

UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed December 17, 2019, 12:00 a.m. through December 31, 2019, 11:59 p.m.

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Nancy L. Lancaster, Managing Editor

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

The Portable Document Format (PDF) version of the *Bulletin* is the official version. The PDF version of this issue is available at <https://rules.utah.gov/>. Any discrepancy between the PDF version and other versions will be resolved in favor of the PDF version.

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: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3003. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <https://rules.utah.gov/> for additional information.

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between December 17, 2019, 12:00 a.m., and December 31, 2019, 11:59 p.m. are included in this, the January 15, 2020, 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 (example). Deletions made to existing rules are struck out with brackets surrounding them (~~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 usually printed. If a **PROPOSED RULE** is too long to print, the Office of Administrative Rules may 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 Office 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 February 14, 2020. 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 May 14, 2020, the agency may notify the Office 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 Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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, R15-4-5a, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE			
TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R58-13	Filing No. 52469	

Agency Information

1. Department:	Agriculture and Food		
Agency:	Animal Industry		
Street address:	350 North Redwood Road		
City, state:	Salt Lake City, Utah		
Mailing address:	PO Box 146500		
City, state, zip:	Salt Lake City, Utah 84114-6500		
Contact person(s):			
Name:	Phone:	Email:	
Amber Brown	801-538-6023	ambermbrown@utah.gov	
Kelly Pehrson	385-538-7102	kwpehrson@utah.gov	
Leann Hunting	801-538-7166	Leannhunting@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
Custom Exempt Slaughter
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The purpose of this rule is to exempt from inspection the slaughtering and preparation of livestock that is exclusively used by the owner of the livestock. This rule replaces a previous rule that expired.
4. Summary of the new rule or change:
This rule provides for exemption for custom slaughter operators consistent with the Federal Meat Inspection Act. It exempts from inspection, slaughter, and preparation of livestock that is exclusively used by the owner of the livestock, members of his household, nonpaying guests, or full-time employees. It requires custom slaughtered animals be clearly and plainly identified and separated from inspected carcasses while in an official establishment.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:			
There is no impact to the state budget with this rule because the exemptions are currently required under the Utah Code. The new rule clarifies what is already standard practice and does not impose any new costs or requirements.			
B) Local governments:			
There is no impact to the local governments with this rule because the exemptions are currently required under the Utah Code. The new rule clarifies what is already standard practice and does not impose any new costs or requirements.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no impact to small businesses with this rule because the exemptions are already standard practice.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There is no impact to non-small businesses with this rule because the exemptions are already standard practice.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
There is no impact to other persons because the exemptions are already standard practice.			
F) Compliance costs for affected persons:			
There are no compliance costs for affected persons.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0

Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Utah Department of Agriculture and Food, Kerry Gibson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This rule is necessary to codify standard practice custom slaughter exemptions and will not have any fiscal impact on businesses.

B) Name and title of department head commenting on the fiscal impacts:

Kerry Gibson, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 4-32-107	Section 4-32-110	Subsection 4-2-103(1)(i)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 02/14/2020

10. This rule change MAY become effective on: 02/21/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/23/2019
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R58. Agriculture and Food, Animal Industry.

R58-13. Custom Exempt Slaughter.

R58-13-1. Authority.

1) Promulgated under authority of Sections 4-32-107, 4-32-111, and Subsection 4-2-103(1)(i).

R58-13-2. Inspection Exemptions.

1) The Commissioner of Agriculture and Food may exempt the operation of any person from inspection or other requirements of Title 4, Chapter 32, to the extent operations would be exempt from corresponding requirements under the Federal Meat Inspection Act.

2) The commissioner or designee shall exempt from inspection the slaughtering and preparation by any person of any livestock which is exclusively for use by the owner of the livestock, members of his household, his nonpaying guests, or full-time employees.

3) The custom operator claiming exemption from inspection shall keep records showing the numbers and kinds of livestock slaughtered on a custom basis, the quantities and types of products prepared on a custom basis, and the names and addresses of the owners of the livestock and products.

4) Custom operators claiming exemption shall obtain a Utah State Brand Inspection or proof of ownership verification prior to slaughter for beef animals slaughtered at an exempt slaughter establishment.

5) The establishment in which custom operations are conducted will conform to sanitary requirements prescribed by the commissioner or designee and 9 CFR 308.4 through 308.11, 308.13, 308.14 and 308.3, except 308.3 (d) (2) and (3).

R58-13-3. Identification of Carcasses.

1) The carcass of each custom slaughtered animal shall be clearly and plainly marked "NOT FOR SALE," in letters not less than 3/8 of an inch in height, immediately after the slaughter process is completed.

2) The custom slaughtered carcass will be marked on each quarter of the carcass.

3) Custom prepared product shall be plainly marked "NOT FOR SALE," 3/8 inch letter height, immediately after being prepared, and kept so identified until delivered to the owner.

R58-13-4. Separation of Custom and Official Slaughtering.

1) If exempted custom slaughtering or other preparation of product is conducted in an official establishment, facilities and equipment in the official establishment used for custom operations

NOTICES OF PROPOSED RULES

shall be thoroughly cleaned and sanitized before they are reused for preparing each product for sale.

2) Each exempted custom slaughtered carcass and product will be kept separate and away from each inspected carcass and product while in an official establishment.

3) Each custom slaughtered carcass will be kept not less than 36 inches apart in the nearest proximity from each inspected carcass in chill and holding coolers.

4) The construction of an exempted slaughter or processing establishment will conform to minimum requirements as prescribed by the commissioner or designee to assure adequate facilities for the purpose intended as required in the licensing act.

KEY: custom slaughter, food inspection, food safety
Date of Enactment or Last Substantive Amendment: February 21, 2020
Authorizing, and Implemented or Interpreted Law: 3-32-107; 4-32-110; 4-2-103(1)(i)

NOTICE OF PROPOSED RULE			
TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R58-25	Filing No.	52470

Agency Information

1. Department:	Agriculture and Food		
Agency:	Animal Industry		
Street address:	350 N Redwood Road		
City, state:	Salt Lake City, UT 84115		
Mailing address:	PO Box 146500		
City, state, zip:	Salt Lake City, UT 84114		
Contact person(s):			
Name:	Phone:	Email:	
Amber Brown	801-538-6023	ambermbrown@utah.gov	
Kelly Pehrson	385-538-7102	kwpehrson@utah.gov	
Leann Hunting	801-538-4976	Leannhunting@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
Aerial Hunting Permits and Licenses
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
Utah Code Title 4, Chapter 23, allows for the aerial

hunting of predatory animals provided they are properly permitted and licensed by the Department of Agriculture and Food (Department). This proposed rule establishes the qualification and process for permitting and licensing.

4. Summary of the new rule or change:

This proposed rule requires a producer to provide specific information on an application form which the Department will provide. This rule requires the applicant submit permission from the landowner, if not owned by the person applying. This proposed rule establishes the process for pilots who will be flying the aircraft for the permittees. It requires coordination between permittees and federal and state agencies. Additionally, it specifies the terms and conditions that must be followed.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The Department will need to review and approve applicants for licenses and permits. This will include verifying the application is completed, as well as the accuracy of the information provided. It is anticipated that it will cost the Department \$10 to review and approve applications. The Department anticipates roughly 150 applications each year. The Department is charging a \$10 license and permit fee which will result in a savings of \$1,500.

B) Local governments:

This rule is not anticipated to result in any costs or savings with respect to any local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

The Department is charging a \$10 license and permit fee which the permittee or licensee will have to pay. This will be a \$10 cost per applicant to small businesses. This licensing fee will allow for the Department to issue a license for producers to mitigate predators. Allowing for the mitigation of predators will have long-term and lasting benefits to producers which the Department cannot quantify.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The Department doesn't anticipate this rule affecting a non-small business as most of the producers who qualify for a permit are small businesses. However, the Department is charging a \$10 license and permit fee which the permittee or licensee will have to pay. This will be a \$10 cost per applicant to non-small businesses. This licensing fee will allow for the Department to issue a license for producers to mitigate predators. Allowing for the mitigation of predators will have long-term and lasting benefits to producers.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
The Department is charging a \$10 license and permit fee which the permittee or licensee will have to pay. This will be a \$10 cost per applicant. This licensing fee will allow for the Department to issue a license for producers to mitigate predators. Allowing for the mitigation of predators will have long-term and lasting benefits to producers.			
F) Compliance costs for affected persons:			
There is a \$10 license and permit fee for qualified applicants. This fee will need to be paid before a permit or license is issued.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$1,500	\$1,500	\$1,500
Local Governments	\$0	\$0	\$0
Small Businesses	\$1,500	\$1,500	\$1,500
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$3,000	\$3,000	\$3,000
Fiscal Benefits			
State Government	\$1,500	\$1,500	\$1,500
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	-\$1,500	-\$1,500	-\$1,500

H) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Agriculture and Food, Kerry Gibson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

It is expected that this rule will allow the Department to more quickly review and issue licenses, allowing businesses to enter business sooner and not further delay revenues. The Department will use current staff to operate and does not expect there to be any impact to the state budget. The proposed rule does not add any cost to those who are applying, it offers clarification to the application process.

B) Name and title of department head commenting on the fiscal impacts:

Kerry Gibson, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Subsection 4-23-106(7)		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 02/14/2020

10. This rule change MAY become effective on: 02/21/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/23/2019
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**R58. Agriculture and Food, Animal Industry.
R58-25. Aerial Hunting Permits and Licenses.**

R58-25-1. Authority and Purpose.

1) Pursuant to Utah Code 4-23-106(7), this rule establishes a system for the issuance of aerial hunting permits to protect livestock from predatory animals, establishes the duties of a permittee, and the licensing qualification and requirements for the pilot and the aircraft to be used in aerial hunting.

R58-25-2. Definitions.

1) "Aerial hunting" means the use of any aircraft by a private person to harass, injure, or destroy a predatory animal for the protection of land, water, livestock, domestic animals, human life, or crops.

2) "Aerial shooter" means a permittee or an agent of the permittee engaged in the hunting or shooting of a predatory animal from an aircraft.

3) "Aircraft" means any contrivance now known or in the future invented, used, or designed for navigation of or flight in the air.

4) "Department" means the Utah Department of Agriculture and Food.

5) "Predatory animal" means any coyote.

R58-25-3. Permit Application.

1) A private person who engages in the aerial hunting of any bird, fish, or other animal, including a predatory animal shall first obtain a permit from the department.

2) An applicant seeking an aerial hunting permit shall submit the following to the department:

a) a completed application form provided by the department;

b) the name of the individual(s) to be engaged as the aerial shooter; and

c) name and department's licensing number of the pilot to be used.

3) An applicant shall further submit to the department:

a) written consent from each private landowner on whose property the applicant plans to conduct aerial hunting operations;

b) a signed statement affirming the permittee, or any aerial shooter engaged by the permittee is not a restricted person as defined in Utah Code 76-10-503.

4) An application is not considered complete until the application fee, as approved by the legislature in the fee schedule, has been paid to the department.

5) The department shall deny any applicant who does not submit all required information.

6) The department shall deny any applicant who does not meet the qualification of Utah Code 4-23-106(6).

7) The department may refuse to issue a permit, or revoke an existing permit, if the permit application contains false information.

8) The department shall respond to an application within 15 days.

R58-25-4. Licensing for Pilots.

1) A pilot shall be licensed by the department before engaging in aerial hunting activities.

2) An applicant seeking a license as an aerial hunting pilot shall submit the following to the department:

a) a completed application form provided by the department;

b) proof of a current pilot's license;

c) proof of having 200 total flying hours;

d) a copy of the current registration with the Federal Aviation Administration or the Utah Division of Aeronautics for any aircraft, intended to be used in aerial hunting;

e) proof of aviation insurance with a minimum liability coverage amount no less than \$250,000; and

f) date and class of the most recent flight medical exam.

3) A pilot shall have a private pilot's license as a minimum rating to qualify for licensure with the department.

4) An application is not considered complete until the application fee, as approved by the legislature in the fee schedule, has been paid to the department.

5) The department shall deny any applicant who does not submit all required information.

6) The department may refuse to issue a permit, or revoke an existing permit, if the permit application contains false information.

7) The department shall respond to an application within 15 days.

8) A license shall be valid from July 1st through June 30th.

9) A license shall be renewed yearly.

10) The department may deny renewal, if the licensee is not fully qualified or has failed to maintain qualification in anyway during the previous license period.

R58-25-5. Terms of the Permit or License.

1) A permittee or licensee shall only engage in aerial hunting in the geographic area specified on the permit.

2) The permit and licenses shall be in the possession of the permittee or licensee when engaged in the activities covered by the permit.

3) Permits are not transferable.

4) The permittee shall file semi-annual reports with the department.

5) The department shall be notified by the permittee of any changes to aircraft, pilots, geographic locations, or shooters not previously listed on the application within 5 days.

6) The Department shall issue an amended permit within 15 days of receiving notification of changes as specified in R58-25-5(5).

7) Information concerning aerial hunting activities conducted by the permittee shall be provided to those federal land management agencies on whose land the activities are to be conducted by the permittee. This provision shall not be interpreted to require a permit applicant to obtain permission from the federal land management agency to conduct aerial hunting activities as a condition of receiving the permit from the department.

8) The permittee shall coordinate aerial hunting activities with U.S.D.A., A.P.H.I.S., Wildlife Services and the Utah Division of Wildlife Resources.

9) The permittee shall comply with all applicable federal and state laws and regulations.

R58-25-6. Permit Duration and Renewal.

- 1) Aerial hunting permits shall be valid for a 12- month period from July 1st through June 30th.
- 2) A permittee shall renew their permit each year.
- 3) The department may deny a renewal for noncompliance.

R58-25-7. Recordkeeping.

- 1) Semi-annual reports are due to the department within 30 days after June 30 and December 31 of each year.
- 2) The department may request more reports as needed.
- 3) The permittee shall report, on a form provided by the department, the following information:
 - a) the resource protected;
 - b) the number of predatory animals taken;
 - c) the geographic location of the property where aerial hunting activity was conducted; and
 - d) the specific dates on which the person was engaged in aerial hunting activity.

R58-25-8. Violations.

- 1) No person shall:
 - a) use an aerial hunting permit to hunt for sport;
 - b) transfer an aerial hunting permit to another person;
 - c) engage in aerial hunting activities in a geographic area different from the area specified on the permit;
 - d) engage in aerial hunting activities after the time when the permittee may graze or run livestock on the land;
 - e) engage in aerial hunting activities after the time limit on the permit expires;
 - f) violate regulations established by the Federal Aviation Administration or any other federal law or regulation; or
 - g) use an aerial hunting permit take protected wildlife, as defined in Section 23-13-2, without written authorization from the Division of Wildlife Resources.
- 2) A person engage in aerial shooting shall not use an automatic weapon.

R58-25-9. Revocation, Suspension, or Modification of Permit.

- 1) Failure to comply with the rules or statutes governing aerial hunting will result in suspension or revocation of the permit.
- 2) The department shall close an aerial hunting area upon receipt of written request from the landowner, administrator, or lessee.

R58-25-10. Condition of Licensure or Permit.

- 1) An applicant for a permit or license shall agree to sign a hold harmless agreement prior to receiving a permit or a license.

KEY: aerial hunting, coyote, predator control

Date of Enactment or Last Substantive Amendment: February 21, 2020

Authorizing, and Implemented or Interpreted Law: 4-23-106(7)

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	350 N Redwood Road	
City, state:	Salt Lake City, UT 84115	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-538-6023	ambermbrown@utah.gov
Kelly Pehrson	385-538-7102	kwpehrson@utah.gov
Drew Rigby	801-870-1160	adrigby@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Cannabis Licensing Process
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This rule establishes the licensing process for cannabis production establishments in accordance with the changes to Utah Code Section 4-41a-201, which requires the Department of Agriculture and Food (Department) to establish a process.
4. Summary of the new rule or change:
This proposed rule establishes a Cannabis Production Establishment Licensing Board (Board) which will review the applicants and award licenses based on the recommendation from the Department. This rule also establishes the process by which the Department will receive and review the application and make recommendations to the Board.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
While a new board is created to oversee the licensing of Cannabis Production Establishments, the Board is comprised of Department administration and employees who will reassign some of their tasks in order to participate on the Board. There will not be an increase in cost to the state budget by creating this Board.

NOTICE OF PROPOSED RULE			
TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R68-31	Filing No.	52468

Additionally, the Department will utilize inspectors to review the applications, conduct the investigations, and make the recommendation. The Department will continue to receive the application and licensing fees; however, those fees have not increased.

B) Local governments:

This rule is not anticipated to have a cost or saving to local governments as the rule directs the licensing process of the Department only.

C) Small businesses ("small business" means a business employing 1-49 persons):

It is not anticipated that this proposed rule will have an impact on small businesses as the rule identifies the procedures by which a small business applies for a license and sets up the process the Department will follow in order to issue a license. There are no new requirements for small businesses which would increase their costs.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

It is not anticipated that this proposed rule will have an impact on businesses as the rule identifies the procedures by which a non-small business applies for a license and sets up the process the Department will follow in order to issue a license. There are no new requirements for businesses which would increase their costs.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This proposed rule will speed up the process for licensing of cannabis production establishments which should enable product to reach the consumer sooner.

F) Compliance costs for affected persons:

There are no costs to the affected persons as this rule directs the process by which the Department will receive, process, and award licenses. The Department will use current staff to operate and does not expect there to be any impact to the state budget. The proposed rule does not add any cost to those who are applying, it offers clarification to the application process.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

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Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Agriculture and Food, Kerry Gibson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

It is expected that this rule will allow us to more quickly review and issue licenses, allowing businesses to enter business sooner and not further delay revenues. The Department will use current staff to operate and does not expect there to be any impact to the state budget. The proposed rule does not add any cost to those who are applying, it offers clarification to the application process.

B) Name and title of department head commenting on the fiscal impacts:

Kerry Gibson, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following

state and federal laws. State code or constitution citations (required):		
Subsection 4-41a-201(2)(iii)	Section 4-2-103	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	02/14/2020
--	------------

10. This rule change MAY become effective on:	02/21/2020
--	------------

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/17/2019
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R68. Agriculture and Food, Plant Industry.

R68-31. Cannabis Licensing Process.

R68-31-1. Authority and Purpose.

Pursuant to sections 4-41a-201(2)(iii) and 4-2-103, this rule establishes the Cannabis Establishment Licensing Board and the process for issuing a cannabis production establishment license.

R68-31-2. Definitions.

- 1) "Cannabis cultivation facility" means a person that:
 - a) possesses cannabis;
 - b) grows or intends to grow cannabis; and
 - c) sells or intends to sell cannabis to a cannabis cultivation facility, a cannabis processing facility, or a medical cannabis research licensee.
- 2) "Cannabis processing facility" means a person that:
 - a) acquires or intends to acquire cannabis from a cannabis production establishment or a holder of an industrial hemp processor license under Title 4, Chapter 41, Hemp and Cannabinoid Act;
 - b) possesses cannabis with the intent to manufacture a cannabis product;
 - c) manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and

- d) sells or intends to sell a cannabis product to a medical cannabis pharmacy or a medical cannabis research licensee.
- 3) "Cannabis production establishment" means a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.
- 4) "Department" means the Utah Department of Agriculture and Food.
- 5) "Independent cannabis testing laboratory" means a person that:
 - a) conducts a chemical or other analysis of cannabis or cannabis product; or
 - b) acquires, possesses, and transports cannabis or a cannabis product with the intent to conduct a chemical or other analysis of the cannabis or cannabis product.

R68-31-3. Cannabis Production Establishment Licensing Board Established.

- 1) The department shall establish a Cannabis Production Establishment Licensing Board to evaluate cannabis production establishment applications and issue cannabis production establishment licenses.
- 2) The Cannabis Production Establishment Licensing Board shall be composed of six members:
 - a) the Commissioner of the department or designee;
 - b) the Deputy Commissioner of the department;
 - c) the Cannabis and Industrial Hemp Division Director;
 - d) the Regulatory Services Division Director;
 - e) the State Chemist and Laboratory Division Director;
 and
 - f) the Plant Industry Division Director.
- 3) The commissioner or the commissioner's designee shall serve as chair of the Cannabis Production Establishment Licensing Board.
- 4) The commissioner or the commissioner's designee may not vote except in the event of a tie, in which case the commissioner or the commissioner's designee shall cast the deciding vote.
- 5) Attendance of four members of the Cannabis Production Establishment Board shall constitute a quorum.

R68-31-4. Duties of the Cannabis Production Establishment Licensing Board.

- 1) The Cannabis Production Establishment Licensing Board is responsible for the issuing of any type of cannabis production establishment license.
- 2) The Cannabis Production Establishment Board shall:
 - a) review the application for compliance with:
 - i) Utah Code Title 4, Chapter 41a;
 - ii) R68-30; and
 - iii) R68-27;
 - iv) R68-28; or
 - v) R68-29;
 - b) conduct a public hearing to consider the applications;
 - c) approve the department's license application forms and checklists; and
 - d) make a determination on the application.
- 3) The commissioner shall schedule a public hearing of the Cannabis Production Establishment Licensing Board as necessary based on the recommendation of the department.
- 4) The department's licensing authority is plenary and is not subject to review pursuant to Utah Code 4-41a-201(13).

R68-31-5. Application for Cannabis Processing Facility and Independent Cannabis Testing Laboratory.

1) No cannabis processing facility or independent cannabis testing laboratory license application shall be recommended to the Cannabis Production Establishment Licensing Board for consideration until:

a) a complete application including all documents and supplemental materials on the department's application checklist have been submitted to the department;

b) a department official has inspected the premises; and

c) a department official has conducted an investigation as described in R68-31-7.

2) An incomplete application will be returned to the applicant.

3) The department shall forward to the Cannabis Production Establishment Licensing Board the information and recommendation to aid in the license determination.

R68-31-6. Cannabis Cultivation Facility Application.

1) The department shall accept application for a cannabis cultivation facility license in January, April, July, and October of each year.

2) Applications for a cannabis cultivation facility will be considered as needed based on the market need and available licenses.

3) Applications shall be voided at the end of December each year.

4) The application fee shall be paid for each application submitted for review.

R68-31-7. Department Review.

1) The department's investigation shall:

a) verify all required documents and supplemental materials have been submitted with the application;

b) confirm the information in the application is correct;

c) conduct the criminal background check required in Utah Code Title 4, Chapter 41a, Section 202; and

d) confirm that operating and business plans comply with all state laws and administrative rule.

2) The department may require additional information from an applicant.

3) The department shall submit the cannabis processing facility or independent cannabis testing laboratory application to the Cannabis Production Establishment Licensing Board with information and a recommendation within 30 days of receiving a completed cannabis processing facility or independent cannabis testing laboratory application.

4) The department shall submit a cannabis cultivation facility application to the Cannabis Production Establishment Licensing Board when the department finds a need based on market needs and available licenses.

R68-31-8. Public Hearing.

1) The Cannabis Production Establishment Licensing Board shall make licensing determination during a public hearing where the application was considered.

2) The Cannabis Production Establishment Licensing Board shall allow prospective applicants to make a presentation at the public hearing in which their application is considered.

3) The Cannabis Production Establishment Licensing Board shall notify the prospective applicant a minimum of 10

business days in advance of the public hearing where their application is being considered.

4) The Cannabis Production Establishment Licensing Board may limit the time available for presentations by the applicants.

KEY: cannabis, cannabis production, licensing, Cannabis Production Establishment Licensing Board

Date of Enactment or Last Substantive Amendment: February 21, 2020

Authorizing, and Implemented or Interpreted Law: 4-2-103; 4-41a-201(2)(iii)

NOTICE OF PROPOSED RULE			
TYPE OF RULE: New			
Utah Admin. Code Ref (R no.):	R70-570	Filing No. 52471	

Agency Information

1. Department:	Agriculture and Food		
Agency:	Regulatory Services		
Street address:	350 N Redwood Road		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 146500		
City, state, zip:	Salt Lake City, UT 84114-6500		
Contact person(s):			
Name:	Phone:	Email:	
Amber Brown	801-538-6023	ambermbrown@utah.gov	
Kelly Pehrson	385-538-7102	kwpehrson@utah.gov	
Travis Waller	801-538-7150	twaller@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
Direct-to-Sale Farmers Market Signage
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The purpose of this rule is to specify the requirements for signage of homemade food products sold at direct-to-sale farmers markets or direct-to-sale sections of traditional farmers markets.

4. Summary of the new rule or change:
 This rule specifies that signage shall be a minimum of 22" by 28," white in color, and with specifically delineated text printed in English with red ink, printed clearly and legibly, and placed in a conspicuous and predominant location.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule has no state budget impact because enforcement does not require additional inspections and inspectors will already be present at farmers market who can verify correct signage.

B) Local governments:

There will be a minimal impact for county or city run farmer's markets. Although the Department of Agriculture and Food (Department) does not have access to specific cost information, there is an anticipated slight cost for markets to verify signage or purchase materials to put up signs themselves at direct-to-sale markets or direct-to-sale sections of traditional farmers markets.

C) Small businesses ("small business" means a business employing 1-49 persons):

Homemade food vendors will incur a small cost, including the cost of purchasing poster board and a marker, and the time involved to make a sign. Overall, there is an estimated cost of approximately \$5 per vendor (\$1 for a standard sized poster board, \$2 for a red marker, and \$2 for 10 minutes of time, at a pay rate of \$12 per hour). The Department are unable to estimate how many vendors operate at Utah farmers markets because this number is constantly subject to change, however, the regulatory impact summary table accounts for one sign per each of the total of 56 farmers markets in Utah (this includes 17 raw produce stands and 39 markets selling prepackaged or processed foods). The FY 2021 and 2022 impacts assume that signs would last two years and be replaced in year three.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The Department does not believe that any homemade food vendors fit the definition of non-small businesses, but if they did the cost would be the same as indicated in Box 5C above at approximately \$5 per vendor.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

Consumers will receive the benefit of being provided with additional information and education regarding the level of inspection and regulation of homemade food products

they may be buying. This information will allow them to make more informed purchase decisions.

F) Compliance costs for affected persons:

As in Boxes 5C and 5D above, approximately \$5 per required sign.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$280	\$0	\$280
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$280	\$0	\$280
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	-\$280	\$0	-\$280

H) Department head approval of regulatory impact analysis:

The Commissioner of the Utah Department of Agriculture and Food, Kerry Gibson, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This rule is necessary to provide consumers with information regarding the regulation of homemade food they may purchase at farmers markets.

B) Name and title of department head commenting on the fiscal impacts:
Kerry Gibson, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Subsection 4-5a-103(3)	Subsection 4-5a-102(2)	Subsection 4-5-102(6)

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	02/14/2020

10. This rule change MAY become effective on:	02/21/2020
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/23/2019
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R70. Agriculture and Food, Regulatory Services. R70-570. Direct-to-Sale Farmers Market Signage.

R70-570-1. Authority.

1) Pursuant to Section 4-5a-103(3), this rule establishes the signage requirements for homemade food sold at direct-to-sale farmers markets, as defined under Section 4-5a-102 (2), or in direct-to-sale sections of a traditional farmers market, as defined under Section 4-5-102(6).

R70-570-2. Direct-to-Sale Farmers Market Signage.

- 1) Direct-to-Sale farmers market signage shall be:
- a) a minimum of 22"x 28";
 - b) white in color;
 - c) printed in English;
 - d) printed in red ink;

- e) printed clearly and legibly, and;
 - f) written in capital letters not smaller than 2" in height.
- 2) Direct-to-Sale farmers market signage shall contain the phrase, "FOOD ITEMS OFFERED FOR SALE IN THIS DIRECT-TO-SALE FARMERS MARKET ARE HOMEMADE AND HAVE NOT BEEN CERTIFIED, LICENSED, REGULATED, OR INSPECTED BY STATE OR LOCAL AUTHORITIES."
- 3) Direct-to-Sale farmers market signage shall be placed at each entrance to the direct-to-sale farmers market in a conspicuous and predominant place within plan view of the customers and shall remain in place throughout the duration of the market.

R70-570-3. Direct-to-Sale Farmers Market Section Signage.

- 1) The direct-to-sale section(s) of a traditional farmers market shall be segregated and clearly delineated by the placing of signage, both within the farmers market and at each individual direct-to-sale vendor location.
- 2) Direct-to-Sale section signage shall be:
- a) a minimum of 22"x 28";
 - b) white in color;
 - c) printed in English;
 - d) printed in red ink;
 - e) printed clearly and legibly, and;
 - f) written in capital letters not smaller than 2" in height.
- 3) Direct-to-Sale section signage shall contain the phrase, "FOOD ITEMS OFFERED FOR SALE IN THIS SECTION OF THE FARMERS MARKET ARE HOMEMADE AND HAVE NOT BEEN CERTIFIED, LICENSED, REGULATED, OR INSPECTED BY STATE OR LOCAL AUTHORITIES."
- 4) Direct-to-Sale section signage shall be placed at each entrance to the direct-to-sale farmers market section (s) and at each individual vendor location in a conspicuous and predominant place within plan view of the customers and shall remain in place throughout the duration of the market.

KEY: direct-to-sale farmers market signage

Date of Enactment or Last Substantive Amendment: February 21, 2020

Authorizing, and Implemented or Interpreted Law: 4-5a-103(3); 4-5a-102(2); 4-5a-102(6)

NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R651-601	Filing No. 52363	

Agency Information

1. Department:	Natural Resources
Agency:	Parks and Recreation
Street address:	1594 West North Temple
City, state:	Salt Lake City, UT
Mailing address:	PO Box 146001
City, state, zip:	Salt Lake City, UT 84114
Contact person(s):	
Name:	Phone: Email:

Tammy Wright	801-538-7359	tammywright@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Definitions as Used in These Rules
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
There has been some concern that archery equipment might not be considered a dangerous weapon when used in the Division of Parks and Recreation (Division) properties for the purposes of hunting, as Subsection 76-1-501(6) does not specifically define archery equipment as a dangerous weapon. If archery equipment is not considered a dangerous weapon, it could be used for hunting in areas where firearms are prohibited. These areas would include the Division buildings, designated camp or picnic sites, overlooks, golf courses, boat ramps, and developed beaches. The purpose of this filing is to clarify that archery equipment is considered a dangerous weapon when used on Division owned or managed property in the specified areas, and needs to be addressed for the safety of park visitors.
4. Summary of the new rule or change:
The reason for the change is to clarify that archery equipment is considered a dangerous weapon when used on the Division of Parks and Recreation owned or managed property.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no cost or savings to the state budget and this is clarifying only that archery equipment is considered a dangerous weapon with regards to the Division owned and managed properties.
B) Local governments:
There is no cost or savings to local governments as this includes the Division owned or managed properties and is a clarification only.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no cost or savings to small businesses as this is a clarification in rule only and clarifies that archery equipment is considered a dangerous weapon with regards to the Division owned and managed properties.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																																								
There is no cost or savings to non-small businesses as this is a clarification in rule only and clarifies that archery equipment is considered a dangerous weapon with regards to the Division.																																								
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																																								
There is no cost or savings to other persons as this is a clarification in rule only and clarifies that archery equipment is considered a dangerous weapon with regards to the Division owned and managed properties. Persons would be prohibited from using archery equipment within the specified areas for the safety of park visitors.																																								
F) Compliance costs for affected persons:																																								
There are no compliance costs for affected persons as this is a clarification only to clarify that archery equipment is considered a dangerous weapon with regards to the Division owned and managed properties. Clarifying this does not have compliance costs associated with the amendment.																																								
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)																																								
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NOTICES OF PROPOSED RULES

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This rule should not impact any business interest.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 41-22-10	Section 79-4-601	Section 79-4-304
Section 79-4-203	Section 76-10-501	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 02/14/2020

10. This rule change MAY become effective on: 02/21/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and

will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Division Director	Date:	12/31/2019
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R651. Natural Resources, Parks and Recreation.

R651-601. Definitions as Used in These Rules.

R651-601-1. Division.

"Division" means the Division of Parks and Recreation, Department of Natural Resources.

R651-601-2. Ranger.

"Ranger" means any employee of the Division who is designated by the Director or his designee as a law enforcement officer as defined in Section 53-13-103.

R651-601-3. Division Representative.

"Division Representative" means any employee of the Division authorized by the Director or his designee to act in an official capacity.

R651-601-4. Natural and Cultural Resources.

"Natural and Cultural Resources" means those features and values including all lands, minerals, soils and waters, natural systems and processes, and all plants, animals, topographic, geologic and paleontological components of a park area as well as all historic and pre-historic, sites, trails, structures, inscriptions, rock art and artifacts representative of a given culture occurring on or within any park area.

R651-601-5. Park System.

"Park system" means all natural and cultural resource, and all buildings and other improvements owned, leased, or otherwise managed by the Division.

R651-601-6. Park Area.

"Park area" means any individual park property in the park system.

R651-601-7. Manager.

"Manager" means the Division representative in charge of a park area.

R651-601-8. Permission.

"Permission" means oral or written authorization by a park representative.

R651-601-9. Permit.

"Permit" means written authorization by a park representative.

R651-601-10. Posted.

"Posted" means displayed printed instruction or information.

R651-601-11. Person.

"Person" means individual, corporation, company, partnership, trust, firm, or association of persons.

R651-601-12. Commercial Activity.

"Commercial Activity" means any activity, private or otherwise, that is for the purpose of commercial gain, or that is part of any scheme or plan established for the purpose of obtaining commercial gain. This includes, but is not limited to:

- (1) sales of goods or merchandise.
- (2) rentals of equipment.
- (3) collection of entrance or admission fees.
- (4) collection of storage or use fees.
- (5) sales of services.
- (6) delivery service of rental equipment to the park area

by a rental agency as part of a customer rental agreement.

R651-601-13. Commercial Gain.

"Commercial gain" means compensation in money, services, or other consideration as part of a scheme or effort to generate income or financial advantage of any kind.

R651-601-14. Concession Contract.

"Concession Contract" means a use agreement granted to an individual, partnership, corporation, or other recognized organization, for the purpose of providing services or sales of goods or merchandise for conducting commercial activity.

R651-601-15. Special Use Permit.

"Special Use Permit" means written permission given to an individual, partnership, corporation, or other recognized organization for the purpose of conducting the following: 1) special events whether commercial or non-commercial; 2) certain limited concession activities; and 3) commercial services as guides, provisioners, and/or outfitters.

R651-601-16. Cooperative Agreement.

A written instrument whereby two or more parties agree to terms governing the parties' relationship, much as a contract. Informal interoffice communication definition does not apply in this case.

R651-601-17. Definitions.

(1) "Motorized Transportation Device" means any motorized device used as a mode of transportation that includes: "Electric assisted bicycles", "Mopeds", "Motor Assisted scooters", "motorcycles", "motor-driven cycle", and "personal motorized mobility device" as defined in Utah State Code 41-6-1. "Motorized wheelchairs" are also included under this definition.

R651-601-18. Unmanned Aircraft.

(1) "Unmanned Aircraft" means an aircraft that is capable of sustaining flight and that operates with no possible direct human intervention from, on or within the aircraft.

R651-601-19. Dangerous Weapon.

(1) "Dangerous Weapon" means the same as defined in 76-10-501(6) and includes archery equipment on State Park owned and managed property.

KEY: parks, off-highway vehicles

Date of Enactment or Last Substantive Amendment: ~~July 28, 2016~~ 2020

Notice of Continuation: June 13, 2018

Authorizing, and Implemented or Interpreted Law: 41-22-10; 79-4-203; 79-4-304; 79-4-601; 76-10-501

NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R651-601-20	Filing No. 52410	

Agency Information

1. Department:	Natural Resources		
Agency:	Parks and Recreation		
Street address:	1594 West North Temple		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 146001		
City, state, zip:	Salt Lake City, UT, 84116		
Contact person(s):			
Name:	Phone:	Email:	
Tammy Wright	801-538-7359	tammywright@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
Primary Jurisdiction Zone (PJZ)
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This amendment would define the property owned by the Bureau of Reclamation (BOR) that is excluded from the Division of Parks and Recreation (Park) management at the twelve parks with BOR property.
4. Summary of the new rule or change:
This amendment would define the BOR property that is owned by them and excluded from the management of twelve Park properties.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no cost or savings to the state budget. The change is to define the BOR property that is excluded from the management of Park properties.
B) Local governments:
There is no cost or savings to local governments as it defines federal property owned by the BOR within twelve of the Park properties.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no cost or savings to small business as this is an amendment to define property owned by the BOR within twelve of the Park properties.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no cost or savings to non-small businesses as this is an amendment to define property owned by the BOR within twelve of the Park properties.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no cost to persons other than small businesses as this is an amendment to define property owned by the BOR within twelve of the Park properties.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons as this is an amendment to define property owned by the BOR within twelve of the Park properties.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This rule should not impact any businesses.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 41-22-10	Section 79-4-601	Section 79-4-304
Section 79-4-203	Section 76-10-501	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	02/14/2020
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10. This rule change MAY become effective on:	02/21/2020
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Division Director	Date:	12/31/2019
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R651. Natural Resources, Parks and Recreation.**R651-601. Definitions as Used in These Rules.****R651-601-20. Primary Jurisdiction Zone (PJZ).**

(1) "Primary Jurisdiction Zone" means those areas of the Federal Estate surrounding the dams, including the dams, appurtenant facilities, and the vicinities below the dams wherein Reclamation retains.

KEY: parks, off-highway vehicles

Date of Enactment or Last Substantive Amendment: ~~July 28, 2016~~ 2020

Notice of Continuation: June 13, 2018

Authorizing, and Implemented or Interpreted Law: 41-22-10; 79-4-203; 79-4-304; 79-4-601; 76-10-501

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R651-614	Filing No.	52413
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Agency Information

1. Department:	Natural Resources		
Agency:	Parks and Recreation		
Street address:	1594 West North Temple		
City, state:	Salt Lake City, UT		
Mailing address:	PO Box 146001		
City, state, zip:	Salt Lake City, Utah 84114		
Contact person(s):			
Name:	Phone:	Email:	
Tammy Wright	801-538-7359	tammywright@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
Fishing, Hunting and Trapping
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
The current rule states that state park areas are closed unless opened by the Utah Wildlife Board (Board) for specific types of hunting. Our enabling legislation mandates that: "The division shall permit multiple use of state parks and property controlled by it for purposes such as grazing, fishing, hunting, camping, mining, and

the development and utilization of water and other natural resources." The Division of Parks and Recreation (Division) would like to revise the current rule to allow hunting on all Division owned and managed lands, unless city, county, state, the Division of Wildlife Resources (DWR) proclamation or the Division Board excludes the area from hunting. The new language will make changes easier in the future and better fits our mandate for multiple uses. There are a number of laws and rules already in effect that would exclude state park areas from hunting. These include state statute that prohibits shooting within Utah State Park buildings, designated camp or picnic sites, overlooks, golf courses, boat ramps, developed beaches, within 600 feet of any buildings and from or across a road. With all of the laws and rules that are currently in place, the Division feels that hunting opportunities can be safely increased within state parks.

4. Summary of the new rule or change:

When Echo State Park became the Division's newest park last year, the Division began to look at including hunting as part of the recreational opportunities available at the park. In looking at the overall current hunting rule, it was found that there are a number of areas that are out of date due to other agency rule changes and changes within the Division.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

There is no cost or savings to the state budget for this amendment. The changes make available other hunting opportunities throughout the Division.

B) Local governments:

There is no cost to local governments as this affects state parks and will offer other hunting opportunities within its' managed properties.

C) Small businesses ("small business" means a business employing 1-49 persons):

There is no cost to small business. The change affects parks within the boundaries and will not cost anything to small businesses. It will offer more hunting opportunities.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no cost to non-small businesses as it affects hunting within park boundaries.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no cost to persons other than small businesses as this will provide additional hunting opportunities within state park boundaries.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons. Those who wish to hunt already purchase a license. It will provide additional hunting within park boundaries.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

No impact on businesses.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 79-4-501

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 02/14/2020

10. This rule change MAY become effective on: 02/21/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Division Director	Date:	12/31/2019
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R651. Natural Resources, Parks and Recreation.

R651-614. Fishing, Hunting and Trapping.

R651-614-1. Applicability of the Utah Fish and Game Code.

Fishing, hunting and trapping shall be in accordance with the Utah Fish and Game Code, with the following provisions.

R651-614-2. Fishing near Public Areas.

Fishing from or within 100 feet of any public float designed for water sports, developed beaches, public loading docks, or boat ramps is prohibited.

R651-614-3. Ice Fishing.

Ice fishing is prohibited in areas posted closed by the park manager.

R651-614-4. Hunting Wildlife.

Hunting of any wildlife is ~~prohibited~~permitted, when conducted in accordance with applicable state law, administrative rule, and guidebooks of the Utah Wildlife Board, and within the boundaries of all State ~~park~~Park owned and managed properties~~areas~~ except those areas designated as~~open~~ closed, under special permit restrictions, or limited to specific types of hunting as follows:

- (1) Anasazi State Park Museum - Closed
- ~~(1)~~~~(2)~~~~(a)~~ Antelope Island State Park~~[-]~~
 - (a) By special permit only as outlined in R651-637. Antelope Island State Park Special Mule Deer and Bighorn Sheep Hunt.
 - (b) Antelope Island permits to hunt bison shall be available, distributed and utilized consistent with the ~~following~~ statutes and rules of the Division of Wildlife Resources to the same extent as if the bison were considered wildlife. ~~[: (1) Utah Code Sections 23-13-2; 23-19-1, 23-19-5; 23-19-6, 23-19-9(11), 23-19-11 and 23-20-27; (2) Utah Administrative Code Sections R657-5-4, R657-5-8 through 12, R657-5-14 and 15, R657-5-24 and 25, R657-5-27 and 28, R657-5-34, R657-5-37, R657-5-53, R657-5-62, and Rules R657-12, R657-23, R657-32, R657-42, and R657-50.]~~
 - ~~(e)~~ Subsection R651-614-4(1)(b) shall be applied retroactively only to the incorporation of Utah Administrative Code Sections R657-5-24, R657-5-25, R657-5-27, R657-5-34, and R657-5-37.]
- (3) Camp Floyd State Park Museum - Closed
- ~~(2)~~ Coral Pink Sand Dunes State Park - small game
- (4) Dead Horse Point State Park -- Closed to all hunting above the canyon rim of the park.
 - ~~(3)~~~~(5)~~Deer Creek State Park -- ~~[small game and waterfowl]~~Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
 - ~~(4)~~~~(6)~~ East Canyon State Park -- ~~[small game]~~Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
 - (7) Echo State Park -- Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
 - ~~(5)~~ Gunlock State Park - waterfowl
 - (8) Edge of the Cedars State Park Museum -- Closed
 - (9) Flight Park State Recreation Area -- Closed
 - (10) Fred Hayes State Park at Starvation -- Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
 - (11) Frontier Homestead State Park Museum -- Closed
 - (12) Goblin Valley State Park -- Closed to all hunting South of E. Wild Horse Rd.
 - (13) Goosenecks State Park -- Closed
 - (14) Green River State Park -- Closed
 - (15) Great Salt Lake State Park -- Closed
 - (16) Historic Union Pacific Rail Trail - Closed
 - ~~(6)~~~~(7)~~ Huntington State Park -- ~~[waterfowl]~~
 - (a) Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities
 - (b) Limited to Waterfowl hunting only
 - ~~(7)~~~~(8)~~ Hyrum Lake State Park -- ~~[small game]~~Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
 - ~~(8)~~~~(9)~~ Jordanelle State Park -- ~~[big and small game and waterfowl]~~Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
 - ~~(9)~~ Minersville - waterfowl
 - (20) Jordan River Off-Highway Vehicle State Park -- Closed

- ~~(21)~~ Millsite State Park -- Limited to Waterfowl hunting only
- ~~(10)~~ Quail Creek State Park - waterfowl
- (22) Otter Creek State Park -- Limited to Waterfowl hunting only
- (23) Palisade State Park -- Big Game hunting limited to Archery only
- (24) Piute State Park -- Limited to Waterfowl hunting only
- ~~(25)~~ Red Fleet State Park -- Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
- ~~(14)~~~~(26)~~ Rockport State Park -- ~~[waterfowl]~~Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
- (27) Sand Hollow State Park -- Limited to Waterfowl hunting only.
- ~~(12)~~~~(28)~~ Scofield State Park -- ~~[waterfowl]~~Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
- (29) Snow Canyon State Park - Closed
- ~~(13)~~ Starvation State Park - big and small game
- ~~(14)~~~~(30)~~ Steinaker State Park -- ~~[waterfowl, falconry between October 15 and April 14 annually.]~~Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
- (31) Territorial Statehouse State Park Museum -- Closed
- (32) This is the Place Heritage Park -- Closed
- (33) Utah Field House of Natural History State Park Museum -- Closed
- (34) Utah Lake State Park - Closed
- ~~(15)~~ Pioneer Trail, Mormon Flat Unit - big and small game
- ~~(16)~~ Wasatch Mountain State Park - big and small game
- (35) Willard Bay State Park -- Closed to all hunting within the Primary Jurisdiction Zone and within 600 ft of all developed facilities.
- ~~(17)~~ Yuba State Park - small game

R651-614-6. Trapping.

All trapping on park areas is prohibited except when authorized and permitted by the park manager.

KEY: parks

Date of Enactment or Last Substantive Amendment: ~~February 16, 2017~~**2020**

Notice of Continuation: June 7, 2018

Authorizing, and Implemented or Interpreted Law: 79-4-501

NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R651-620	Filing No. 52364	

Agency Information

1. Department:	Natural Resources
Agency:	Parks and Recreation
Street address:	1594 West North Temple
City, state:	Salt Lake City, UT
Mailing address:	PO Box 146001
City, state, zip:	Salt Lake City, UT 84114

Contact person(s):		
Name:	Phone:	Email:
Tammy Wright	801-538-7359	Tammywright@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
Protection of Resources Park System Property

3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
A number of years ago the Legislature changed violations of Division of Park and Recreation (Park) rules from Class B misdemeanors to infractions. This is an amendment that was approved by the Park Board, so as to be in compliance with that change. When the change in statute took place, the corresponding rule was not updated.

4. Summary of the new rule or change:
The amendment is for a wording change and will show that Park rule violations are infractions and not misdemeanors. This will update the rule to be in compliance with changes to state statute.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
There is no cost or savings to the state budget for this amendment is a wording change.

B) Local governments:
There is no cost or savings to local governments as it is a change to the wording and will show the same as state statute.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no cost or savings to small business as this is a change in wording and will bring it into compliance with state statute.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no cost or savings to non-small businesses. This amendment will bring the rule into compliance with state statute.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
There is no cost to persons other than small businesses because it is a wording change. The Legislature changed park rules to infractions from Class B Misdemeanors and this amendment will bring the rule into compliance with state statute.

F) Compliance costs for affected persons:
There are no compliance costs for affected persons as this is a wording change.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2020	FY2021	FY2022
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Brian Steed, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This rule filing should not impact any businesses interest.

B) Name and title of department head commenting on the fiscal impacts:

Brian Steed, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 79-4-502

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 02/14/2020

10. This rule change MAY become effective on: 02/21/2020

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Division Director	Date:	12/31/2019
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**R651. Natural Resources, Parks and Recreation.
R651-620. Protection of Resources Park System Property.
R651-620-1. Applicability of Criminal Code.**

Offenses against capital improvements, natural and cultural resources will normally be handled through the Utah Criminal Code.

R651-620-2. Trespass.

(1) A person may be found guilty of [~~a class-B misdemeanor~~]an infraction, as stated in Utah Code Annotated, Section 79-4-502 if that person engages in activities within a park area without specific written authorization by the division. These activities include:(a) construction, or causing to construct, any structure, including buildings, fences water control devices, roads, utility lines or towers, or any other improvements;(b)removal, extraction, use, consumption, possession or destruction of any natural or cultural resource;(c)grazing of livestock, except as provided in Utah Code Annotated, Section 72-3-112. A cause of action for the trespass of livestock may be initiated in accordance with 78B-2-305; (d)use or occupation of park area property for more than 30 days after the cancellation or expiration of permit, lease, or concession agreement; or(e)any use or occupation in violation of division rules.

(2) The provisions of this section do not apply to division employees in the performance of their duties.

(3) Violations described in section (1) are subject to penalties as provided in Utah Code Annotated, Section 76-3-204 and Section 76-3-301.

R651-620-3. Tossing, Throwing, or Rolling of Rocks and other Materials.

The tossing, throwing, or rolling of rocks or other materials into valleys or canyons or down hills and mountains is prohibited.

R651-620-4. Firewood.

Collecting or cutting of firewood is prohibited without a permit.

R651-620-5. Glass Containers.

Use or possession of glass containers is prohibited in posted areas.

R651-620-6. Metal Detecting.

Metal detecting is prohibited without a permit.

KEY: parks, trespass

Date of Enactment or Last Substantive Amendment: [~~November 16, 2004~~]2020

Notice of Continuation: June 13, 2018

Authorizing, and Implemented or Interpreted Law: 79-4-502

End of the Notices of Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at <https://rules.utah.gov/>. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

REVIEWS are governed by Section 63G-3-305.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R58-7	Filing No. 50110

Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84115	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-538-6023	ambermbrown@utah.gov
Leann Hunting	801-538-7166	leannhunting@utah.gov
Kelly Pehrson	385-538-7102	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Livestock Markets, Satellite Video Livestock Auction Market, Livestock Sales, Dealers, and Livestock Market Weighpersons
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how

these provisions authorize or require this rule:
Sections 4-30-104 and 4-2-103 authorize the Department of Agriculture and Food to make rules to provide uniformity and fairness in the marketing of livestock within the state, whether sold through regularly established livestock markets or other types of sales.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received during and since the last five-year review of this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because it sets standards for licensing of livestock markets, consistent with state and federal law governing livestock health and movement. This rule includes provisions regulating record keeping, use of space, and cleaning standards, as well as veterinarian requirements. This rule also provides for issuance of temporary livestock sales licenses, dealer licensing, and bonded and licensed weighpersons, and prescribes standards for satellite video livestock auction markets. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/26/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
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Utah Admin. Code Ref (R no.):	R58-11	Filing No. 50111
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Agency Information

1. Department:	Department of Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84115	
Mailing address:	PO Box 1476500	
City, state, zip:	Salt Lake City ,UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-538-6023	ambermbrown@utah.gov
Leann Hunting	801-538-7166	leannhunting@utah.gov
Kelly Pehrson	385-538-7012	Kwpehrson@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
Slaughter of Livestock and Poultry
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 4, Chapter 32, provides guidelines for the inspection and licensing of meat and poultry products.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no written comments received in the last five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule provides detailed guidelines for the production of meat and poultry products in the state of Utah. It regulates the issuance of farm custom slaughter licenses and prescribers equipment and sanitation standards for farm custom slaughter practices. It also provides standard livestock slaughter procedures, including regulating the condition of the slaughter area. It includes requirements for identification and records of licensed individuals. It also prescribes rules for poultry slaughter and rules that govern shared facilities between producers and growers of meat and poultry products. Therefore,

this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/23/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R58-17	Filing No. 50114
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Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 North Redwood Road	
City, state, zip:	Salt Lake City, Utah 84116	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, Utah 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Kelly Pehrson	801-538-7102	kwpehrson@utah.gov
Anna Forest	801-538-7046	annaforest@utah.gov
Leann Hunting	801-538-7166	leannhunting@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
Aquaculture and Aquatic Animal Health
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Utah Code Section 4-37-503 authorizes the Department of Agriculture and Food (Department) to make rules regarding the fish health and the control of disease. This rule addresses the registration of fish facilities, the measures these facilities need to take to prevent fish from escaping, and addresses the importation of species.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received written comments on

this rule in the last five years.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is necessary to protect private aquaculture industry in the state, as well so to protect the wild species from potential contamination and to control disease. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/15/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R58-21	Filing No. 50128

Agency Information

1. Department:	Agriculture and Food	
Agency:	Animal Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84115	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-538-6023	ambermbrown@utah.gov
Leann Hunting	801-538-7166	Leannhunting@utah.gov
Kelly Pehrson	385-538-7102	Kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Trichomoniasis
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 4-31-109 requires this rule to help eliminate or reduce the spread of bovine trichomoniasis in Utah.
4. A summary of written comments received during

and since the last five-year review of this rule from interested persons supporting or opposing this rule:

No written comments have been received during and since the last five-year review of this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule is necessary because it prescribes standards to prevent and eliminate bovine trichomoniasis, including requiring testing of all bulls aged 12 months or older that enter the state of Utah. This rule also provides specific requirements for testing procedure and recordkeeping. This rule prescribes reporting requirements and corrective procedures for bulls that test positive for the disease. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Kerry Gibson, Commissioner	Date:	12/26/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R652-160	Filing No. 51707

Agency Information

1. Department:	Natural Resources	
Agency:	Forestry, Fire and State Lands	
Room no.:	3520	
Street address:	1594 West North Temple	
City, state, zip:	Salt Lake City, Utah 84401	
Contact person(s):		
Name:	Phone:	Email:
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Department of Natural Resources Wilderness Rules
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule implements Section 63L-7-101, the "Utah Wilderness Act," which authorizes the Department of Natural Resources to make rules to govern the protection of wilderness. These regulations adopted by the Division

of Forestry, Fire and State Lands (Division) are enacted under the direction of the Department of Natural Resources.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Division has not received any written comments with regard to this rule from an interested person within the last five years.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

The "Utah Wilderness Act" authorizes the Department of Natural Resources to make rules to govern the protection of wilderness. This rule is a result of that authorization and implements Section 63L-7-101. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Brian L. Cottam, Director	Date:	12/27/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R907-1	Filing No. 52104
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Agency Information

1. Department:	Transportation		
Agency:	Administration		
Room no.:	First Floor Administration Suite		
Building:	Calvin Rampton		
Street address:	4501 South 2700 West		
City, state, zip:	Salt Lake City, Utah 84129		
Mailing address:	PO Box 148455		
City, state, zip:	Salt Lake City, Utah 84114-8455		
Contact person(s):			
Name:	Phone:	Email:	
Linda Hull	801-965-4253	lhull@utah.gov	
James Palmer	801-965-4197	jimpalmer@agutah.gov	
Lori Edwards	801-965-4048	loriedwards@agutah.gov	
Please address questions regarding information on this			

notice to the agency.

General Information

2. Rule catchline:
Administrative Procedures

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Utah Code Subsection 72-1-201(h) authorizes the Department of Transportation (Department) to make rules for the administration of the Department, state transportation systems, and programs. This rule satisfies an element of the need to administer the Department.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule provides procedures for conducting agency actions that are required with some frequency every year. The Department needs this rule for use when agency actions are required. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, Executive Director	Date:	12/31/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R907-62	Filing No. 52090
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Agency Information

1. Department:	Transportation		
Agency:	Administration		
Room no.:	First Floor Administration Suite		
Building:	Calvin Rampton		
Street address:	4501 South 2700 West		
City, state, zip:	Salt Lake City, Utah 84129		
Mailing address:	PO Box 148455		
City, state, zip:	Salt Lake City, Utah 84114-8455		

Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
Americans with Disabilities Act
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is made under authority of Utah Code Subsection 72-1-201(1)(h) and Subsection 63G-3-201(3). As required by 28 CFR 35.107, the Utah Department of Transportation (Department), as a public entity that employs more than 50 persons, adopts and publishes the grievance procedures within this rule for the prompt and equitable resolution of complaints alleging any action prohibited by Title II of the Americans with Disabilities Act, as amended.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule implements the provisions of 28 CFR 35, which in turn implements Title II of the Americans with Disabilities Act, which provides in part that no individual shall be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by the Department because of a disability. This federal law is still in effect and the Department still needs this rule to assist it to satisfy federal requirements. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, Executive Director	Date:	12/31/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R907-63	Filing No. 52093

Agency Information

1. Department:	Transportation
Agency:	Administration
Room no.:	First Floor Administration Suite
Building:	Calvin Rampton
Street address:	4501 South 2700 West
City, state, zip:	Salt Lake City, Utah 84129
Mailing address:	PO Box 148455
City, state, zip:	Salt Lake City, Utah 84114-8455
Contact person(s):	
Name:	Phone: Email:
Linda Hull	801-965-4253 lhull@utah.gov
James Palmer	801-965-4197 jimpalmer@agutah.gov
Lori Edwards	801-965-4048 loriedwards@agutah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
Structure Repair and Loss Recovery Procedure
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule establishes a procedure for loss recovery for damages to structures, appurtenances, and the roadway as provided in Section 72-7-301.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Transportation (Department) has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

As this rule establishes a procedure for loss recovery for damages to structures, appurtenances, and the roadway as provided in Utah Code Section 72-7-301, and this section of the code is still effective and drivers still on occasion damage the Department's structures, appurtenances, and the roadways, this rule is still necessary. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, Executive Director	Date:	12/31/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R907-69	Filing No. 52107

Agency Information

1. Department:	Transportation	
Agency:	Administration	
Room no.:	First Floor Administration Suite	
Building:	Calvin Rampton	
Street address:	4501 South 2700 West	
City, state, zip:	Salt Lake City, Utah 84129	
Mailing address:	PO Box 148455	
City, state, zip:	Salt Lake City, Utah 84144-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Records Access

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Utah Code Subsection 63G-22-4(3) authorizes Department of Transportation (Department) to make and maintain this rule.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule provides useful and important information and directions to anyone interested in obtaining public records from the Department or appealing a denial of a request for public records from the Department. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, Executive Director	Date:	12/23/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R940-1	Filing No. 52151

Agency Information

1. Department:	Transportation Commission	
Agency:	Administration	
Room no.:	First Floor Administration Suite	
Building:	Calvin Rampton	
Street address:	4501 South 2700 West	
City, state, zip:	Salt Lake City, Utah 84129	
Mailing address:	PO Box 148455	
City, state, zip:	Salt Lake City, Utah 84144-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Establishment of Toll Rates
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Utah Code Section 72-6-118 requires the Transportation Commission to make and maintain this rule.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Commission has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Utah Code Section 72-6-118 requires the Transportation Commission to make and maintain a rule that serves the purpose of this rule and this statute is still effective law. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, Executive Director	Date:	12/23/2019
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R940-5	Filing No. 52159

Agency Information

1. Department:	Transportation Commission
Agency:	Administration
Room no.:	First Floor Administration Suite
Building:	Calvin Rampton
Street address:	4501 South 2700 West
City, state, zip:	Salt Lake City, Utah 84129
Mailing address:	PO Box 148455

City, state, zip:	Salt Lake City, Utah 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Approval of Highway Facilities on Sovereign Lands
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Utah Code Subsection 72-6-303(1)(b) mandates the Transportation Commission (Commission) to make rules establishing minimum guidelines for an application to construct a highway facility over sovereign lakebed lands. This subsection of the Utah Code is still effective law.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Commission has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Because Subsection 72-6-303(1)(b) of the Utah Code is still effective law, discontinuing this rule would place the Commission in violation of the law. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, Executive Director	Date:	12/31/2019
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

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 a **NOTICE OF FIVE-YEAR REVIEW EXTENSION (EXTENSION)** with the Office of Administrative Rules. The **EXTENSION** permits the agency to file the review up to 120 days beyond the anniversary date.

Agencies have filed **EXTENSIONS** for the rules listed below. The "Extended Due Date" is 120 days after the anniversary date.

EXTENSIONS are governed by Subsection 63G-3-305(6).

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Utah Admin. Code Ref (R no.):	R131-1	Filing No. 50208

Agency Information

1. Department:	Capitol Preservation Board	
Agency:	Administration	
Street address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Mailing address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Contact person(s):		
Name:	Phone:	Email:
Allyson Gamble	801-537-9156	agamble@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
Procurement of Architectural and Engineering Services
3. Reason for requesting the extension and the new deadline date:
Pursuant to Section 63C-9-301, the Capitol Preservation Board is required to approve the continuation of a rule. There will not be a Capitol Preservation Board Meeting before the end of 2019. The new deadline is 04/27/2020.

Agency Authorization Information

Agency head or designee, and title:	Allyson Gamble, Executive Director	Date:	12/20/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Utah Admin. Code Ref (R no.):	R131-2	Filing No. 50217

Agency Information

1. Department:	Capitol Preservation Board	
Agency:	Administration	
Street address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Mailing address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Contact person(s):		
Name:	Phone:	Email:
Allyson Gamble	801-537-9156	agamble@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
Capitol Hill Complex Facility Use
3. Reason for requesting the extension and the new deadline date:
Pursuant to Section 63C-9-301, the Capitol Preservation Board is required to approve the continuation of a rule. There will not be a Capitol Preservation Board Meeting before the end of 2019. The new deadline is 04/27/2020.

Agency Authorization Information

Agency head or designee, and title:	Allyson Gamble, Executive Director	Date:	12/20/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Utah Admin. Code Ref (R no.):	R131-7	Filing No. 50220

Agency Information

1. Department:	Capitol Preservation Board	
Agency:	Administration	
Street address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Mailing address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Contact person(s):		
Name:	Phone:	Email:
Allyson Gamble	801-537-9156	agamble@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:	State Capitol Preservation Board Master Planning Policy
3. Reason for requesting the extension and the new deadline date:	Pursuant to Section 63C-9-301, the Capitol Preservation Board is required to approve the continuation of a rule. There will not be a Capitol Preservation Board Meeting before the end of 2019. The new deadline is 04/27/2020.

Agency Authorization Information

Agency head or designee, and title:	Allyson Gamble, Executive Director	Date:	12/20/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Utah Admin. Code Ref (R no.):	R131-8	Filing No. 50215

Agency Information

1. Department:	Capitol Preservation Board	
Agency:	Administration	
Street address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Mailing address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Contact person(s):		
Name:	Phone:	Email:

Allyson Gamble	801-537-9156	agamble@utah.gov
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Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:	CPB Facilities and Grounds: Maintenance of Aesthetics
3. Reason for requesting the extension and the new deadline date:	Pursuant to Section 63C-9-301, the Capitol Preservation Board is required to approve the continuation of a rule. There will not be a Capitol Preservation Board Meeting before the end of 2019. The new deadline is 04/27/2020.

Agency Authorization Information

Agency head or designee, and title:	Allyson Gamble, Executive Director	Date:	12/20/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Utah Admin. Code Ref (R no.):	R131-14	Filing No. 50230

Agency Information

1. Department:	Capitol Preservation Board	
Agency:	Administration	
Street address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Mailing address:	350 North State Street	
City, state, zip:	Salt Lake City, UT 84103	
Contact person(s):		
Name:	Phone:	Email:
Allyson Gamble	801-537-9156	agamble@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:	Parking on Capitol Hill
3. Reason for requesting the extension and the new deadline date:	Pursuant to Section 63C-9-301, the Capitol Preservation Board is required to approve the continuation of a rule. There will not be a Capitol Preservation Board Meeting before the end of 2019. The new deadline is 04/27/2020.

Agency Authorization Information

Agency head or designee, and title:	Allyson Gamble, Executive Director	Date:	12/20/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION

Utah Admin. Code Ref (R no.):	R595-1	Filing No. 51474
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Agency Information

1. Department:	Judicial Conduct Commission		
Agency:	Administration		
Room no.:	703		
Street address:	2540 Washington Blvd		
City, state, zip:	Ogden, UT 84401		
Mailing address:	2540 Washington Blvd		
City, state, zip:	Ogden, UT 84401		
Contact person(s):			
Name:	Phone:	Email:	
Alex Peterson	801-626-3359	apeterson@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule catchline:	General Provisions		
3. Reason for requesting the extension and the new deadline date:			
More time is needed to review this rule because some some unexpected work needed to be done first by the Commission. New deadline is 05/01/2020.			

Agency Authorization Information

Agency head or designee, and title:	Alex Peterson, Executive Director	Date:	12/31/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION

Utah Admin. Code Ref (R no.):	R595-2	Filing No. 51471
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Agency Information

1. Department:	Judicial Conduct Commission		
Agency:	Administration		
Room no.:	703		
Street address:	2540 Washington Blvd		

City, state, zip:	Ogden, UT 84401		
Mailing address:	2540 Washington Blvd		
City, state, zip:	Ogden, UT 84401		
Contact person(s):			
Name:	Phone:	Email:	
Alex Peterson	801-626-3359	apeterson@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule catchline:	Administration		
3. Reason for requesting the extension and the new deadline date:			
More time is needed to review this rule because some some unexpected work needed to be done first by the Commission. New deadline is 05/01/2020.			

Agency Authorization Information

Agency head or designee, and title:	Alex Peterson, Executive Director	Date:	12/31/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION

Utah Admin. Code Ref (R no.):	R595-3	Filing No. 51473
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Agency Information

1. Department:	Judicial Conduct Commission		
Agency:	Administration		
Room no.:	703		
Street address:	2540 Washington Blvd		
City, state, zip:	Ogden, UT 84401		
Mailing address:	2540 Washington Blvd		
City, state, zip:	Ogden, UT 84401		
Contact person(s):			
Name:	Phone:	Email:	
Alex Peterson	801-626-3359	apeterson@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule catchline:	Procedure		
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NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

3. Reason for requesting the extension and the new deadline date:
More time is needed to review this rule because some some unexpected work needed to be done first by the Commission. New deadline is 05/01/2020.

Agency Authorization Information

Agency head or designee, and title:	Alex Peterson, Executive Director	Date:	12/31/2019
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NOTICE OF FIVE-YEAR REVIEW EXTENSION

Utah Admin. Code Ref (R no.):	R595-4	Filing No. 51480
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Agency Information

1. Department:	Judicial Conduct Commission
Agency:	Administration
Room no.:	703
Street address:	2540 Washington Blvd
City, state, zip:	Ogden, UT 84401
Mailing address:	2540 Washington Blvd
City, state, zip:	Ogden, UT 84401

Contact person(s):		
Name:	Phone:	Email:
Alex Peterson	801-626-3359	apeterson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
Sanctions

3. Reason for requesting the extension and the new deadline date:

More time is needed to review this rule because some some unexpected work needed to be done first by the Commission. New deadline is 05/01/2020.

Agency Authorization Information

Agency head or designee, and title:	Alex Peterson, Executive Director	Date:	12/31/2019
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End of the Notices of Five-Year Review Extensions Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative 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 make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the 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.

Agencies have notified the Office of Administrative Rules that the rules listed below have been made effective.

NOTICES OF EFFECTIVE DATE are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Abbreviations

AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal and Reenact
REP = Repeal

Administrative Services

Administration

No. 44187 (NEW): R13-10. State Entities' Posting of Financial Information to the Utah Public Finance Website
Published: 11/15/2019
Effective: 12/23/2019

No. 44188 (NEW): R13-11. Use of Electronic Meetings for the Utah Transparency Advisory Board
Published: 11/15/2019
Effective: 12/23/2019

Commerce

Consumer Protection

No. 44122 (NEW): R152-32a. Pawnshop and Secondhand Merchandise Transaction Information Act Rule
Published: 11/01/2019
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Occupational and Professional Licensing

No. 44153 (AMD): R156-1. General Rule of the Division of Occupational and Professional Licensing
Published: 11/15/2019
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No. 44154 (AMD): R156-46b-202. Informal Adjudicative Proceedings
Published: 11/15/2019
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No. 44137 (AMD): R156-67. Utah Medical Practice Act Rule
Published: 11/15/2019
Effective: 12/23/2019

No. 44138 (AMD): R156-68. Utah Osteopathic Medical Practice Act Rule
Published: 11/15/2019
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Governor

Economic Development

No. 44179 (AMD): R357-5. Motion Picture Incentive
Published: 11/15/2019
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No. 44174 (NEW): R357-16a. Restoration Recreation Infrastructure Grant Program Rule
Published: 11/15/2019
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No. 44169 (NEW): R357-27. Community Reinvestment Agency Report Rule
Published: 11/15/2019
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Health

Health Care Financing, Coverage and Reimbursement Policy

No. 44168 (AMD): R414-23. Provider Enrollment
Published: 11/15/2019
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No. 44172 (AMD): R414-60. Medicaid Policy for Pharmacy Program
Published: 11/15/2019
Effective: 01/01/2020

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No. 44173 (AMD): R414-60. Medicaid Policy for Pharmacy Program
Published: 11/15/2019
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No. 44185 (AMD): R414-302. Eligibility Requirements
Published: 11/15/2019
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No. 44129 (AMD): R414-303. Coverage Groups
Published: 11/01/2019
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No. 44184 (AMD): R414-308. Application, Eligibility Determinations and Improper Medical Assistance
Published: 11/15/2019
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No. 44131 (AMD): R414-504-3. Principles of Facility Case Mix Rates and Other Payments
Published: 11/01/2019
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Human Services

Child and Family Services
No. 44139 (NEW): R512-77. Child and Family Services Records
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No. 44140 (AMD): R512-500. Kinship Services, Placement and Background Screening
Published: 11/15/2019
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Insurance

Administration
No. 44176 (AMD): R590-76. Health Maintenance Organizations and Limited Health Plans
Published: 11/15/2019
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No. 44177 (AMD): R590-233-2. Purpose and Scope
Published: 11/15/2019
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No. 44178 (AMD): R590-267. Personal Injury Protection Relative Value Study Rule
Published: 11/15/2019
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No. 44181 (NEW): R590-283. Defrayal of State-Required Benefits
Published: 11/15/2019
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Title and Escrow Commission
No. 44175 (AMD): R592-11. Title Insurance Producer Annual and Controlled Business Reports
Published: 11/15/2019
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Labor Commission

Industrial Accidents
No. 44158 (AMD): R612-300. Workers' Compensation Rules - Medical Care
Published: 11/15/2019
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No. 44159 (AMD): R612-400-5. Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund
Published: 11/15/2019
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Occupational Safety and Health
No. 44170 (R&R): R614-1. General Provisions
Published: 11/15/2019
Effective: 12/23/2019

Natural Resources

Wildlife Resources
No. 44078 (R&R): R657-53. Amphibian and Reptile Collection, Importation, Transportation and Possession
Published: 10/01/2019
Effective: 01/01/2020

No. 44144 (AMD): R657-59. Private Fish Ponds, Short Term Fishing Events, Private Fish Stocking, and Institutional Aquaculture
Published: 11/15/2019
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Transportation

Motor Carrier
No. 44146 (AMD): R909-2. Utah Size and Weight Rule
Published: 11/15/2019
Effective: 12/31/2019

No. 44147 (AMD): R909-19. Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation, and Certification
Published: 11/15/2019
Effective: 12/31/2019

Workforce Services

Employment Development
No. 44157 (AMD): R986-700. Child Care Assistance
Published: 11/15/2019
Effective: 12/23/2019

Housing and Community Development
No. 44156 (AMD): R990-100. Community Services Block
Grant Rules
Published: 11/15/2019
Effective: 12/23/2019

School Readiness Board
No. 44165 (NEW): R995-100. School Readiness Board
Published: 11/15/2019
Effective: 12/23/2019

End of the Notices of Rule Effective Dates Section