/49</td>
</tr>
<tr>
<td>R27-3</td>
<td>Vehicle Use Standards</td>
<td>36949</td>
<td>AMD</td>
<td>03/07/2013</td>
<td>2012-22/11</td>
</tr>
<tr>
<td>R58-21</td>
<td>Trichomoniasis</td>
<td>36962</td>
<td>AMD</td>
<td>01/04/2013</td>
<td>2012-22/16</td>
</tr>
<tr>
<td>R89-5</td>
<td>Grain Inspection</td>
<td>37249</td>
<td>5YR</td>
<td>02/05/2013</td>
<td>2013-5/189</td>
</tr>
<tr>
<td>R70-310</td>
<td>Grade A Pasteurized Milk</td>
<td>37027</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-23/6</td>
</tr>
<tr>
<td>R70-320-18</td>
<td>Transport Tanks, Operators</td>
<td>36915</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-21/8</td>
</tr>
<tr>
<td>R70-330</td>
<td>Raw Milk for Retail</td>
<td>36914</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-21/9</td>
</tr>
<tr>
<td>R131-2</td>
<td>Capitol Hill Complex Facility Use</td>
<td>37064</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/9</td>
</tr>
<tr>
<td>R156-1-102</td>
<td>Definitions</td>
<td>37199</td>
<td>AMD</td>
<td>03/11/2013</td>
<td>2013-3/2</td>
</tr>
<tr>
<td>R156-3a-102</td>
<td>Definitions</td>
<td>37073</td>
<td>AMD</td>
<td>01/24/2013</td>
<td>2012-24/6</td>
</tr>
<tr>
<td>R156-22</td>
<td>Professional Engineers and Professional Land Surveyors Licensing Act Rule</td>
<td>37074</td>
<td>AMD</td>
<td>01/24/2013</td>
<td>2012-24/7</td>
</tr>
<tr>
<td>R156-37</td>
<td>Utah Controlled Substances Act Rule</td>
<td>37040</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/18</td>
</tr>
<tr>
<td>R156-37-502</td>
<td>Unprofessional Conduct</td>
<td>37175</td>
<td>NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R156-37f</td>
<td>Controlled Substance Database Act Rule</td>
<td>37039</td>
<td>NEW</td>
<td>01/08/2013</td>
<td>2012-23/21</td>
</tr>
<tr>
<td>R156-44a</td>
<td>Nurse Midwife Practice Act Rules</td>
<td>37071</td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-24/11</td>
</tr>
<tr>
<td>R156-49</td>
<td>Dietitian Certification Act Rule</td>
<td>37273</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/189</td>
</tr>
<tr>
<td>R156-53</td>
<td>Landscape Architects Licensing Act Rule</td>
<td>37274</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/190</td>
</tr>
<tr>
<td>R156-68</td>
<td>Utah Osteopathic Medical Practice Act Rule</td>
<td>37272</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>R162-2g</td>
<td>Real Estate Appraiser Licensing and Certification Administrative Rules</td>
<td>36973</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/19</td>
</tr>
<tr>
<td>RULES INDEX</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Securities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R164-31-1</td>
<td>Guidelines for the Assessment of Administrative Fines</td>
<td>37042</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/26</td>
</tr>
<tr>
<td><strong>CORRECTIONS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R251-114</td>
<td>Offender Long-Term Health Care - Notice</td>
<td>37389</td>
<td>5YR</td>
<td>03/07/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>CRIME VICTIM REPARATIONS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R270-1</td>
<td>Award and Reparation Standards</td>
<td>37061</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/27</td>
</tr>
<tr>
<td>R270-2</td>
<td>Award and Reparation Standards</td>
<td>37166</td>
<td>NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R270-2</td>
<td>Crime Victim Reparations Adjudicative Proceedings</td>
<td>37063</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/33</td>
</tr>
<tr>
<td>R270-2</td>
<td>Crime Victim Reparations Adjudicative Proceedings</td>
<td>37167</td>
<td>NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>EDUCATION</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R277-484</td>
<td>Data Standards</td>
<td>37145</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/4</td>
</tr>
<tr>
<td>R277-487</td>
<td>Public School Student Confidentiality</td>
<td>37144</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/7</td>
</tr>
<tr>
<td>R277-502</td>
<td>Educator Licensing and Data Retention</td>
<td>37058</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/34</td>
</tr>
<tr>
<td>R277-502</td>
<td>Educator Licensing and Data Retention</td>
<td>37146</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/10</td>
</tr>
<tr>
<td>R277-509</td>
<td>Licensure of Student Teachers and Interns</td>
<td>37059</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/39</td>
</tr>
<tr>
<td>R277-517</td>
<td>Board and UPPAC Disciplinary Definitions and Actions</td>
<td>37147</td>
<td>NEW</td>
<td>02/21/2013</td>
<td>2013-2/15</td>
</tr>
<tr>
<td>R277-517-5</td>
<td>Board Disciplinary Actions</td>
<td>37359</td>
<td>NSC</td>
<td>03/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-518</td>
<td>Career and Technical Education Licenses</td>
<td>37399</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-600</td>
<td>Student Transportation Standards and Procedures</td>
<td>37400</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-605</td>
<td>Coaching Standards and Athletic Clinics</td>
<td>37401</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-610</td>
<td>Released-Time Classes</td>
<td>37402</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-700</td>
<td>The Elementary and Secondary School Core Curriculum</td>
<td>37403</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-702</td>
<td>Procedures for the Utah High School Completion Diploma (Effective on July 1, 2009)</td>
<td>37404</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-709</td>
<td>Education Programs Serving Youth in Custody</td>
<td>37405</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-709-3</td>
<td>Student Evaluation, Education Plans, and LEA Programs</td>
<td>37244</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R277-719</td>
<td>Standards for Selling Foods Outside of the Reimbursable Meal in Schools</td>
<td>37406</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>ENVIRONMENTAL QUALITY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R305-2</td>
<td>Electronic Meeting</td>
<td>37360</td>
<td>5YR</td>
<td>02/25/2013</td>
<td>2013-6/50</td>
</tr>
<tr>
<td>R305-6</td>
<td>Administrative Procedures</td>
<td>36554</td>
<td>REP</td>
<td>01/31/2013</td>
<td>2012-16/28</td>
</tr>
<tr>
<td>R305-6</td>
<td>Administrative Procedures</td>
<td>36554</td>
<td>CPR</td>
<td>01/31/2013</td>
<td>2013-1/32</td>
</tr>
<tr>
<td>R305-7</td>
<td>Administrative Procedures</td>
<td>36553</td>
<td>NEW</td>
<td>01/31/2013</td>
<td>2012-16/45</td>
</tr>
<tr>
<td>R305-7</td>
<td>Administrative Procedures</td>
<td>36553</td>
<td>CPR</td>
<td>01/31/2013</td>
<td>2013-1/32</td>
</tr>
<tr>
<td>R305-9</td>
<td>Recusal of a Board Member for Conflict of Interest</td>
<td>36776</td>
<td>5YR</td>
<td>02/22/2013</td>
<td>2012-19/28</td>
</tr>
<tr>
<td>R305-9</td>
<td>Recusal of a Board Member for Conflict of Interest</td>
<td>36776</td>
<td>CPR</td>
<td>02/22/2013</td>
<td>2013-2/94</td>
</tr>
<tr>
<td><strong>Air Quality</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R307-101-2</td>
<td>Definitions</td>
<td>36723</td>
<td>AMD</td>
<td>02/01/2013</td>
<td>2012-19/29</td>
</tr>
<tr>
<td>R307-101-2</td>
<td>Definitions</td>
<td>36723</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/38</td>
</tr>
<tr>
<td>R307-102</td>
<td>General Requirements: Broadly Applicable Requirements</td>
<td>37261</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>R307-115</td>
<td>General Conformity</td>
<td>37260</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>R307-170</td>
<td>Continuous Emission Monitoring Program</td>
<td>37259</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>RULES INDEX</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R307-221</td>
<td>Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills</td>
<td>37257</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>R307-222</td>
<td>Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste</td>
<td>37256</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>R307-223</td>
<td>Emission Standards: Existing Small Municipal Waste Combustion Units</td>
<td>37255</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>R307-224</td>
<td>Mercury Emission Standards: Coal-Fired Electric Generating Units</td>
<td>37254</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>R307-250</td>
<td>Western Backstop Sulfur Dioxide Trading Program</td>
<td>37253</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/196</td>
</tr>
<tr>
<td>R307-307</td>
<td>Davis, Salt Lake, and Utah Counties: Road Salting and Sanding</td>
<td>36741</td>
<td>AMD</td>
<td>02/01/2013</td>
<td>2012-1/4/2</td>
</tr>
<tr>
<td>R307-307</td>
<td>Davis, Salt Lake, and Utah Counties: Road Salting and Sanding</td>
<td>36741</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/45</td>
</tr>
<tr>
<td>R307-307</td>
<td>Road Salting and Sanding</td>
<td>37234</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R307-312</td>
<td>Aggregate Processing Operations for PM2.5 Nonattainment Areas</td>
<td>36740</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/45</td>
</tr>
<tr>
<td>R307-312</td>
<td>Aggregate Processing Operations for PM2.5 Nonattainment Areas</td>
<td>36740</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/47</td>
</tr>
<tr>
<td>R307-340</td>
<td>Ozone Nonattainment and Maintenance Areas: Surface Coating Processes</td>
<td>36725</td>
<td>REP</td>
<td>02/01/2013</td>
<td>2012-19/49</td>
</tr>
<tr>
<td>R307-340</td>
<td>Ozone Nonattainment and Maintenance Areas: Surface Coating Processes</td>
<td>36725</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/48</td>
</tr>
<tr>
<td>R307-344</td>
<td>Paper, Film, and Foil Coatings</td>
<td>36726</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/65</td>
</tr>
<tr>
<td>R307-344</td>
<td>Paper, Film, and Foil Coatings</td>
<td>36726</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/52</td>
</tr>
<tr>
<td>R307-345</td>
<td>Fabric and Vinyl Coatings</td>
<td>36727</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/67</td>
</tr>
<tr>
<td>R307-345</td>
<td>Fabric and Vinyl Coatings</td>
<td>36727</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/54</td>
</tr>
<tr>
<td>R307-346</td>
<td>Metal Furniture Surface Coatings</td>
<td>36728</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/69</td>
</tr>
<tr>
<td>R307-346</td>
<td>Metal Furniture Surface Coatings</td>
<td>36728</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/57</td>
</tr>
<tr>
<td>R307-347</td>
<td>Large Appliance Surface Coatings</td>
<td>36729</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/71</td>
</tr>
<tr>
<td>R307-347</td>
<td>Large Appliance Surface Coatings</td>
<td>36729</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/59</td>
</tr>
<tr>
<td>R307-348</td>
<td>Magnet Wire Coatings</td>
<td>36730</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/73</td>
</tr>
<tr>
<td>R307-348</td>
<td>Magnet Wire Coatings</td>
<td>36730</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/61</td>
</tr>
<tr>
<td>R307-349</td>
<td>Flat Wood Panel Coatings</td>
<td>36731</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/74</td>
</tr>
<tr>
<td>R307-349</td>
<td>Flat Wood Panel Coatings</td>
<td>36731</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/63</td>
</tr>
<tr>
<td>R307-350</td>
<td>Miscellaneous Metal Parts and Products Coatings</td>
<td>36732</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/76</td>
</tr>
<tr>
<td>R307-350</td>
<td>Miscellaneous Metal Parts and Products Coatings</td>
<td>36732</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/65</td>
</tr>
<tr>
<td>R307-351</td>
<td>Graphic Arts</td>
<td>36733</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/80</td>
</tr>
<tr>
<td>R307-351</td>
<td>Graphic Arts</td>
<td>36733</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/69</td>
</tr>
<tr>
<td>R307-351-4</td>
<td>Standards for Rotogravure, Flexographic, and Specialty Printing Operations</td>
<td>37235</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R307-352</td>
<td>Metal Container, Closure, and Coil Coatings</td>
<td>36734</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/84</td>
</tr>
<tr>
<td>R307-352</td>
<td>Metal Container, Closure, and Coil Coatings</td>
<td>36734</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/73</td>
</tr>
<tr>
<td>R307-354</td>
<td>Automotive Refinishing Coatings</td>
<td>36736</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/88</td>
</tr>
<tr>
<td>R307-354</td>
<td>Automotive Refinishing Coatings</td>
<td>36736</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/79</td>
</tr>
<tr>
<td>R307-355</td>
<td>Control of Emissions from Aerospace Manufacture and Rework Facilities</td>
<td>36737</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/91</td>
</tr>
<tr>
<td>R307-355</td>
<td>Control of Emissions from Aerospace Manufacture and Rework Facilities</td>
<td>36737</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/82</td>
</tr>
<tr>
<td>R307-355-5</td>
<td>Emission Standards</td>
<td>37237</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R307-401-15</td>
<td>Air Stripper and Soil Venting Projects</td>
<td>37037</td>
<td>AMD</td>
<td>02/07/2013</td>
<td>2012-23/40</td>
</tr>
<tr>
<td>R307-401-15</td>
<td>Air Stripper and Soil Venting Projects</td>
<td>37236</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R307-801</td>
<td>Utah Asbestos Rule</td>
<td>37252</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/197</td>
</tr>
</tbody>
</table>

**Drinking Water**

| R309-515-6 | Ground Water - Wells | 36562 | AMD | 01/16/2013 | 2012-16/66 |
| R309-515-6 | Ground Water - Wells | 36562 | CPR | 01/16/2013 | 2012-23/70 |

**Radiation Control**

| R313-16 | General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines | 37179 | NSC | 01/31/2013 | Not Printed |
| R313-21 | General Licenses | 37181 | NSC | 01/31/2013 | Not Printed |
RULES INDEX

R313-25 License Requirements for Land Disposal of Radioactive Waste - General Provisions 37180 NSC 01/31/2013 Not Printed
R313-26 Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities 37182 NSC 01/31/2013 Not Printed
R313-28 Use of X-Rays in the Healing Arts 37183 NSC 01/31/2013 Not Printed
R313-32 Medical Use of Radioactive Material 37184 NSC 01/31/2013 Not Printed
R313-34 Requirements for Irradiators 37185 NSC 01/31/2013 Not Printed
R313-36 Special Requirements for Industrial Radiographic Operations 37186 NSC 01/31/2013 Not Printed
R313-38 Licenses and Radiation Safety Requirements for Well Logging 37187 NSC 01/31/2013 Not Printed
R313-70 Payments, Categories and Types of Fees 37188 NSC 01/31/2013 Not Printed

Solid and Hazardous Waste
R315-301 Solid Waste Authority, Definitions, and General Requirements 37282 5YR 02/13/2013 2013-5/198
R315-303 Landfilling Standards 37284 5YR 02/13/2013 2013-5/199
R315-304 Industrial Solid Waste Landfill Requirements 37285 5YR 02/13/2013 2013-5/200
R315-305 Class IV and VI Landfill Requirements 37286 5YR 02/13/2013 2013-5/200
R315-306 Incinerator Standards 37287 5YR 02/13/2013 2013-5/201
R315-307 Landtreatment Disposal Standards 37288 5YR 02/13/2013 2013-5/201
R315-308 Ground Water Monitoring Requirements 37289 5YR 02/13/2013 2013-5/202
R315-310 Permit Requirements for Solid Waste Facilities 37291 5YR 02/13/2013 2013-5/203
R315-312 Recycling and Composting Facility Standards 37293 5YR 02/13/2013 2013-5/204
R315-313 Transfer Stations and Drop Box Facilities 37294 5YR 02/13/2013 2013-5/205
R315-314 Facility Standards for Piles Used for Storage and Treatment 37295 5YR 02/13/2013 2013-5/205
R315-315 Special Waste Requirements 37296 5YR 02/13/2013 2013-5/206
R315-316 Infectious Waste Requirements 37297 5YR 02/13/2013 2013-5/206
R315-318 Permit by Rule 37299 5YR 02/13/2013 2013-5/208
R315-320 Waste Tire Transporter and Recycler Requirements 37300 5YR 02/13/2013 2013-5/208

Water Quality
R317-9 Administrative Procedures 37239 5YR 01/31/2013 2013-4/51
R317-13 Approvals and Permits for a Water Reuse Project 37240 5YR 01/31/2013 2013-4/51
R317-14 Approval in Change in Point of Discharge of POTW 37241 5YR 01/31/2013 2013-4/52

GOVERNOR

Economic Development
R357-2 Rural Broadband Service Fund 37206 EXT 01/16/2013 2013-4/63

HEALTH

Disease Control and Prevention, Environmental Services
R392-302-3 General Requirements 37072 AMD 02/28/2013 2012-24/26
R392-700 Indoor Tanning Bed Sanitation 37251 5YR 02/06/2013 2013-5/209

Disease Control and Prevention, Health Promotion
R384-201 School-Based Vision Screening for Students in Public Schools 37028 NEW 02/20/2013 2012-23/42

Family Health and Preparedness, Emergency Medical Services
R426-2 Air Medical Service Rules 37397 EXD 02/24/2013 Not Printed
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Edition</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>R426-2</td>
<td>Air Medical Service Rules</td>
<td>37409</td>
<td>EMR</td>
<td>03/14/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R426-6</td>
<td>Emergency Medical Services Competitive Grants Program Rules</td>
<td>37398</td>
<td>EXD</td>
<td>03/01/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R426-6</td>
<td>Emergency Medical Services Competitive Grants Program Rules</td>
<td>37408</td>
<td>EMR</td>
<td>03/14/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R432-16</td>
<td>Hospice Inpatient Facility Construction</td>
<td>37281</td>
<td>5YR</td>
<td>02/11/2013</td>
<td>2013-5/209</td>
</tr>
<tr>
<td>R410-14</td>
<td>Administrative Hearing Procedures</td>
<td>37045</td>
<td>AMD</td>
<td>01/09/2013</td>
<td>2012-23/44</td>
</tr>
<tr>
<td>R414-1-5</td>
<td>Incorporations by Reference</td>
<td>37122</td>
<td>AMD</td>
<td>03/01/2013</td>
<td>2013-2/18</td>
</tr>
<tr>
<td>R414-6</td>
<td>Reduction in Certain Targeted Case</td>
<td>37310</td>
<td>5YR</td>
<td>03/08/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R414-27</td>
<td>Medicaid Certification of Nursing Care Facilities</td>
<td>37177</td>
<td>5YR</td>
<td>01/09/2013</td>
<td>2013-3/109</td>
</tr>
<tr>
<td>R414-301</td>
<td>Medicaid General Provisions</td>
<td>37221</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/52</td>
</tr>
<tr>
<td>R414-302</td>
<td>Eligibility Requirements</td>
<td>37123</td>
<td>EMR</td>
<td>01/07/2013</td>
<td>2013-3/103</td>
</tr>
<tr>
<td>R414-303</td>
<td>Coverage Groups</td>
<td>37216</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/53</td>
</tr>
<tr>
<td>R414-304</td>
<td>Income and Budgeting</td>
<td>37217</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/54</td>
</tr>
<tr>
<td>R414-305</td>
<td>Resources</td>
<td>37222</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/54</td>
</tr>
<tr>
<td>R414-306</td>
<td>Program Benefits and Date of Eligibility</td>
<td>37174</td>
<td>EMR</td>
<td>01/07/2013</td>
<td>2013-3/105</td>
</tr>
<tr>
<td>R414-307</td>
<td>Program Benefits and Date of Eligibility</td>
<td>37128</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
</tr>
<tr>
<td>R414-308</td>
<td>Application, Eligibility Determinations and Improper Medical Assistance</td>
<td>37223</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
</tr>
</tbody>
</table>

**HUMAN SERVICES**

**Aging and Adult Services**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Edition</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>R510-105</td>
<td>“Out and About” Homebound Transportation Assistance Fund Rules</td>
<td>37277</td>
<td>5YR</td>
<td>02/08/2013</td>
<td>2013-5/210</td>
</tr>
</tbody>
</table>

**Recovery Services**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Edition</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>R527-39</td>
<td>Applicant/Recipient Cooperation</td>
<td>37164</td>
<td>5YR</td>
<td>01/02/2013</td>
<td>2013-3/110</td>
</tr>
<tr>
<td>R527-56</td>
<td>In-kind Support</td>
<td>37165</td>
<td>5YR</td>
<td>01/02/2013</td>
<td>2013-3/110</td>
</tr>
<tr>
<td>R527-258</td>
<td>Enforcing Child Support When the Obligor is an Ex-Prisoner or in a Treatment Program</td>
<td>37113</td>
<td>AMD</td>
<td>02/22/2013</td>
<td>2013-2/20</td>
</tr>
<tr>
<td>R527-260</td>
<td>Driver License Suspension for Failure to Pay Support</td>
<td>37303</td>
<td>5YR</td>
<td>02/14/2013</td>
<td>2013-5/210</td>
</tr>
<tr>
<td>R527-301</td>
<td>Non-IV-D Income Withholding</td>
<td>37304</td>
<td>5YR</td>
<td>02/14/2013</td>
<td>2013-5/211</td>
</tr>
<tr>
<td>R527-302</td>
<td>Income Withholding Fees</td>
<td>37231</td>
<td>5YR</td>
<td>01/28/2013</td>
<td>2013-4/59</td>
</tr>
<tr>
<td>R527-305</td>
<td>High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases</td>
<td>37168</td>
<td>5YR</td>
<td>01/03/2013</td>
<td>2013-3/111</td>
</tr>
<tr>
<td>R527-430</td>
<td>Administrative Notice of Lien-Levy Procedures</td>
<td>37169</td>
<td>5YR</td>
<td>01/03/2013</td>
<td>2013-3/111</td>
</tr>
</tbody>
</table>

**Services for People with Disabilities**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Edition</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>R538-1</td>
<td>Eligibility</td>
<td>37110</td>
<td>AMD</td>
<td>02/13/2013</td>
<td>2013-1/2</td>
</tr>
<tr>
<td>R539-2</td>
<td>Service Coordination</td>
<td>37111</td>
<td>AMD</td>
<td>02/13/2013</td>
<td>2013-1/8</td>
</tr>
</tbody>
</table>

**Substance Abuse and Mental Health, State Hospital**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Edition</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>R525-2</td>
<td>Patient Rights</td>
<td>37211</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/56</td>
</tr>
<tr>
<td>R525-3</td>
<td>Medication Treatment of Patients</td>
<td>37224</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/56</td>
</tr>
<tr>
<td>R525-4</td>
<td>Visitors</td>
<td>37210</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/57</td>
</tr>
<tr>
<td>R525-5</td>
<td>Background Checks</td>
<td>37214</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/57</td>
</tr>
<tr>
<td>R525-6</td>
<td>Prohibited Items and Devices</td>
<td>37212</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
</tr>
<tr>
<td>R525-7</td>
<td>Complaints/Suggestions/Concerns</td>
<td>37213</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
</tr>
</tbody>
</table>

**INSURANCE**

**Administration**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Edition</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>R590-94</td>
<td>Rule Permitting Smoker/Nonsmoker Mortality Tables For Use In Determining Minimum Reserve Liabilities and Nonforfeiture Benefits</td>
<td>37412</td>
<td>5YR</td>
<td>03/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R590-102</td>
<td>Insurance Department Fee Payment Rule</td>
<td>37018</td>
<td>AMD</td>
<td>01/18/2013</td>
<td>2012-22/131</td>
</tr>
<tr>
<td>R590-102-4</td>
<td>General Instructions</td>
<td>37220</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>Rule Number</td>
<td>Title</td>
<td>Code</td>
<td>Year</td>
<td>Date</td>
<td>Effective Date</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------------------------------------------</td>
<td>------</td>
<td>------</td>
<td>------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>R590-157</td>
<td>Surplus Lines Insurance Premium Tax and Stamping Fee</td>
<td>37171</td>
<td>5YR</td>
<td>01/07/2013</td>
<td>2013-3/112</td>
</tr>
<tr>
<td>R590-164</td>
<td>Uniform Health Billing Rule</td>
<td>37118</td>
<td>AMD</td>
<td>02/25/2013</td>
<td>2013-2/24</td>
</tr>
<tr>
<td>R590-171</td>
<td>Surplus Lines Procedures Rule</td>
<td>36846</td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-20/74</td>
</tr>
<tr>
<td>R590-171-3</td>
<td>Definitions</td>
<td>37230</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R590-218</td>
<td>Permitted Language for Reservation of Discretion Clauses</td>
<td>37176</td>
<td>5YR</td>
<td>01/09/2013</td>
<td>2013-3/113</td>
</tr>
<tr>
<td>R590-243</td>
<td>Commercial Motor Vehicle Insurance Coverage</td>
<td>37172</td>
<td>5YR</td>
<td>01/07/2013</td>
<td>2013-3/113</td>
</tr>
</tbody>
</table>

**LABOR COMMISSION**

**Industrial Accidents**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Year</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R612-1</td>
<td>Workers’ Compensation Rules - Procedures</td>
<td>37129</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/28</td>
</tr>
<tr>
<td>R612-3</td>
<td>Workers’ Compensation Rules - Self-Insurance</td>
<td>37131</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/43</td>
</tr>
<tr>
<td>R612-4</td>
<td>Premium Rates</td>
<td>37132</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/46</td>
</tr>
<tr>
<td>R612-7</td>
<td>Impairment Ratings for Industrial Injuries and Diseases</td>
<td>37135</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/49</td>
</tr>
<tr>
<td>R612-9</td>
<td>Designation of the Initial Assessment of Noncompliance Penalties as an &quot;informal&quot; Proceeding</td>
<td>37137</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/52</td>
</tr>
<tr>
<td>R612-11</td>
<td>Prohibition of Direct Payments by Insured Employer</td>
<td>37139</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/54</td>
</tr>
<tr>
<td>R612-12</td>
<td>Workers' Compensation Coverage Waivers</td>
<td>37140</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/55</td>
</tr>
<tr>
<td>R612-13</td>
<td>Proceedings to Impose Non-Reporting Penalties Against Employers</td>
<td>37141</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/57</td>
</tr>
<tr>
<td>R612-100</td>
<td>Workers’ Compensation Rules - General Provisions</td>
<td>37124</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/58</td>
</tr>
<tr>
<td>R612-300</td>
<td>Workers’ Compensation Rules - Medical Care</td>
<td>37126</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/66</td>
</tr>
<tr>
<td>R612-400</td>
<td>Workers’ Compensation Insurance, Self-Insurance and Waivers</td>
<td>37127</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/76</td>
</tr>
</tbody>
</table>

**NATURAL RESOURCES**

**Administration**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Year</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R634-1</td>
<td>Americans With Disabilities Complaint Procedure</td>
<td>37219</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/59</td>
</tr>
</tbody>
</table>

**Oil, Gas and Mining; Oil and Gas**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Year</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R649-3-38</td>
<td>Surface Owner Protection Act Provisions</td>
<td>36992</td>
<td>AMD</td>
<td>01/23/2013</td>
<td>2012-22/140</td>
</tr>
</tbody>
</table>

**Parks and Recreation**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Year</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R651-408</td>
<td>Off-Highway Vehicle Education Curriculum Standards</td>
<td>36856</td>
<td>REP</td>
<td>01/15/2013</td>
<td>2012-20/77</td>
</tr>
<tr>
<td>R651-633</td>
<td>Special Closures or Restrictions</td>
<td>37205</td>
<td>AMD</td>
<td>03/14/2013</td>
<td>2013-3/100</td>
</tr>
</tbody>
</table>

**Water Rights**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Year</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R655-5</td>
<td>Maps Submitted to the Division of Water Rights Administrative Procedures for Notifying the State Engineer of Sewage Effluent Use or Change in the Point of Discharge for Sewage Effluent</td>
<td>37388</td>
<td>5YR</td>
<td>03/07/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>R655-7</td>
<td>Administrative Procedures for Notifying the State Engineer of Sewage Effluent Use or Change in the Point of Discharge for Sewage Effluent</td>
<td>37119</td>
<td>REP</td>
<td>03/07/2013</td>
<td>2013-2/81</td>
</tr>
</tbody>
</table>
RULES INDEX

Wildlife Resources
R657-3  Collection, Importation, Transportation, and Possession of Animals  37384  5YR  03/05/2013  Not Printed
R657-13  Taking Fish and Crayfish  37069  AMD  01/22/2013  2012-24/29
R657-37  Cooperative Wildlife Management Units for Big Game or Turkey  37097  AMD  02/07/2013  2013-1/11
R657-58  Fishing Contests and Clinics  37203  5YR  01/15/2013  2013-3/114

PARDONS (BOARD OF)

Administration
R671-312  Commutation Hearings for Death Penalty Cases  37341  5YR  02/15/2013  2013-5/212
R671-509  Parole Progress / Violation Reports  37342  5YR  02/15/2013  2013-5/212
R671-510  Evidence for Issuance of Warrants  37343  5YR  02/15/2013  2013-5/212
R671-512  Execution of the Warrant  37344  5YR  02/15/2013  2013-5/213
R671-513  Expedited Determination on Parolee Challenge to Probable Cause  37346  5YR  02/15/2013  2013-5/214
R671-514  Waiver and Pleas of Guilt  37347  5YR  02/15/2013  2013-5/214
R671-516  Parole Revocation Hearings  37349  5YR  02/15/2013  2013-5/215
R671-517  Evidentiary Hearings and Proceedings  37350  5YR  02/15/2013  2013-5/216
R671-518  Conduct of Proceedings When a Criminal Charge Results in Conviction  37351  5YR  02/15/2013  2013-5/216
R671-519  Proceedings When Criminal Charges Result in Acquittal  37352  5YR  02/15/2013  2013-5/217
R671-520  Treatment of Confidential Testimony  37353  5YR  02/15/2013  2013-5/217
R671-522  Continuances Due to Pending Criminal Charges  37354  5YR  02/15/2013  2013-5/218

PROFESSIONAL PRACTICES ADVISORY COMMISSION

Administration
R698-100  Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings  37243  5YR  02/01/2013  2013-4/60

PUBLIC SAFETY

Criminal Investigations and Technical Services, Criminal Identification
R722-320  Undercover Identification  37226  5YR  01/24/2013  2013-4/61
R722-320  Undercover Identification  37227  NSC  02/15/2013  Not Printed

Fire Marshal
R710-12  Hazardous Materials Training and Certification  37390  5YR  03/08/2013  Not Printed

Homeland Security
R704-2  Statewide Mutual Aid Act Activation  37117  NEW  02/25/2013  2013-2/83

PUBLIC SERVICE COMMISSION

Administration
R746-313  Electric Service Reliability  37116  AMD  02/21/2013  2013-2/87
R746-320  Uniform Rules Governing Natural Gas Service  37041  AMD  01/07/2013  2012-23/48
R746-330  Rules for Water and Sewer Utilities Operating in Utah  37385  5YR  03/05/2013  Not Printed
R746-347  Extended Area Service (EAS)  37386  5YR  03/05/2013  Not Printed

REGENTS (BOARD OF)

University of Utah, Administration
R805-1  Operating Regulations for Bicycles, Skateboards and Scooters  37407  5YR  03/12/2013  Not Printed

University of Utah, Commuter Services
R810-12  Bicycles, Skateboards and Other Toy Vehicles  37387  EXD  03/07/2013  Not Printed
TAX COMMISSION

Administration
R861-1A-26  Procedures for Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501 and 63G-4-204 through 63G-4-209  37104  AMD  02/21/2013  2013-1/15
R861-1A-46  Procedures for Purchaser Refund Requests Pursuant to Utah Code Ann. Sections 59-1-1410 and 59-12-110  37107  AMD  02/21/2013  2013-1/18

Auditing
R865-9I-46  Medical Savings Account Administration Pursuant to Utah Code Ann. Sections 31A-32a-106, 59-10-114, and 59-10-1021  37178  NSC  01/31/2013  Not Printed

Property Tax

TRANSPORTATION

Administration

WORKFORCE SERVICES

Employment Development
R986-700-710  Income Limits for ES CC  37025  AMD  01/02/2013  2012-22/146
R986-900-902  Options and Waivers  37067  AMD  01/08/2013  2012-23/50

Unemployment Insurance
R994-305  Collection of Contributions  37066  AMD  01/08/2013  2012-23/52
R994-305-1201  Offer in Compromise  37023  AMD  01/02/2013  2012-22/147
R994-406  Fraud, Fault and Nonfault Overpayments  37024  AMD  01/02/2013  2012-22/148

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
5YR = Five-Year Review

UTAH STATE BULLETIN, April 01, 2013, Vol. 2013, No. 7 83
<table>
<thead>
<tr>
<th>KEYWORD AGENCY</th>
<th>FILE NUMBER</th>
<th>CODE REFERENCE</th>
<th>ACTION</th>
<th>EFFECTIVE DATE</th>
<th>BULLETIN ISSUE/PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>acquit Pardons (Board Of), Administration</td>
<td>37352</td>
<td>R671-519</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/217</td>
</tr>
<tr>
<td>adjudicative procedures Environmental Quality, Administration</td>
<td>36554</td>
<td>R305-6</td>
<td>REP</td>
<td>01/31/2013</td>
<td>2012-16/28</td>
</tr>
<tr>
<td>adjudicative procedures Environmental Quality, Administration</td>
<td>36554</td>
<td>R305-6</td>
<td>CPR</td>
<td>01/31/2013</td>
<td>2013-1/32</td>
</tr>
<tr>
<td>adjudicative procedures Environmental Quality, Administration</td>
<td>36553</td>
<td>R305-7</td>
<td>NEW</td>
<td>01/31/2013</td>
<td>2012-16/45</td>
</tr>
<tr>
<td>adjudicative proceedings Environmental Quality, Water Quality</td>
<td>37239</td>
<td>R317-9</td>
<td>5YR</td>
<td>01/31/2013</td>
<td>2013-4/51</td>
</tr>
<tr>
<td>administrative fines Commerce, Securities</td>
<td>37042</td>
<td>R164-31-1</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/26</td>
</tr>
<tr>
<td>administrative law Human Services, Recovery Services</td>
<td>37113</td>
<td>R527-258</td>
<td>AMD</td>
<td>02/22/2013</td>
<td>2013-2/20</td>
</tr>
<tr>
<td>administrative procedures Commerce, Real Estate</td>
<td>36973</td>
<td>R162-2g</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/19</td>
</tr>
<tr>
<td>administrative procedures Commerce, Real Estate</td>
<td>37063</td>
<td>R270-2</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/33</td>
</tr>
<tr>
<td>administrative procedures Crime Victim Reparations, Administration</td>
<td>37167</td>
<td>R270-2</td>
<td>NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>administrative procedures Environmental Quality, Administration</td>
<td>36554</td>
<td>R305-6</td>
<td>REP</td>
<td>01/31/2013</td>
<td>2012-16/28</td>
</tr>
<tr>
<td>administrative procedures Environmental Quality, Administration</td>
<td>36553</td>
<td>R305-7</td>
<td>NEW</td>
<td>01/31/2013</td>
<td>2012-16/45</td>
</tr>
<tr>
<td>administrative procedures Environmental Quality, Administration</td>
<td>36553</td>
<td>R305-7</td>
<td>CPR</td>
<td>01/31/2013</td>
<td>2013-1/32</td>
</tr>
<tr>
<td>administrative procedures Labor Commission, Industrial Accidents</td>
<td>37138</td>
<td>R612-10</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/53</td>
</tr>
<tr>
<td>administrative procedures Labor Commission, Industrial Accidents</td>
<td>37139</td>
<td>R612-11</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/54</td>
</tr>
<tr>
<td>administrative procedures Labor Commission, Industrial Accidents</td>
<td>37140</td>
<td>R612-12</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/55</td>
</tr>
<tr>
<td>administrative procedures Labor Commission, Industrial Accidents</td>
<td>37124</td>
<td>R612-100</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/68</td>
</tr>
<tr>
<td>administrative procedures Labor Commission, Industrial Accidents</td>
<td>37129</td>
<td>R612-1</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/28</td>
</tr>
<tr>
<td>administrative procedures Labor Commission, Industrial Accidents</td>
<td>37239</td>
<td>R317-9</td>
<td>5YR</td>
<td>01/31/2013</td>
<td>2013-4/51</td>
</tr>
<tr>
<td>administrative procedures Labor Commission, Industrial Accidents</td>
<td>37129</td>
<td>R612-1</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/28</td>
</tr>
<tr>
<td>adult education Education, Administration</td>
<td>37404</td>
<td>R277-702</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>aerospace Environmental Quality, Air Quality</td>
<td>36737</td>
<td>R307-355</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/91</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>36737</td>
<td>R307-355</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/82</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>37237</td>
<td>R307-355-5</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>36740</td>
<td>R307-312</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/45</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>36740</td>
<td>R307-312</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/47</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>36723</td>
<td>R307-101-2</td>
<td>AMD</td>
<td>02/01/2013</td>
<td>2012-19/29</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>36723</td>
<td>R307-101-2</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/38</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>37261</td>
<td>R307-102</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>37260</td>
<td>R307-115</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>37259</td>
<td>R307-170</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>37258</td>
<td>R307-220</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/193</td>
</tr>
<tr>
<td>aggregate Environmental Quality, Air Quality</td>
<td>37257</td>
<td>R307-221</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>Rule Number</td>
<td>Title</td>
<td>Date</td>
<td>Year</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------</td>
<td>------------</td>
<td>--------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37256</td>
<td>R307-222 5YR</td>
<td>02/06/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37255</td>
<td>R307-223 5YR</td>
<td>02/06/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37254</td>
<td>R307-224 5YR</td>
<td>02/06/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37253</td>
<td>R307-250 5YR</td>
<td>02/06/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36741</td>
<td>R307-307 AMD</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36741</td>
<td>R307-307 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37234</td>
<td>R307-307 NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36740</td>
<td>R307-312 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36740</td>
<td>R307-312 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36725</td>
<td>R307-340 REP</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36725</td>
<td>R307-340 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36727</td>
<td>R307-345 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36727</td>
<td>R307-345 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36728</td>
<td>R307-346 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36728</td>
<td>R307-346 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36729</td>
<td>R307-347 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36729</td>
<td>R307-347 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36730</td>
<td>R307-348 NEW</td>
<td>02/01/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36730</td>
<td>R307-348 CPR</td>
<td>02/01/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36731</td>
<td>R307-349 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36731</td>
<td>R307-349 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36732</td>
<td>R307-350 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36732</td>
<td>R307-350 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36733</td>
<td>R307-351 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36733</td>
<td>R307-351 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36734</td>
<td>R307-352 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36734</td>
<td>R307-352 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36736</td>
<td>R307-354 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36736</td>
<td>R307-354 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36737</td>
<td>R307-355 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36737</td>
<td>R307-355 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36737</td>
<td>R307-355-5 NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37235</td>
<td>R307-351-4 NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37234</td>
<td>R307-352 NEW</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37234</td>
<td>R307-352 CPR</td>
<td>02/01/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>36738</td>
<td>R307-401-15 AMM</td>
<td>02/07/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37236</td>
<td>R307-401-15 NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37252</td>
<td>R307-801 5YR</td>
<td>02/06/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37347</td>
<td>R671-514 5YR</td>
<td>02/15/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37384</td>
<td>R657-3 5YR</td>
<td>03/05/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37063</td>
<td>R270-2 AMD</td>
<td>01/07/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37167</td>
<td>R270-2 NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37215</td>
<td>R414-302 5YR</td>
<td>01/23/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37223</td>
<td>R414-308 5YR</td>
<td>01/23/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37388</td>
<td>R655-5 5YR</td>
<td>03/07/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37109</td>
<td>R884-24P-67 AMD</td>
<td>02/21/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37037</td>
<td>R307-401-15 AMD</td>
<td>02/07/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37236</td>
<td>R307-401-15 NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37073</td>
<td>R156-3a-102 AMD</td>
<td>01/24/2013</td>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37252</td>
<td>R307-801 5YR</td>
<td>02/06/2013</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**allegations**
Pardons (Board Of), Administration 37347 R671-514 5YR 02/15/2013 2013-5/214

**animal protection**
Natural Resources, Wildlife Resources 37384 R657-3 5YR 03/05/2013 Not Printed

**appealate procedures**
Crime Victim Reparations, Administration 37063 R270-2 AMD 01/07/2013 2012-23/33

**applications**

Natural Resources, Water Rights 37388 R655-5 5YR 03/07/2013 Not Printed

**appraisals**
Tax Commission, Property Tax 37109 R884-24P-67 AMD 02/21/2013 2013-1/22

**approval orders**
Environmental Quality, Air Quality 37037 R307-401-15 AMD 02/07/2013 2012-23/40

Environmental Quality, Air Quality 37236 R307-401-15 NSC 02/15/2013 Not Printed

**architects**
Commerce, Occupational and Professional Licensing 37073 R156-3a-102 AMD 01/24/2013 2012-24/6

asbestos
Environmental Quality, Air Quality 37252 R307-801 5YR 02/06/2013 2013-5/197
RULES INDEX

asbestos hazard emergency response
Environmental Quality, Air Quality 37252 R307-801 5YR 02/06/2013 2013-5/197

asphalt
Environmental Quality, Air Quality 36740 R307-312 NEW 02/01/2013 2012-19/45
36740 R307-312 CPR 02/01/2013 2013-1/47

automotive refinishing
Environmental Quality, Air Quality 36736 R307-354 NEW 02/01/2013 2012-19/88
36736 R307-354 CPR 02/01/2013 2013-1/79

background checks
Human Services, Substance Abuse and Mental Health, State Hospital 37214 R525-5 5YR 01/23/2013 2013-4/57

beam limitation
Environmental Quality, Radiation Control 37183 R313-28 NSC 01/31/2013 Not Printed

benefits
Labor Commission, Industrial Accidents 37131 R612-3 REP 02/25/2013 2013-2/43

bicycles
Regents (Board Of), University of Utah, Administration 37407 R805-1 5YR 03/12/2013 Not Printed

board meetings
Environmental Quality, Administration 37360 R305-2 5YR 02/25/2013 2013-6/50

board member recusal
Environmental Quality, Administration 36776 R305-9 NEW 02/22/2013 2012-19/28
36776 R305-9 CPR 02/22/2013 2013-2/94

brachytherapy
Environmental Quality, Radiation Control 37184 R313-32 NSC 01/31/2013 Not Printed

broadband
Governor, Economic Development 37206 R357-2 EXT 01/16/2013 2013-4/63

budgeting

bulls
Agriculture and Food, Animal Industry 36962 R58-21 AMD 01/04/2013 2012-22/16

capital punishment
Pardons (Board Of), Administration 37341 R671-312 5YR 02/15/2013 2013-5/212

career and technical education
Education, Administration 37399 R277-518 5YR 03/12/2013 Not Printed

case management
Health, Health Care Financing, Coverage and Reimbursement Policy 37391 R414-6 5YR 03/08/2013 Not Printed

cattle
Agriculture and Food, Animal Industry 36962 R58-21 AMD 01/04/2013 2012-22/16

certified nurse midwife
Commerce, Occupational and Professional Licensing 37071 R156-44a AMD 01/22/2013 2012-24/11

child care
Workforce Services, Employment Development 37025 R986-700-710 AMD 01/02/2013 2012-22/146

child support
Human Services, Recovery Services 37164 R527-39 5YR 01/02/2013 2013-3/110
37165 R527-56 5YR 01/02/2013 2013-3/110
chronically ill
Corrections, Administration
37389 R251-114 5YR 03/07/2013 Not Printed

civil rights
Natural Resources, Administration
37219 R634-1 5YR 01/23/2013 2013-4/59

client rights
Health, Health Care Financing, Coverage and Reimbursement Policy
37221 R414-301 5YR 01/23/2013 2013-4/52

coating
36737 R307-355 CPR 02/01/2013 2013-1/82
37237 R307-355-5 NSC 02/15/2013 Not Printed

cool coatings
Environmental Quality, Air Quality
36731 R307-349 NEW 02/01/2013 2012-19/74
36731 R307-349 CPR 02/01/2013 2013-1/63
36732 R307-350 NEW 02/01/2013 2012-19/76
36732 R307-350 CPR 02/01/2013 2013-1/65
36736 R307-354 NEW 02/01/2013 2012-19/88
36736 R307-354 CPR 02/01/2013 2013-1/79

commercial motor vehicle insurance
Insurance, Administration
37172 R590-243 5YR 01/07/2013 2013-3/113

complaints
Human Services, Substance Abuse and Mental Health, State Hospital
37213 R525-7 5YR 01/23/2013 2013-4/58

concerns
Human Services, Substance Abuse and Mental Health, State Hospital
37213 R525-7 5YR 01/23/2013 2013-4/58

concrete
Environmental Quality, Air Quality
36740 R307-312 NEW 02/01/2013 2012-19/45
36740 R307-312 CPR 02/01/2013 2013-1/47

conduct
Professional Practices Advisory Commission, Administration
37243 R686-100 5YR 02/01/2013 2013-4/60

confidential testimony
Pardons (Board Of), Administration
37353 R671-520 5YR 02/15/2013 2013-5/217

confidence
Education, Administration
37144 R277-487 AMD 02/21/2013 2013-2/7

confidentiality of information
Environmental Quality, Air Quality
37261 R307-102 5YR 02/06/2013 2013-5/191

conflict of interest
Environmental Quality, Administration
36776 R305-9 NEW 02/22/2013 2012-19/28
36776 R305-9 CPR 02/22/2013 2013-2/94

continuing
Pardons (Board Of), Administration
37354 R671-522 5YR 02/15/2013 2013-5/218
<table>
<thead>
<tr>
<th>Rule Title</th>
<th>Committee</th>
<th>Rule Number</th>
<th>Action</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>continuous monitoring</td>
<td>Environmental Quality, Air Quality</td>
<td>37259</td>
<td>R307-170</td>
<td>5YR</td>
<td>02/06/2013</td>
</tr>
<tr>
<td>controlled substance database</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37039</td>
<td>R156-37f</td>
<td>NEW</td>
<td>01/08/2013</td>
</tr>
<tr>
<td>controlled substances</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37040</td>
<td>R156-37</td>
<td>AMD</td>
<td>01/08/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37175</td>
<td>R156-37-502</td>
<td>NSC</td>
<td>01/30/2013</td>
</tr>
<tr>
<td>conviction</td>
<td>Pardons (Board Of), Administration</td>
<td>37351</td>
<td>R671-518</td>
<td>5YR</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>cooperative wildlife management unit</td>
<td>Natural Resources, Wildlife Resources</td>
<td>37097</td>
<td>R657-37</td>
<td>AMD</td>
<td>02/07/2013</td>
</tr>
<tr>
<td>coverage groups</td>
<td>Health, Health Care Financing, Coverage and</td>
<td>37173</td>
<td>R414-303</td>
<td>EMR</td>
<td>01/07/2013</td>
</tr>
<tr>
<td>criminal charges</td>
<td>Pardons (Board Of), Administration</td>
<td>37351</td>
<td>R671-518</td>
<td>5YR</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>criminal investigation</td>
<td>Public Safety, Criminal Investigations and</td>
<td>37226</td>
<td>R722-320</td>
<td>5YR</td>
<td>01/24/2013</td>
</tr>
<tr>
<td></td>
<td>Technical Services, Criminal Identification</td>
<td>37227</td>
<td>R722-320</td>
<td>NSC</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>curricula</td>
<td>Education, Administration</td>
<td>37403</td>
<td>R277-700</td>
<td>5YR</td>
<td>03/12/2013</td>
</tr>
<tr>
<td>dairy inspections</td>
<td>Agriculture and Food, Regulatory Services</td>
<td>37027</td>
<td>R70-310</td>
<td>AMD</td>
<td>01/29/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36915</td>
<td>R70-320-18</td>
<td>AMD</td>
<td>01/29/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36914</td>
<td>R70-330</td>
<td>AMD</td>
<td>01/29/2013</td>
</tr>
<tr>
<td>data standards</td>
<td>Education, Administration</td>
<td>37145</td>
<td>R277-484</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td>deadlines</td>
<td>Education, Administration</td>
<td>37145</td>
<td>R277-484</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td>definitions</td>
<td>Environmental Quality, Air Quality</td>
<td>36723</td>
<td>R307-101-2</td>
<td>AMD</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36723</td>
<td>R307-101-2</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>degreasing</td>
<td>Environmental Quality, Air Quality</td>
<td>36737</td>
<td>R307-355</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>dental</td>
<td>Environmental Quality, Radiation Control</td>
<td>37183</td>
<td>R313-28</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>depleted uranium</td>
<td>Environmental Quality, Radiation Control</td>
<td>37180</td>
<td>R313-25</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>developmental disabilities</td>
<td>Tax Commission, Administration</td>
<td>36991</td>
<td>R861-1A-12</td>
<td>AMD</td>
<td>01/10/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37104</td>
<td>R861-1A-26</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37106</td>
<td>R861-1A-37</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37107</td>
<td>R861-1A-46</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td>dietitians</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37273</td>
<td>R156-49</td>
<td>5YR</td>
<td>02/07/2013</td>
</tr>
<tr>
<td>Rule</td>
<td>Title</td>
<td>Agency</td>
<td>Code</td>
<td>Section</td>
<td>Classification</td>
</tr>
<tr>
<td>------</td>
<td>-------</td>
<td>--------</td>
<td>------</td>
<td>---------</td>
<td>----------------</td>
</tr>
<tr>
<td>37110 R539-1</td>
<td>disabilities Human Services, Services for People with Disabilities</td>
<td>Human Services, Services for People with Disabilities</td>
<td>37110</td>
<td>R539-1</td>
<td>AMD</td>
</tr>
<tr>
<td>37277 R510-105</td>
<td>disabled Human Services, Aging and Adult Services</td>
<td>Human Services, Aging and Adult Services</td>
<td>37277</td>
<td>R510-105</td>
<td>5YR</td>
</tr>
<tr>
<td>37241 R317-14</td>
<td>discharge Environmental Quality, Water Quality</td>
<td>Environmental Quality, Water Quality</td>
<td>37241</td>
<td>R317-14</td>
<td>5YR</td>
</tr>
<tr>
<td>36991 R861-1A-12</td>
<td>disclosure requirements Tax Commission, Administration</td>
<td>Tax Commission, Administration</td>
<td>36991</td>
<td>R861-1A-12</td>
<td>AMD</td>
</tr>
<tr>
<td>37104 R861-1A-26</td>
<td></td>
<td></td>
<td>37104</td>
<td>R861-1A-26</td>
<td>AMD</td>
</tr>
<tr>
<td>37106 R861-1A-37</td>
<td></td>
<td></td>
<td>37106</td>
<td>R861-1A-37</td>
<td>AMD</td>
</tr>
<tr>
<td>37107 R861-1A-46</td>
<td></td>
<td></td>
<td>37107</td>
<td>R861-1A-46</td>
<td>AMD</td>
</tr>
<tr>
<td>37176 R590-218</td>
<td>discretion clauses Insurance, Administration</td>
<td>Insurance, Administration</td>
<td>37176</td>
<td>R590-218</td>
<td>5YR</td>
</tr>
<tr>
<td>36962 R58-21</td>
<td>disease control Agriculture and Food, Animal Industry</td>
<td>Agriculture and Food, Animal Industry</td>
<td>36962</td>
<td>R58-21</td>
<td>AMD</td>
</tr>
<tr>
<td>36562 R309-515-6</td>
<td>drinking water Environmental Quality, Drinking Water</td>
<td>Environmental Quality, Drinking Water</td>
<td>36562</td>
<td>R309-515-6</td>
<td>AMD</td>
</tr>
<tr>
<td>36562 R309-515-6</td>
<td></td>
<td></td>
<td>36562</td>
<td>R309-515-6</td>
<td>CPR</td>
</tr>
<tr>
<td>37303 R527-260</td>
<td>driver license Human Services, Recovery Services</td>
<td>Human Services, Recovery Services</td>
<td>37303</td>
<td>R527-260</td>
<td>5YR</td>
</tr>
<tr>
<td>37405 R277-709</td>
<td>education Education, Administration</td>
<td>Education, Administration</td>
<td>37405</td>
<td>R277-709</td>
<td>5YR</td>
</tr>
<tr>
<td>37244 R277-709-3</td>
<td></td>
<td></td>
<td>37244</td>
<td>R277-709-3</td>
<td>NSC</td>
</tr>
<tr>
<td>37404 R277-702</td>
<td>educational testing Education, Administration</td>
<td>Education, Administration</td>
<td>37404</td>
<td>R277-702</td>
<td>5YR</td>
</tr>
<tr>
<td>37058 R277-502</td>
<td>educator licensing Education, Administration</td>
<td>Education, Administration</td>
<td>37058</td>
<td>R277-502</td>
<td>AMD</td>
</tr>
<tr>
<td>37146 R277-502</td>
<td></td>
<td></td>
<td>37146</td>
<td>R277-502</td>
<td>AMD</td>
</tr>
<tr>
<td>37147 R277-517</td>
<td>educators Education, Administration</td>
<td>Education, Administration</td>
<td>37147</td>
<td>R277-517</td>
<td>NEW</td>
</tr>
<tr>
<td>37359 R277-517-5</td>
<td></td>
<td></td>
<td>37359</td>
<td>R277-517-5</td>
<td>NSC</td>
</tr>
<tr>
<td>37399 R277-518</td>
<td></td>
<td></td>
<td>37399</td>
<td>R277-518</td>
<td>5YR</td>
</tr>
<tr>
<td>37254 R307-224</td>
<td>electric generating unit Environmental Quality, Air Quality</td>
<td>Environmental Quality, Air Quality</td>
<td>37254</td>
<td>R307-224</td>
<td>5YR</td>
</tr>
<tr>
<td>37258 R307-220</td>
<td>electric generating units Environmental Quality, Air Quality</td>
<td>Environmental Quality, Air Quality</td>
<td>37258</td>
<td>R307-220</td>
<td>5YR</td>
</tr>
<tr>
<td>37360 R305-2</td>
<td>electronic meetings Environmental Quality, Administration</td>
<td>Environmental Quality, Administration</td>
<td>37360</td>
<td>R305-2</td>
<td>5YR</td>
</tr>
</tbody>
</table>
eligibility
37223  R414-308  5YR  01/23/2013  2013-4/55

emergency medical services
Health, Family Health and Preparedness, Emergency Medical Services  37397  R426-2  EXD  02/24/2013  Not Printed
37409  R426-2  EMR  03/14/2013  Not Printed
37398  R426-6  EXD  03/01/2013  Not Printed
37408  R426-6  EMR  03/14/2013  Not Printed

emission controls
Environmental Quality, Air Quality  36725  R307-340  REP  02/01/2013  2012-19/49
36725  R307-340  CPR  02/01/2013  2013-1/48
36727  R307-345  NEW  02/01/2013  2012-19/67
36727  R307-345  CPR  02/01/2013  2013-1/54
36728  R307-346  NEW  02/01/2013  2012-19/69
36728  R307-346  CPR  02/01/2013  2013-1/57
36729  R307-347  NEW  02/01/2013  2012-19/71
36729  R307-347  CPR  02/01/2013  2013-1/59
36730  R307-348  NEW  02/01/2013  2012-19/73
36730  R307-348  CPR  02/01/2013  2013-1/61
36731  R307-349  NEW  02/01/2013  2012-19/74
36731  R307-349  CPR  02/01/2013  2013-1/62
36732  R307-350  NEW  02/01/2013  2012-19/76
36732  R307-350  CPR  02/01/2013  2013-1/63
36734  R307-352  NEW  02/01/2013  2012-19/84
36734  R307-352  CPR  02/01/2013  2013-1/73

employers

EMS competitive grants
Health, Family Health and Preparedness, Emergency Medical Services  37408  R426-6  EMR  03/14/2013  Not Printed

enterprise zones
Tax Commission, Auditing  37108  R865-9I-13  AMD  02/21/2013  2013-1/20
37178  R865-9I-46  NSC  01/31/2013  Not Printed

environmental protection
Environmental Quality, Air Quality  37260  R307-115  5YR  02/06/2013  2013-5/192

evidentiary
Pardons (Board Of), Administration  37350  R671-517  5YR  02/15/2013  2013-5/216

evidentiary restrictions
Commerce, Occupational and Professional Licensing  37199  R156-1-102  AMD  03/11/2013  2013-3/2

extended area service
Public Service Commission, Administration  37386  R746-347  5YR  03/05/2013  Not Printed

extracurricular activities
Education, Administration  37401  R277-605  5YR  03/12/2013  Not Printed

eye exams
Health, Disease Control and Prevention, Health Promotion  37028  R384-201  NEW  02/20/2013  2012-23/42

fabric coating
Environmental Quality, Air Quality  36727  R307-345  NEW  02/01/2013  2012-19/67
36727  R307-345  CPR  02/01/2013  2013-1/54

facilities use
Capitol Preservation Board (State), Administration  37064  R131-2  AMD  01/07/2013  2012-23/9
<table>
<thead>
<tr>
<th>Rule</th>
<th>Reference</th>
<th>Code</th>
<th>Type</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>facility notice</td>
<td>Corrections, Administration</td>
<td>37389</td>
<td>R251-114</td>
<td>5YR</td>
<td>03/07/2013</td>
</tr>
<tr>
<td>fees</td>
<td>Environmental Quality, Radiation Control</td>
<td>37188</td>
<td>R313-70</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37126</td>
<td>R612-300</td>
<td>NEW</td>
<td>02/25/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37125</td>
<td>R612-200</td>
<td>NEW</td>
<td>02/25/2013</td>
</tr>
<tr>
<td>film coating</td>
<td>Environmental Quality, Air Quality</td>
<td>36726</td>
<td>R307-344</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36726</td>
<td>R307-344</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>fish</td>
<td>Natural Resources, Wildlife Resources</td>
<td>37069</td>
<td>R657-13</td>
<td>AMD</td>
<td>01/22/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37203</td>
<td>R657-58</td>
<td>5YR</td>
<td>01/15/2013</td>
</tr>
<tr>
<td>fishing</td>
<td>Natural Resources, Wildlife Resources</td>
<td>37069</td>
<td>R657-13</td>
<td>AMD</td>
<td>01/22/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37203</td>
<td>R657-58</td>
<td>5YR</td>
<td>01/15/2013</td>
</tr>
<tr>
<td>flat wood paneling</td>
<td>Environmental Quality, Air Quality</td>
<td>36731</td>
<td>R307-349</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36731</td>
<td>R307-349</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>foil coating</td>
<td>Environmental Quality, Air Quality</td>
<td>36726</td>
<td>R307-344</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36726</td>
<td>R307-344</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>food stamps</td>
<td>Workforce Services, Employment Development</td>
<td>37067</td>
<td>R986-900-902</td>
<td>AMD</td>
<td>01/08/2013</td>
</tr>
<tr>
<td>foods</td>
<td>Education, Administration</td>
<td>37406</td>
<td>R277-719</td>
<td>5YR</td>
<td>03/12/2013</td>
</tr>
<tr>
<td>general conformity</td>
<td>Environmental Quality, Air Quality</td>
<td>37260</td>
<td>R307-115</td>
<td>5YR</td>
<td>02/06/2013</td>
</tr>
<tr>
<td>general licenses</td>
<td>Environmental Quality, Radiation Control</td>
<td>37181</td>
<td>R313-21</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>good cause</td>
<td>Pardons (Board Of), Administration</td>
<td>37348</td>
<td>R671-515</td>
<td>5YR</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>graphic arts</td>
<td>Environmental Quality, Air Quality</td>
<td>36733</td>
<td>R307-351</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36733</td>
<td>R307-351</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37235</td>
<td>R307-351-4</td>
<td>NSC</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>greenhouse gases</td>
<td>Environmental Quality, Air Quality</td>
<td>37037</td>
<td>R307-401-15</td>
<td>AMD</td>
<td>02/07/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37236</td>
<td>R307-401-15</td>
<td>NSC</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>grievance procedures</td>
<td>Tax Commission, Administration</td>
<td>36991</td>
<td>R861-1A-12</td>
<td>AMD</td>
<td>01/10/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37104</td>
<td>R861-1A-26</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37106</td>
<td>R861-1A-37</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37107</td>
<td>R861-1A-46</td>
<td>AMD</td>
<td>02/21/2013</td>
</tr>
<tr>
<td>Rule Title</td>
<td>Title Code</td>
<td>Page Code</td>
<td>Date</td>
<td>Status</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>------------</td>
<td>-----------</td>
<td>----------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>Hazardous Materials</td>
<td>Public Safety, Fire Marshal</td>
<td>R710-12</td>
<td>03/08/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>Hearings</td>
<td>Environmental Quality, Administration</td>
<td>R305-6 REP</td>
<td>01/31/2013</td>
<td>2012-16/28</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>R305-6 CPR</td>
<td>01/31/2013</td>
<td>2013-1/32</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>R305-7 NEW</td>
<td>01/31/2013</td>
<td>2012-16/45</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Environmental Quality, Water Quality</td>
<td>R317-9 5YR</td>
<td>01/31/2013</td>
<td>2013-4/51</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-301 5YR</td>
<td>01/23/2013</td>
<td>2013-4/52</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>R865-9I-46 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>Historical Significance</td>
<td>Administrative Services, Facilities Construction and Management</td>
<td>R23-22 5YR</td>
<td>02/20/2013</td>
<td>2013-6/49</td>
<td></td>
</tr>
<tr>
<td>Hospitals</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-222 5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
<td></td>
</tr>
<tr>
<td>Human Services</td>
<td>Human Services, Services for People with Disabilities</td>
<td>R539-1 AMD</td>
<td>02/13/2013</td>
<td>2013-1/2</td>
<td></td>
</tr>
<tr>
<td>IEEE 1366</td>
<td>Public Service Commission, Administration</td>
<td>R746-313 AMD</td>
<td>02/21/2013</td>
<td>2013-2/87</td>
<td></td>
</tr>
<tr>
<td>Import Restrictions</td>
<td>Natural Resources, Wildlife Resources</td>
<td>R657-3 5YR</td>
<td>03/05/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>Incidents</td>
<td>Pardons (Board Of), Administration</td>
<td>R671-509 5YR</td>
<td>02/15/2013</td>
<td>2013-5/212</td>
<td></td>
</tr>
<tr>
<td>Incinerators</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-220 5YR</td>
<td>02/06/2013</td>
<td>2013-5/193</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-303 5YR</td>
<td>01/23/2013</td>
<td>2013-4/53</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-304 5YR</td>
<td>01/23/2013</td>
<td>2013-4/54</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>R865-9I-46 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>Income Withholding Fees</td>
<td>Human Services, Recovery Services</td>
<td>R527-302 5YR</td>
<td>01/28/2013</td>
<td>2013-4/59</td>
<td></td>
</tr>
<tr>
<td>Rule Number</td>
<td>Code</td>
<td>Title</td>
<td>Date</td>
<td>Effective Date</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>--------------------------------------------</td>
<td>----------</td>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td>R317-13</td>
<td>37240</td>
<td>Health, Health Care Financing, Coverage and Reimbursement Policy</td>
<td>01/31/2013</td>
<td>2013-4-51</td>
<td></td>
</tr>
<tr>
<td>R313-36</td>
<td>37186</td>
<td>Environmental Quality, Radiation Control</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R307-222</td>
<td>37256</td>
<td>Environmental Quality, Air Quality</td>
<td>02/06/2013</td>
<td>2013-5-194</td>
<td></td>
</tr>
<tr>
<td>R612-9</td>
<td>37137</td>
<td>Labor Commission, Industrial Accidents</td>
<td>02/25/2013</td>
<td>2013-2-52</td>
<td></td>
</tr>
<tr>
<td>R68-5</td>
<td>37249</td>
<td>Agriculture and Food, Plant Industry</td>
<td>02/05/2013</td>
<td>2013-5-189</td>
<td></td>
</tr>
<tr>
<td>R313-16</td>
<td>37179</td>
<td>Environmental Quality, Radiation Control</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R590-171</td>
<td>36846</td>
<td>Insurance, Administration</td>
<td>01/22/2013</td>
<td>2012-20-74</td>
<td></td>
</tr>
<tr>
<td>R590-171-3</td>
<td>37230</td>
<td>Insurance, Administration</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R612-5</td>
<td>37133</td>
<td>Labor Commission, Industrial Accidents</td>
<td>02/25/2013</td>
<td>2013-2-46</td>
<td></td>
</tr>
<tr>
<td>R612-400</td>
<td>37127</td>
<td>Insurance, Administration</td>
<td>02/25/2013</td>
<td>2013-2-76</td>
<td></td>
</tr>
<tr>
<td>R590-157</td>
<td>37171</td>
<td>Insurance, Administration</td>
<td>01/07/2013</td>
<td>2013-3-112</td>
<td></td>
</tr>
<tr>
<td>R590-102</td>
<td>37018</td>
<td>Insurance, Administration</td>
<td>01/18/2013</td>
<td>2012-22-131</td>
<td></td>
</tr>
<tr>
<td>R590-102-4</td>
<td>37220</td>
<td>Insurance, Administration</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R590-94</td>
<td>37412</td>
<td>Insurance, Administration</td>
<td>03/15/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R590-164</td>
<td>37118</td>
<td>Insurance, Administration</td>
<td>02/25/2013</td>
<td>2013-2-24</td>
<td></td>
</tr>
<tr>
<td>R277-509</td>
<td>37059</td>
<td>Education, Administration</td>
<td>01/07/2013</td>
<td>2012-23-39</td>
<td></td>
</tr>
<tr>
<td>R527-305</td>
<td>37168</td>
<td>Human Services, Recovery Services</td>
<td>01/03/2013</td>
<td>2013-3-111</td>
<td></td>
</tr>
<tr>
<td>R907-64</td>
<td>37094</td>
<td>Transportation, Administration</td>
<td>02/07/2013</td>
<td>2013-1-23</td>
<td></td>
</tr>
<tr>
<td>R313-34</td>
<td>37185</td>
<td>Environmental Quality, Radiation Control</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R357-2</td>
<td>37206</td>
<td>Governor, Economic Development</td>
<td>01/16/2013</td>
<td>2013-4-63</td>
<td></td>
</tr>
<tr>
<td>R277-709</td>
<td>37405</td>
<td>Education, Administration</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R277-709-3</td>
<td>37244</td>
<td>Education, Administration</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R307-220</td>
<td>37258</td>
<td>Environmental Quality, Air Quality</td>
<td>02/06/2013</td>
<td>2013-5-193</td>
<td></td>
</tr>
<tr>
<td>R156-53</td>
<td>37274</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>02/07/2013</td>
<td>2013-5-190</td>
<td></td>
</tr>
<tr>
<td>R307-347</td>
<td>36729</td>
<td>Environmental Quality, Air Quality</td>
<td>02/01/2013</td>
<td>2012-19-71</td>
<td></td>
</tr>
<tr>
<td>Rule Number</td>
<td>Title</td>
<td>Session</td>
<td>Effective Date</td>
<td>Date Filed</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------------------------------------------------------</td>
<td>---------</td>
<td>----------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>36729</td>
<td><strong>law enforcement</strong>&lt;br&gt;Public Safety, Criminal Investigations and Technical Services, Criminal Identification</td>
<td>R307-347</td>
<td>CPR</td>
<td>02/01/2013</td>
<td></td>
</tr>
<tr>
<td>37226</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37227</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37219</td>
<td><strong>liberties</strong>&lt;br&gt;Natural Resources, Administration</td>
<td>R634-1</td>
<td>5YR</td>
<td>01/23/2013</td>
<td></td>
</tr>
<tr>
<td>37226</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/59</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37227</td>
<td><strong>licensing</strong>&lt;br&gt;Commerce, Occupational and Professional Licensing</td>
<td>R156-1-102</td>
<td>AMD</td>
<td>03/11/2013</td>
<td></td>
</tr>
<tr>
<td>37199</td>
<td>2013-3/2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37073</td>
<td>R156-3a-102</td>
<td>01/24/2013</td>
<td>2012-24/6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37040</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/18</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37175</td>
<td>R156-37-502</td>
<td>01/30/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37039</td>
<td>NEW</td>
<td>01/20/2013</td>
<td>2012-23/21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37071</td>
<td>R156-44a</td>
<td>02/22/2013</td>
<td>2012-24/11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37273</td>
<td>R156-49</td>
<td>02/20/2013</td>
<td>2013-3/67</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37274</td>
<td>R156-53</td>
<td>02/20/2013</td>
<td>2013-3/67</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37272</td>
<td>R156-68</td>
<td>02/20/2013</td>
<td>2013-3/67</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37202</td>
<td>R156-82</td>
<td>03/11/2013</td>
<td>2013-3/67</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37199</td>
<td><strong>licensing and certification</strong>&lt;br&gt;Commerce, Real Estate</td>
<td>R162-2g</td>
<td>AMD</td>
<td>01/02/2013</td>
<td></td>
</tr>
<tr>
<td>36973</td>
<td>2012-22/19</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37389</td>
<td>R251-114</td>
<td>03/07/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37094</td>
<td><strong>long-term care</strong>&lt;br&gt;Correction, Administration</td>
<td>R907-64</td>
<td>R&amp;R</td>
<td>02/07/2013</td>
<td></td>
</tr>
<tr>
<td>37116</td>
<td><strong>longitudinal access</strong>&lt;br&gt;Transportation, Administration</td>
<td>R746-313</td>
<td>AMD</td>
<td>02/21/2013</td>
<td></td>
</tr>
<tr>
<td>37930</td>
<td>2013-2/66</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37253</td>
<td><strong>magnet wire</strong>&lt;br&gt;Environmental Quality, Air Quality</td>
<td>R307-348</td>
<td>NEW</td>
<td>02/01/2013</td>
<td></td>
</tr>
<tr>
<td>37122</td>
<td>2012-19/73</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37123</td>
<td>R307-348</td>
<td>02/01/2013</td>
<td>2013-1/61</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37226</td>
<td><strong>major event</strong>&lt;br&gt;Public Service Commission, Administration</td>
<td>R746-313</td>
<td>AMD</td>
<td>02/21/2013</td>
<td></td>
</tr>
<tr>
<td>37116</td>
<td>2013-2/66</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37183</td>
<td><strong>mammography</strong>&lt;br&gt;Environmental Quality, Radiation Control</td>
<td>R313-28</td>
<td>NSC</td>
<td>03/31/2013</td>
<td></td>
</tr>
<tr>
<td>37388</td>
<td>2013-5/196</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37253</td>
<td><strong>maps</strong>&lt;br&gt;Natural Resources, Water Rights</td>
<td>R655-5</td>
<td>5YR</td>
<td>03/07/2013</td>
<td></td>
</tr>
<tr>
<td>37253</td>
<td>2013-5/196</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37122</td>
<td><strong>market trading program</strong>&lt;br&gt;Environmental Quality, Air Quality</td>
<td>R307-250</td>
<td>5YR</td>
<td>02/06/2013</td>
<td></td>
</tr>
<tr>
<td>37226</td>
<td>2013-5/196</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37122</td>
<td><strong>Medicaid</strong>&lt;br&gt;Health, Health Care Financing, Coverage and Reimbursement Policy</td>
<td>R410-14</td>
<td>AMD</td>
<td>01/09/2013</td>
<td></td>
</tr>
<tr>
<td>37122</td>
<td>2013-2/18</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37391</td>
<td>R414-6</td>
<td>03/08/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37177</td>
<td>R414-27</td>
<td>01/31/2013</td>
<td>2013-3/109</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37221</td>
<td>R414-301</td>
<td>01/23/2013</td>
<td>2013-4/52</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37215</td>
<td>R414-302</td>
<td>01/23/2013</td>
<td>2013-4/53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37222</td>
<td>R414-305</td>
<td>01/23/2013</td>
<td>2013-4/54</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37223</td>
<td>R414-308</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37256</td>
<td><strong>medical incinerators</strong>&lt;br&gt;Environmental Quality, Air Quality</td>
<td>R307-222</td>
<td>5YR</td>
<td>02/06/2013</td>
<td></td>
</tr>
<tr>
<td>37256</td>
<td>2013-5/194</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37130</td>
<td><strong>medical practitioners</strong>&lt;br&gt;Labor Commission, Industrial Accidents</td>
<td>R612-2</td>
<td>REP</td>
<td>02/25/2013</td>
<td></td>
</tr>
<tr>
<td>37126</td>
<td>2013-2/35</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37126</td>
<td>R612-300</td>
<td>02/25/2013</td>
<td>2013-2/66</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Topic</td>
<td>Category</td>
<td>Reference</td>
<td>Amendment Type</td>
<td>Effective Date</td>
<td>Effective Period</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-----------</td>
<td>----------------</td>
<td>-----------------</td>
<td>------------------</td>
</tr>
<tr>
<td>medical transportation</td>
<td>Health, Health Care Financing, Coverage and Reimbursement Policy</td>
<td>37174</td>
<td>EMR</td>
<td>01/07/2013</td>
<td>2013-3/105</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37218</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
</tr>
<tr>
<td>medication treatment</td>
<td>Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>37224</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/56</td>
</tr>
<tr>
<td>mercury</td>
<td>Environmental Quality, Air Quality</td>
<td>37254</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>metal containers</td>
<td>Environmental Quality, Air Quality</td>
<td>36734</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-9/84</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36734</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/73</td>
</tr>
<tr>
<td>metal furniture</td>
<td>Environmental Quality, Air Quality</td>
<td>36728</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-9/69</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36728</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/57</td>
</tr>
<tr>
<td>midwifery</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37071</td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-24/11</td>
</tr>
<tr>
<td>miscellaneous metal parts</td>
<td>Environmental Quality, Air Quality</td>
<td>36732</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-9/76</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36732</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/65</td>
</tr>
<tr>
<td>monitoring</td>
<td>Environmental Quality, Air Quality</td>
<td>37259</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>municipal landfills</td>
<td>Environmental Quality, Air Quality</td>
<td>37257</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>municipal waste incinerator</td>
<td>Environmental Quality, Air Quality</td>
<td>37255</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>nuclear medicine</td>
<td>Environmental Quality, Radiation Control</td>
<td>37184</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>nutrition</td>
<td>Education, Administration</td>
<td>37406</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>off-highway vehicles</td>
<td>Natural Resources, Parks and Recreation</td>
<td>36856</td>
<td>REP</td>
<td>01/15/2013</td>
<td>2012-20/77</td>
</tr>
<tr>
<td>oil and gas law</td>
<td>Natural Resources, Oil, Gas and Mining; Oil and Gas</td>
<td>36992</td>
<td>AMD</td>
<td>01/23/2013</td>
<td>2012-22/140</td>
</tr>
<tr>
<td>osteopathic physician</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37272</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>osteopaths</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37272</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>overpayments</td>
<td>Workforce Services, Unemployment Insurance</td>
<td>37066</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/52</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37023</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/147</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37024</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/148</td>
</tr>
<tr>
<td>ozone</td>
<td>Environmental Quality, Air Quality</td>
<td>36725</td>
<td>REP</td>
<td>02/01/2013</td>
<td>2012-9/49</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36725</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/48</td>
</tr>
<tr>
<td>paper coating</td>
<td>Environmental Quality, Air Quality</td>
<td>36726</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-9/65</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36726</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/52</td>
</tr>
</tbody>
</table>
parking facilities
Administrative Services, Facilities Construction and Management 37357  R23-13  5YR  02/20/2013  2013-6/49
Regents (Board Of), University of Utah, Commuter Services 37387  R810-12  EXD  03/07/2013  Not Printed

parks
Natural Resources, Parks and Recreation 37205  R651-633  AMD  03/14/2013  2013-3/100

parole
Pardons (Board Of), Administration 37342  R671-509  5YR  02/15/2013  2013-5/212
37343  R671-510  5YR  02/15/2013  2013-5/212
37344  R671-512  5YR  02/15/2013  2013-5/213
37346  R671-513  5YR  02/15/2013  2013-5/214
37347  R671-514  5YR  02/15/2013  2013-5/214
37348  R671-515  5YR  02/15/2013  2013-5/215
37349  R671-516  5YR  02/15/2013  2013-5/215
37350  R671-517  5YR  02/15/2013  2013-5/216
37351  R671-518  5YR  02/15/2013  2013-5/216
37352  R671-519  5YR  02/15/2013  2013-5/217
37353  R671-520  5YR  02/15/2013  2013-5/217
37354  R671-522  5YR  02/15/2013  2013-5/218

particulates
Environmental Quality, Air Quality 36741  R307-307  AMD  02/01/2013  2012-19/42
36741  R307-307  CPR  02/01/2013  2013-1/45
37234  R307-307  NSC  02/15/2013  Not Printed

patient rights
Human Services, Substance Abuse and Mental Health, State Hospital 37211  R525-2  5YR  01/23/2013  2013-4/56

penalties
37141  R612-13  REP  02/25/2013  2013-2/57

people with disabilities
Human Services, Services for People with Disabilities 37111  R539-2  AMD  02/13/2013  2013-1/8

permits
Environmental Quality, Air Quality 37037  R307-401-15  AMD  02/07/2013  2012-23/40
37236  R307-401-15  NSC  02/15/2013  Not Printed

personal property
Tax Commission, Property Tax 37109  R884-24P-67  AMD  02/21/2013  2013-1/22

pleas
Pardons (Board Of), Administration 37347  R671-514  5YR  02/15/2013  2013-5/214

pools
Health, Disease Control and Prevention, Environmental Services 37072  R392-302-3  AMD  02/28/2013  2012-24/26

POTW
Environmental Quality, Water Quality 37241  R317-14  5YR  01/31/2013  2013-4/52

printing operations
Environmental Quality, Air Quality 36733  R307-351  NEW  02/01/2013  2012-19/80
36733  R307-351  CPR  02/01/2013  2013-1/69
37235  R307-351-4  NSC  02/15/2013  Not Printed

probable cause
Pardons (Board Of), Administration 37343  R671-510  5YR  02/15/2013  2013-5/212

professional
Education, Administration 37147  R277-517  NEW  02/21/2013  2013-2/15
37359  R277-517-5  NSC  03/15/2013  Not Printed
<table>
<thead>
<tr>
<th>Category</th>
<th>Agency</th>
<th>Code</th>
<th>Title</th>
<th>Section</th>
<th>AMD</th>
<th>Date</th>
<th>Printed</th>
</tr>
</thead>
<tbody>
<tr>
<td>professional competency</td>
<td>Education, Administration</td>
<td>37058</td>
<td>R277-502 AMD</td>
<td>01/07/2013</td>
<td>2012-23/34</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37146</td>
<td>R277-502 AMD</td>
<td>02/21/2013</td>
<td>2013-2/10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>professional education</td>
<td>Education, Administration</td>
<td>37399</td>
<td>R277-518 5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>professional engineers</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37074</td>
<td>R156-22 AMD</td>
<td>01/24/2013</td>
<td>2012-24/7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>professional land surveyors</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37074</td>
<td>R156-22 AMD</td>
<td>01/24/2013</td>
<td>2012-24/7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>professional structural engineers</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37074</td>
<td>R156-22 AMD</td>
<td>01/24/2013</td>
<td>2012-24/7</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37218</td>
<td>R414-306 5YR</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
<td></td>
<td></td>
</tr>
<tr>
<td>prohibited items and devices</td>
<td>Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>37212</td>
<td>R525-6 5YR</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
<td></td>
<td></td>
</tr>
<tr>
<td>proof</td>
<td>Natural Resources, Water Rights</td>
<td>37388</td>
<td>R655-5 5YR</td>
<td>03/07/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>property tax</td>
<td>Tax Commission, Property Tax</td>
<td>37109</td>
<td>R884-24P-67 AMD</td>
<td>02/21/2013</td>
<td>2013-1/22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>property transactions</td>
<td>Administrative Services, Facilities Construction and Management</td>
<td>37358</td>
<td>R23-22 5YR</td>
<td>02/20/2013</td>
<td>2013-6/49</td>
<td></td>
<td></td>
</tr>
<tr>
<td>public assistance</td>
<td>Workforce Services, Employment Development</td>
<td>37067</td>
<td>R986-900-902 AMD</td>
<td>01/08/2013</td>
<td>2012-23/50</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37223</td>
<td>R414-308 5YR</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
<td></td>
<td></td>
</tr>
<tr>
<td>public buildings</td>
<td>Capitol Preservation Board (State), Administration</td>
<td>37064</td>
<td>R131-2 AMD</td>
<td>01/07/2013</td>
<td>2012-23/9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>public utilities</td>
<td>Public Service Commission, Administration</td>
<td>37041</td>
<td>R746-320 AMD</td>
<td>01/07/2013</td>
<td>2012-23/48</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37385</td>
<td>R746-330 5YR</td>
<td>03/05/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37386</td>
<td>R746-347 5YR</td>
<td>03/05/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>radiation</td>
<td>Environmental Quality, Radiation Control</td>
<td>37180</td>
<td>R313-25 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37185</td>
<td>R313-34 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>radiation safety</td>
<td>Environmental Quality, Radiation Control</td>
<td>37185</td>
<td>R313-34 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>radioactive materials</td>
<td>Environmental Quality, Radiation Control</td>
<td>37181</td>
<td>R313-21 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37184</td>
<td>R313-32 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37186</td>
<td>R313-36 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37187</td>
<td>R313-38 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37188</td>
<td>R313-70 NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issue</td>
<td>Agency</td>
<td>Rule Number</td>
<td>Type</td>
<td>Date</td>
<td>Notes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------------------------------</td>
<td>-------------</td>
<td>------</td>
<td>----------</td>
<td>-------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>radioactive waste disposal</td>
<td>Environmental Quality, Radiation Control</td>
<td>37180</td>
<td>R313-25</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>radioactive waste generator permit</td>
<td>Environmental Quality, Radiation Control</td>
<td>37182</td>
<td>R313-26</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>radiopharmaceutical</td>
<td>Environmental Quality, Radiation Control</td>
<td>37184</td>
<td>R313-32</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37127</td>
<td>R612-400</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/76</td>
<td></td>
</tr>
<tr>
<td>raw milk</td>
<td>Agriculture and Food, Regulatory Services</td>
<td>36915</td>
<td>R70-320-18</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-21/8</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>36914</td>
<td>R70-330</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-21/9</td>
<td></td>
</tr>
<tr>
<td>real estate</td>
<td>Administrative Services, Facilities Construction and Management</td>
<td>37358</td>
<td>R23-22</td>
<td>5YR</td>
<td>02/20/2013</td>
<td>2013-6/49</td>
<td></td>
</tr>
<tr>
<td>real estate appraisals</td>
<td>Commerce, Real Estate</td>
<td>36973</td>
<td>R162-2g</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/19</td>
<td></td>
</tr>
<tr>
<td>records</td>
<td>Education, Administration</td>
<td>37144</td>
<td>R277-487</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/7</td>
<td></td>
</tr>
<tr>
<td>recusal</td>
<td>Environmental Quality, Administration</td>
<td>36776</td>
<td>R305-9</td>
<td>NEW</td>
<td>02/22/2013</td>
<td>2012-19/28</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>36776</td>
<td>R305-9</td>
<td>CPR</td>
<td>02/22/2013</td>
<td>2013-2/94</td>
<td></td>
</tr>
<tr>
<td>registration</td>
<td>Environmental Quality, Radiation Control</td>
<td>37188</td>
<td>R313-70</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>released-time classes</td>
<td>Education, Administration</td>
<td>37402</td>
<td>R277-610</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>reliability</td>
<td>Public Service Commission, Administration</td>
<td>37116</td>
<td>R746-313</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/87</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37139</td>
<td>R612-11</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/54</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37140</td>
<td>R612-12</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/55</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>37141</td>
<td>R612-13</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/57</td>
<td></td>
</tr>
<tr>
<td>reports</td>
<td>Education, Administration</td>
<td>37145</td>
<td>R277-484</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/4</td>
<td></td>
</tr>
<tr>
<td>resources</td>
<td>Health, Health Care Financing, Coverage and Reimbursement Policy</td>
<td>37222</td>
<td>R414-305</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/54</td>
<td></td>
</tr>
<tr>
<td>revocation</td>
<td>Pardons (Board Of), Administration</td>
<td>37349</td>
<td>R671-516</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/215</td>
<td></td>
</tr>
<tr>
<td>right-of-way</td>
<td>Transportation, Administration</td>
<td>37094</td>
<td>R907-64</td>
<td>R&amp;R</td>
<td>02/07/2013</td>
<td>2013-1/23</td>
<td></td>
</tr>
<tr>
<td>roads</td>
<td>Environmental Quality, Air Quality</td>
<td>36741</td>
<td>R307-307</td>
<td>AMD</td>
<td>02/01/2013</td>
<td>2012-19/42</td>
<td></td>
</tr>
<tr>
<td>Rule Number</td>
<td>Rule Date</td>
<td>Effective Date</td>
<td>Code</td>
<td>Date Printed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>-----------</td>
<td>----------------</td>
<td>------</td>
<td>--------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36741</td>
<td>02/01/2013</td>
<td>2013-1/45</td>
<td>CPR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37234</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td>NSC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37041</td>
<td>01/07/2013</td>
<td>2012-23/48</td>
<td>AMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37206</td>
<td>01/16/2013</td>
<td>2013-4/63</td>
<td>EXT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37206</td>
<td>01/16/2013</td>
<td>2013-4/63</td>
<td>EXT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37407</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37116</td>
<td>02/21/2013</td>
<td>2013-2/67</td>
<td>AMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37251</td>
<td>02/06/2013</td>
<td>2013-5/209</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37251</td>
<td>02/06/2013</td>
<td>2013-5/209</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37400</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37400</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37028</td>
<td>02/20/2013</td>
<td>2012-23/42</td>
<td>NEW</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37406</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37252</td>
<td>02/06/2013</td>
<td>2013-5/197</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37407</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37212</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37042</td>
<td>01/08/2013</td>
<td>2012-23/26</td>
<td>AMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37042</td>
<td>01/08/2013</td>
<td>2012-23/26</td>
<td>AMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37131</td>
<td>02/25/2013</td>
<td>2013-2/43</td>
<td>REP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37277</td>
<td>02/08/2013</td>
<td>2013-5/210</td>
<td>5YR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37111</td>
<td>02/13/2013</td>
<td>2013-1/8</td>
<td>AMD</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37138</td>
<td>02/25/2013</td>
<td>2013-2/53</td>
<td>REP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37139</td>
<td>02/25/2013</td>
<td>2013-2/54</td>
<td>REP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rule No.</td>
<td>Title</td>
<td>Agency</td>
<td>Action Date</td>
<td>Rule Date</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
<td>-------------</td>
<td>------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37140</td>
<td>sewage effluent use</td>
<td>Natural Resources, Water Rights</td>
<td>02/25/2013</td>
<td>2013-2/55</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37119</td>
<td>sewerage</td>
<td>Public Service Commission, Administration</td>
<td>03/07/2013</td>
<td>2013-2/81</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37385</td>
<td>skateboards</td>
<td>Regents (Board Of), University of Utah, Administration</td>
<td>03/12/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37110</td>
<td>social security numbers</td>
<td>Human Services, Services for People with Disabilities</td>
<td>02/13/2013</td>
<td>2013-1/2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37282</td>
<td>solid waste management</td>
<td>Environmental Quality, Solid and Hazardous Waste</td>
<td>02/13/2013</td>
<td>2013-5/198</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37283</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37284</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37285</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37286</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37287</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37288</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37289</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37290</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37291</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37292</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37293</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37294</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37295</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37296</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37297</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37298</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37299</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37300</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36737</td>
<td>solvent cleaning</td>
<td>Environmental Quality, Air Quality</td>
<td>02/01/2013</td>
<td>2012-19/91</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36562</td>
<td>source development</td>
<td>Environmental Quality, Drinking Water</td>
<td>01/16/2013</td>
<td>2012-16/66</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36562</td>
<td></td>
<td></td>
<td>01/16/2013</td>
<td>2012-16/66</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36562</td>
<td></td>
<td></td>
<td>01/16/2013</td>
<td>2012-16/66</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36562</td>
<td></td>
<td></td>
<td>01/16/2013</td>
<td>2012-16/66</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37181</td>
<td>source materials</td>
<td>Environmental Quality, Radiation Control</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37072</td>
<td>spas</td>
<td>Health, Disease Control and Prevention, Environmental Services</td>
<td>02/28/2013</td>
<td>2012-24/26</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37147</td>
<td>standards</td>
<td>Education, Administration</td>
<td>02/21/2013</td>
<td>2013-2/15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37359</td>
<td></td>
<td></td>
<td>03/15/2013</td>
<td>Not Printed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37212</td>
<td>state hospital</td>
<td>Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36949</td>
<td>state vehicle use</td>
<td>Administrative Services, Fleet Operations</td>
<td>03/07/2013</td>
<td>2012-22/11</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
student competency
Education, Administration  37404  R277-702  5YR  03/12/2013  Not Printed

student teachers
Education, Administration  37059  R277-509  AMD  01/07/2013  2012-23/39

students
Education, Administration  37144  R277-487  AMD  02/21/2013  2013-2/7
  37405  R277-709  5YR  03/12/2013  Not Printed
  37244  R277-709-3  NSC  02/15/2013  Not Printed

subsurface tracer studies
Environmental Quality, Radiation Control  37187  R313-38  NSC  01/31/2013  Not Printed

suggestions
Human Services, Substance Abuse and Mental Health, State Hospital  37213  R525-7  5YR  01/23/2013  2013-4/58

sulfur dioxide
Environmental Quality, Air Quality  37253  R307-250  5YR  02/06/2013  2013-5/196

supervision
Commerce, Occupational and Professional Licensing  37199  R156-1-102  AMD  03/11/2013  2013-3/2

surface coating
Environmental Quality, Air Quality  36725  R307-340  REP  02/01/2013  2012-19/49
  36725  R307-340  CPR  02/01/2013  2013-1/48
  36728  R307-346  NEW  02/01/2013  2012-19/69
  36728  R307-346  CPR  02/01/2013  2013-1/57
  36729  R307-347  NEW  02/01/2013  2012-19/71
  36729  R307-347  CPR  02/01/2013  2013-1/59
  36730  R307-348  NEW  02/01/2013  2012-19/73
  36730  R307-348  CPR  02/01/2013  2013-1/61

surveys
Environmental Quality, Radiation Control  37185  R313-34  NSC  01/31/2013  Not Printed
  37186  R313-36  NSC  01/31/2013  Not Printed
  37187  R313-38  NSC  01/31/2013  Not Printed

sunning beds
Health, Disease Control and Prevention, Environmental Services  37251  R392-700  5YR  02/06/2013  2013-5/209

tax returns
Tax Commission, Auditing  37108  R865-91-13  AMD  02/21/2013  2013-1/20
  37178  R865-91-46  NSC  01/31/2013  Not Printed

taxation
Tax Commission, Administration  36991  R861-1A-12  AMD  01/10/2013  2012-22/144
  37104  R861-1A-26  AMD  02/21/2013  2013-1/15
  37106  R861-1A-37  AMD  02/21/2013  2013-1/17
  37107  R861-1A-46  AMD  02/21/2013  2013-1/18
Tax Commission, Property Tax  37109  R884-24P-67  AMD  02/21/2013  2013-1/22

taxes
Insurance, Administration  37171  R590-157  5YR  01/07/2013  2013-3/112

teacher licensing
Professional Practices Advisory Commission, Administration  37243  R686-100  5YR  02/01/2013  2013-4/60

teacher preparation programs
Education, Administration  37059  R277-509  AMD  01/07/2013  2012-23/39

telecommunications
Public Service Commission, Administration  37386  R746-347  5YR  03/05/2013  Not Printed
<table>
<thead>
<tr>
<th>Topic</th>
<th>Code</th>
<th>Rule No.</th>
<th>Type</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation, Administration</td>
<td>37094</td>
<td>R907-64</td>
<td>R&amp;R</td>
<td>02/07/2013</td>
<td>2013-1/23</td>
</tr>
<tr>
<td><strong>terminally ill</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corrections, Administration</td>
<td>37389</td>
<td>R251-114</td>
<td>5YR</td>
<td>03/07/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>time</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37125</td>
<td>R612-200</td>
<td>NEW</td>
<td></td>
<td>02/25/2013</td>
<td>2013-2/62</td>
</tr>
<tr>
<td><strong>timeliness</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pardons (Board Of), Administration</td>
<td>37348</td>
<td>R671-515</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/215</td>
</tr>
<tr>
<td><strong>trainee registration</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commerce, Real Estate</td>
<td>36973</td>
<td>R162-2g</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/19</td>
</tr>
<tr>
<td><strong>transportation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human Services, Aging and Adult Services</td>
<td>37277</td>
<td>R510-105</td>
<td>5YR</td>
<td>02/08/2013</td>
<td>2013-5/210</td>
</tr>
<tr>
<td><strong>transportation law</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Services, Facilities Construction and Management</td>
<td>37357</td>
<td>R23-13</td>
<td>5YR</td>
<td>02/20/2013</td>
<td>2013-6/49</td>
</tr>
<tr>
<td><strong>trichomoniasis</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture and Food, Animal Industry</td>
<td>36962</td>
<td>R58-21</td>
<td>AMD</td>
<td>01/04/2013</td>
<td>2012-22/16</td>
</tr>
<tr>
<td><strong>ultraviolet light safety</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health, Disease Control and Prevention, Environmental Services</td>
<td>37251</td>
<td>R392-700</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/209</td>
</tr>
<tr>
<td><strong>undercover identification</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Safety, Criminal Investigations and Technical Services, Criminal Identification</td>
<td>37226</td>
<td>R722-320</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/61</td>
</tr>
<tr>
<td>37227</td>
<td>R722-320</td>
<td>NSC</td>
<td></td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>unemployment compensation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Workforce Services, Unemployment Insurance</td>
<td>37066</td>
<td>R994-305</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/52</td>
</tr>
<tr>
<td>37023</td>
<td>R994-305-1201</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/147</td>
<td></td>
</tr>
<tr>
<td>37024</td>
<td>R994-406</td>
<td>AMD</td>
<td></td>
<td>01/02/2013</td>
<td>2012-22/148</td>
</tr>
<tr>
<td><strong>uninsured employers</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>utility service shutoff</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Service Commission, Administration</td>
<td>37041</td>
<td>R746-320</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/48</td>
</tr>
<tr>
<td><strong>variances</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality, Air Quality</td>
<td>37261</td>
<td>R307-102</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td><strong>vending machines</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education, Administration</td>
<td>37406</td>
<td>R277-719</td>
<td>5YR</td>
<td>03/12/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>victim compensation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crime Victim Reparations, Administration</td>
<td>37061</td>
<td>R270-1</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/27</td>
</tr>
<tr>
<td>37166</td>
<td>R270-1</td>
<td>NSC</td>
<td></td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>victims of crime</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crime Victim Reparations, Administration</td>
<td>37061</td>
<td>R270-1</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/27</td>
</tr>
<tr>
<td>37166</td>
<td>R270-1</td>
<td>NSC</td>
<td></td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td><strong>vinyl coating</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality, Air Quality</td>
<td>36727</td>
<td>R307-345</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/67</td>
</tr>
<tr>
<td>36727</td>
<td>R307-345</td>
<td>CPR</td>
<td></td>
<td>02/01/2013</td>
<td>2013-1/54</td>
</tr>
<tr>
<td><strong>vision evaluations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health, Disease Control and Prevention, Health Promotion</td>
<td>37028</td>
<td>R384-201</td>
<td>NEW</td>
<td>02/20/2013</td>
<td>2012-23/42</td>
</tr>
</tbody>
</table>
visitors
Human Services, Substance Abuse and Mental Health, State Hospital 37210 R525-4 5YR 01/23/2013 2013-4/57

VOC
Environmental Quality, Air Quality 36733 R307-351 NEW 02/01/2013 2012-19/80
36733 R307-351 CPR 02/01/2013 2013-1/69
37235 R307-351-4 NSC 02/15/2013 Not Printed
36736 R307-354 NEW 02/01/2013 2012-19/88
36736 R307-354 CPR 02/01/2013 2013-1/79

VOC emission
Environmental Quality, Air Quality 36726 R307-344 NEW 02/01/2013 2012-19/65
36726 R307-344 CPR 02/01/2013 2013-1/52

waivers
Labor Commission, Industrial Accidents 37127 R612-400 5YR 02/25/2013 2013-2/76

warrants
Pardons (Board Of), Administration 37343 R671-510 5YR 02/15/2013 2013-5/212
37344 R671-512 5YR 02/15/2013 2013-5/213
37346 R671-513 5YR 02/15/2013 2013-5/214

waste disposal
Environmental Quality, Solid and Hazardous Waste 37282 R315-301 5YR 02/13/2013 2013-5/198
37283 R315-302 5YR 02/13/2013 2013-5/199
37284 R315-303 5YR 02/13/2013 2013-5/200
37285 R315-304 5YR 02/13/2013 2013-5/201
37286 R315-305 5YR 02/13/2013 2013-5/202
37287 R315-306 5YR 02/13/2013 2013-5/203
37288 R315-307 5YR 02/13/2013 2013-5/204
37289 R315-308 5YR 02/13/2013 2013-5/205
37290 R315-309 5YR 02/13/2013 2013-5/206
37291 R315-310 5YR 02/13/2013 2013-5/207
37292 R315-311 5YR 02/13/2013 2013-5/208
37293 R315-312 5YR 02/13/2013 2013-5/209
37295 R315-314 5YR 02/13/2013 2013-5/210
37296 R315-315 5YR 02/13/2013 2013-5/211
37297 R315-316 5YR 02/13/2013 2013-5/212
37298 R315-317 5YR 02/13/2013 2013-5/213
37299 R315-318 5YR 02/13/2013 2013-5/214
37300 R315-320 5YR 02/13/2013 2013-5/215

Environmental Quality, Water Quality 37240 R317-13 5YR 01/31/2013 2013-4/51

waste to energy plant
Environmental Quality, Air Quality 37255 R307-223 5YR 02/06/2013 2013-5/195

wastewater
Environmental Quality, Water Quality 37241 R317-14 5YR 01/31/2013 2013-4/52

water
Public Service Commission, Administration 37385 R746-330 5YR 03/05/2013 Not Printed

water pollution
Environmental Quality, Water Quality 37240 R317-13 5YR 01/31/2013 2013-4/51

water quality
Public Service Commission, Administration 37385 R746-330 5YR 03/05/2013 Not Printed

water rights
Natural Resources, Water Rights 37388 R655-5 5YR 03/07/2013 Not Printed

water slides
Health, Disease Control and Prevention, Environmental Services 37072 R392-302-3 AMD 02/28/2013 2012-24/26
<table>
<thead>
<tr>
<th></th>
<th>Section</th>
<th>Type</th>
<th>Date</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>weapons</td>
<td>Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>R525-6</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
</tr>
<tr>
<td>well logging</td>
<td>Environmental Quality, Radiation Control</td>
<td>R313-38</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>wildlife</td>
<td>Natural Resources, Wildlife Resources</td>
<td>R657-3</td>
<td>03/05/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-24/29</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AMD</td>
<td>02/07/2013</td>
<td>2013-1/11</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5YR</td>
<td>01/15/2013</td>
<td>2013-3/114</td>
</tr>
<tr>
<td>wildlife law</td>
<td>Natural Resources, Wildlife Resources</td>
<td>R657-13</td>
<td>01/22/2013</td>
<td>2012-24/29</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5YR</td>
<td>01/15/2013</td>
<td>2013-3/114</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/35</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/43</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/46</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/48</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/49</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/52</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/53</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/54</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/55</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/57</td>
</tr>
<tr>
<td></td>
<td></td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/58</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/62</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/66</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/76</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/79</td>
</tr>
<tr>
<td>x-rays</td>
<td>Environmental Quality, Radiation Control</td>
<td>R313-16</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>zoological animals</td>
<td>Natural Resources, Wildlife Resources</td>
<td>R657-3</td>
<td>03/05/2013</td>
<td>Not Printed</td>
</tr>
</tbody>
</table>