

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed January 01, 2021, 12:00 a.m. through January 15, 2021, 11:59 p.m.

Number 2021-03
February 01, 2021

Sunnie Burningham, Managing Editor

The *Utah State Digest (Digest)* 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 *Digest* under authority of Section 63G-3-402.

The Portable Document Format (PDF) version of the *Digest* 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 *Digest* should be addressed to the contact person for the rule. Questions about the *Digest* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The *Utah State Digest* summarizes the contents of the *Utah State Bulletin* 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

Unless otherwise noted, all information presented in this publication is in the public domain and may be reproduced, reprinted, and redistributed as desired. Materials incorporated by reference retain the copyright asserted by their respective authors. Citation to the source is requested.

Utah state digest.

Semimonthly.

1. Delegated legislation--Utah--Digests. I. Utah. Office of Administrative Rules.

KFU440.A73S7

348.792'025--DDC

85-643197

TABLE OF CONTENTS

EXECUTIVE DOCUMENTS	1
Anticipated Civil Unrest (2021-05).....	1
NOTICES OF PROPOSED RULES	3
Commerce	
Occupational and Professional Licensing	
R156-17b. Pharmacy Practice Act Rule	4
Education	
Administration	
R277-752. Special Education Intensive Services Fund.....	6
R277-800. Utah Schools for the Deaf and the Blind.....	8
R277-923. American Indian and Alaskan Native Education State Plan Pilot Programs.....	10
R277-926. Certification of Residential Treatment Center Special Education Program	12
Environmental Quality	
Drinking Water	
R309-405. Compliance and Enforcement: Administrative Penalty.....	14
Insurance	
Administration	
R590-238-16. Acquisition of Control of or Merger with Domestic Company	16
Natural Resources	
Wildlife Resources	
R657-58. Fishing Contests and Clinics.....	17
NOTICES OF CHANGES IN PROPOSED RULES	21
Insurance	
Administration	
R590-85. Accident and Health Insurance and Medicare Supplement Rates	22
R590-286. Minimum Standards for Short-Term Limited Duration Health Insurance	24
FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION	27
Agriculture and Food	
Plant Industry	
R68-4. Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products	27
R68-18. Quarantine Pertaining to Karnal Bunt	28
Regulatory Services	
R70-410. Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes	28

TABLE OF CONTENTS

Commerce

Occupational and Professional Licensing

R156-67. Utah Medical Practice Act Rule.....29
R156-69. Dentist and Dental Hygienist Practice Act Rule30
R156-73. Chiropractic Physician Practice Act Rule30

Environmental Quality

Waste Management and Radiation Control

R313-26. Generator Site Access Permit Requirements for Accessing Utah Radioactive
Waste Disposal Facilities31

Waste Management and Radiation Control, Waste Management

R315-15. Standards for the Management of Used Oil32
R315-17. End of Life Automotive Mercury Switch Removal Standards33
R315-101. Cleanup Action and Risk-Based Closure Standards33
R315-102. Penalty Policy.....34
R315-103. Commercial Hazardous Waste Facility Siting Criteria35
R315-124. Procedures for Decisionmaking35
R315-260. Hazardous Waste Management System36
R315-261. General Requirements -- Identification and Listing of Hazardous Waste.....37
R315-262. Hazardous Waste Generator Requirements.....38
R315-263. Standards Applicable to Transporters of Hazardous Waste and Standards
Applicable to Emergency Control of Spills for All Hazardous Waste Handlers.....39
R315-264. Standards for Owners and Operators of Hazardous Waste Treatment,
Storage, and Disposal Facilities39
R315-265. Interim Status Standards for Owners and Operators of Hazardous Waste
Treatment, Storage, and Disposal Facilities40
R315-266. Standards for the Management of Specific Hazardous Wastes and
Specific Types of Hazardous Waste Management Facilities41
R315-268. Land Disposal Restrictions42
R315-270. Hazardous Waste Permit Program42
R315-273. Standards for Universal Waste Management43

Financial Institutions

Administration

R331-26. Ownership of Real Estate Other Than Property Used for Institution
Business or Held as an Investment by Depository Institutions Subject to the
Jurisdiction of the Department of Financial Institutions44

Natural Resources

Parks and Recreation

R651-201. Definitions45
R651-202. Boating Advisory Council45
R651-203. Waterway Marking System46
R651-204. Regulating Waterway Markers46

R651-205. Zoned Waters.....47

R651-206. Carrying Passengers for Hire.....47

R651-207. Registration Fee.....48

R651-208. Backing Plates48

R651-210. Change of Address49

R651-211. Assigned Numbers50

R651-212. Display of Yearly Registration Decals and Month of Expiration Decals.....50

R651-213. Dealer Numbers and Registrations.....51

R651-214. Temporary Registration.....51

R651-215. Personal Flotation Devices52

R651-216. Navigation Lights - Note: Figures 1 through 7 mentioned below are
on file with the Utah Division of Parks and Recreation.....52

R651-217. Fire Extinguishers53

R651-218. Carburetor and Back Flame Control53

R651-219. Additional Safety Equipment.....54

R651-220. Registration and Numbering Exemptions54

R651-221. Boat Liveries - Boat Rental Companies.....55

R651-222. Muffling Requirements55

R651-224. Towed Devices56

R651-226. Regattas and Races56

R651-401. Off-Highway Vehicle and Registration Stickers57

R651-405. Off Highway Implement of Husbandry Sticker Fee and Display.....57

R651-406. Off Highway Vehicle Registration Fees58

R651-611. Fee Schedule58

R651-801. Swimming Prohibited59

R651-802. Scuba Diving.....60

Forestry, Fire and State Lands

R652-8. Adjudicative Proceedings.....60

R652-9. Consistency Review.....61

R652-41. Rights of Entry.....61

R652-80. Land Exchanges62

Pardons (Board of)

Administration

R671-518. Conduct of Proceedings When a Criminal Charge Results in Conviction62

Public Safety

Administration

R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund.....63

Driver License

R708-18. Regulatory and Administrative Fees63

TABLE OF CONTENTS

R708-19. Automobile No-Fault Self-Insurance 64
R708-20. Motor Vehicle Accident Prevention Course Standards 64
R708-38. Anatomical Gift 65
R708-42. Driver Address Record..... 66
R708-43. Verification of Personal Identifying Information by Depository Institutions..... 66
R708-44. Citation Monitoring Service 67
NOTICES OF RULE EFFECTIVE DATES..... 69

EXECUTIVE DOCUMENTS

Under authority granted by the Utah Constitution and various federal and state statutes, the Governor periodically issues **EXECUTIVE DOCUMENTS**, which can be categorized as either Executive Orders, Proclamations, and Declarations. Executive Orders set policy for the executive branch; create boards and commissions; provide for the transfer of authority; or otherwise interpret, implement, or give administrative effect to a provision of the Constitution, state law or executive policy. Proclamations call special or extraordinary legislative sessions; designate classes of cities; publish states-of-emergency; promulgate other official formal public announcements or functions; or publicly avow or cause certain matters of state government to be made generally known. Declarations designate special days, weeks or other time periods; call attention to or recognize people, groups, organizations, functions, or similar actions having a public purpose; or invoke specific legislative purposes (such as the declaration of an agricultural disaster).

The Governor's Office staff files **EXECUTIVE DOCUMENTS** that have legal effect with the Office of Administrative Rules for publication and distribution.

EXECUTIVE ORDER 2021-05

Anticipated Civil Unrest

WHEREAS, a violent siege of the United States Capitol in Washington, D.C. took place on January 6, 2021;

WHEREAS, that siege resulted in multiples death, numerous bodily injuries, and significant property damage;

WHEREAS, sieges of state capitol buildings, including the Utah State Capitol, are being planned;

WHEREAS, the planned siege of the Utah State Capitol may result in loss of life, human suffering, and public or private property damage;

WHEREAS, these conditions create a state of emergency within the intent of the Disaster Response and Recovery Act found in Title 53, Chapter 2a of the Utah Code;

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency; and

WHEREAS, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary for the purpose of securing compliance with orders made pursuant to the Disaster Response and Recovery Act;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, declare a state of emergency due to the aforesaid circumstances requiring aid, assistance, and relief available from State resources and hereby order:

1. As used in this Order, "capitol hill complex," "capitol hill facilities," and "capitol hill grounds" have the same meaning as provided in Utah Code § 63C-9-102.
2. As determined necessary by the Department of Public Safety, the closure of any part of the capitol hill complex, capitol hill facilities, or capitol hill grounds.
3. Notwithstanding Section 2, the Department of Public Safety shall allow the following individuals to access the capitol hill complex, capitol hill facilities, and capitol hill grounds:
 - a. officers and employees of the Utah Executive Branch, the Utah Legislature, and the Utah Judiciary; and
 - b. law enforcement and emergency personnel determined necessary by the Department of Public Safety; and
 - c. any other individual determined necessary by the Department of Public Safety.
4. As necessary, coordination by the Department of Public Safety with other state agencies, local agencies, and federal agencies.

This Order is effective January 15, 2021, and shall remain in effect through January 21, 2021.

EXECUTIVE DOCUMENTS

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 14th day of January, 2021.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2021/05/EO

End of the Executive Documents Section

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 January 01, 2021, 12:00 a.m., and January 15, 2021, 11:59 p.m. are included in this, the February 01, 2021, issue of the *Utah State Digest*.

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.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least March 03, 2021. 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 June 01, 2021, 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: Amendment		
Utah Admin. Code Ref (R no.):	R156-17b	Filing No. 53284

Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M Wells	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT 84111-2316	
Mailing address:	PO BOX 146741	
City, state, zip:	Salt Lake City, UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Jennifer Falkenrath	801-530-7632	jzaelit@utah.gov

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

General Information

2. Rule or section catchline:
R156-17b. Pharmacy Practice Act Rule
3. Purpose of the new rule or reason for the change:
This filing is made to conform the rule to statutory changes made by S.B. 145, S.B.157, H.B. 24, and H.B. 207 passed during the 2020 General Session. These bills amended the Pharmacy Practice Act regarding dispensing scope of practice for pharmacist and pharmacy interns and changed the requirements for the charitable prescription drug recycling program. Additionally, the Division of Occupational and Professional Licensing (Division) in collaboration with the Board of Pharmacy (Board) recommends certain amendments to the preceptor language to reflect the current practice in the profession.
4. Summary of the new rule or change:
The amendments to Sections R156-17b-303a, R156-17b-303b, R156-17b-303c, R156-17b-602, R156-17b-614d, and R156-17b-614g, delete language for an eliminated registration type and makes nonsubstantive formatting changes for clarity.
Section R156-17b-305 is deleted in its entirety to align with Board recommendations regarding endorsement pursuant to S.B. 23 passed during the 2020 General Session.
Section R156-17b-402 updates the fine schedule to add a fine for violation of Subsection 58-17b-502(1)(p) in accordance with H.B. 24 (2020).

The amendments to Section R156-17b-606 update the preceptor language to align with current internship and preceptor standards in the profession.

The new Section R156-17b-612a establishes operating standards for a pharmacist or pharmacy intern to dispense a prescription device pursuant to a prescriber's prescription.

The new Section R156-17b-612b establishes operating standards for a pharmacist to dispense a refill of insulin pursuant to an exhausted prescription.

The new Section R156-17b-626 creates operating standards for a pharmacist or pharmacy intern to make appropriate substitutions for albuterol.

Sections R156-17b-904 through R156-17b-907e are consolidated into one new Section R156-17b-901 for the Charitable Prescription Drug Recycling Program, and the provisions are amended to update the requirements for registration in accordance with Subsection 58-17b-902(8)(b) as amended by S.B. 157 (2020).

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
None of these proposed changes are expected to impact state government revenues or expenditures because the changes merely update this rule to establish operating standards that encompass current statutory requirements and current practices in the profession and make formatting changes for clarity.
B) Local governments:
These proposed amendments will affect businesses in the pharmacy industry that employ pharmacists and pharmacy interns, and this may potentially include certain local government entities acting as businesses. However, the Division estimates that these proposed amendments will have no fiscal impact on local governments because the changes merely update this rule to establish operating standards that encompass current statutory requirements and current practices in the profession and make formatting changes for clarity. These amendments are based on extensive collaboration with the Board of Pharmacy and the Physician Board to update this rule in accordance with the statutory changes and incorporate and codify existing generally accepted professional standards common in the industry.
C) Small businesses ("small business" means a business employing 1-49 persons):
These proposed amendments will affect small businesses in the pharmacy industry that employ pharmacists and pharmacy interns. However, the Division estimates that these proposed amendments will have no fiscal impact on small businesses' revenues or expenditures because the

changes merely update this rule to establish operating standards that encompass current statutory requirements and current practices in the profession and make formatting changes for clarity. These amendments are based on extensive collaboration with the Board of Pharmacy and the Physician Board to update this rule in accordance with the statutory changes and incorporate and codify existing generally accepted professional standards common in the industry.

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

These proposed amendments will affect non-small businesses in the pharmacy industry that employ pharmacists and pharmacy interns. However, the Division estimates that these proposed amendments will have no fiscal impact on non-small businesses' revenues or expenditures because the changes merely update this rule to establish operating standards that encompass current statutory requirements and current practices in the profession and make formatting changes for clarity. These amendments are based on extensive collaboration with the Board of Pharmacy and the Physician Board to update this rule in accordance with the statutory changes and incorporate and codify existing generally accepted professional standards common in the industry.

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**):

No other persons are expected to be impacted by these amendments because the changes merely update this rule in accordance with statutory changes and codify existing generally accepted professional standards common in the industry.

F) Compliance costs for affected persons:

There are no compliance costs expected for affected persons because the changes merely update this rule in accordance with statutory changes and codify existing generally accepted professional standards common in the industry.

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	FY2021	FY2022	FY2023
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 Interim Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

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

The Division proposes amendments to the Utah Pharmacy Practice Act Rule. This filing harmonizes the statutory changes with the corresponding rule made by S.B. 145, S.B.157, H.B. 24, and H.B. 207 (2020). These bills amended the Pharmacy Practice Act relating to the scope of practice for pharmacist and pharmacy interns and changed the requirements for the prescription drug recycling program. Further, the Division in conference with the Board have made minor amendments to update references and clarify this rule.

Small Businesses (less than 50 employees):

These amendments to the rule should have no expected fiscal impact to small businesses in Utah practicing in pharmacy (North American Industry Classification System (NAICS) code 446110). Although these proposed amendments will affect small businesses in the pharmacy industry that employ pharmacists and pharmacy interns, the Division estimates that these proposed amendments will have no fiscal impact on small businesses' revenues or expenditures because the changes are updating the rule to establish operating standards that currently exist in the statute. Further, no fiscal impact is expected for small businesses over and above any fiscal impact described in

the legislative fiscal notes for S.B. 145, S.B. 157, H.B. 24, and H.B. 207 (2020) as these costs are either inestimable or there is no fiscal impact.

Regulatory Impact to Non-Small Businesses (50 or more employees)

These amendments will have no expected fiscal impact for non-small pharmacy businesses in Utah (NAICS code 446110) as described above for small businesses. These costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

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

Margaret W. Busse, Interim 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 58-17b-101	Subsection 58-17b-601(1)	Section 58-37-1
Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)	

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: 03/03/2021

B) A public hearing (optional) will be held:

On:	At:	At:
02/23/2021	8:30 AM	For electronic Google Meets information for this rule hearing, please see the Utah State Board of Pharmacy February 23, 2021 agenda for this meeting date on the PMN website.

10. This rule change MAY become effective on: 03/10/2021

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:	Mark B. Steinagel, Director	Date:	01/14/2021
--	-----------------------------	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R277-752	Filing No.	53280
--------------------------------------	-----------------	-------------------	--------------

Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

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

General Information

2. Rule or section catchline:
R277-752. Special Education Intensive Services Fund

3. Purpose of the new rule or reason for the change:
Following recent budget cuts, a need was identified to reevaluate how the Intensive Services Fund is distributed. This rule was reviewed in an effort to promote a more equitable distribution of funds to ensure funding for a greater number of local education agencies (LEAs).

4. Summary of the new rule or change:
The rule amendments include updates to the distribution formula for the federal special education funds held in the Intensive Services Fund.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. The amendments will distribute federal intensive services funds more equitably amongst LEAs but do not change total amounts distributed from or received to the program.

B) Local governments:

This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. The amendments will distribute federal intensive services funds more equitably amongst LEAs. Compared to the current distribution formula, smaller LEAs will likely receive greater amounts from the program and larger LEAs will likely receive somewhat smaller amounts.

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

This rule change is not expected to have independent fiscal impact on small businesses' revenues or expenditures. The amendments impact distributions of federal intensive services funds to LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.

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 rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendments impact distributions of federal intensive services funds to LEAs.

F) Compliance costs for affected persons:

There are no material compliance costs for affected persons. The amendments impact distributions of federal intensive services funds to LEAs.

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	FY2021	FY2022	FY2023
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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This rule change is not expected to

NOTICES OF PROPOSED RULES

have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact on LEAs and will not have a fiscal impact on small businesses either.

B) Name and title of department head commenting on the fiscal impacts:
 Sydnee Dickson, State Superintendent

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):

Article X, Section 3	Section 53E-6-302	Subsection 53E-6-201(3)(a)
Subsection 53E-3-401(4)		

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: 03/03/2021

10. This rule change MAY become effective on: 03/10/2021

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:	Angie Stallings, Deputy Superintendent of Policy	Date:	01/14/2021
--	--	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-800	Filing No. 53281

Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

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

General Information

2. Rule or section catchline:
 R277-800. Utah Schools for the Deaf and the Blind

3. Purpose of the new rule or reason for the change:
 H.B. 10, from the 2020 General Session, enacted a sunset date of July 1, 2021, for the Utah School of Deaf and Blind (USDB) Advisory Council. In October, the Utah State Board of Education made a motion supporting the sunset date. Based on the sunset, the Board requested the Utah School for the Deaf and Blind (USDB) Advisory Council to be recreated through Utah State Board of Education (USBE) Board Policy 4002.

4. Summary of the new rule or change:
 Board Rule R277-800 is being amended to remove provisions on the advisory council in anticipation of legislative action, with an effective date of July 1, 2021.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
 This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. The amendments are due to H.B. 10 (2020) and approved changes to USBE Board Policy 4002.

B) Local governments:			
This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. The amendments are due to H.B. 10 (2020) and approved changes to USBE Board Policy 4002.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule change is not expected to have independent fiscal impact on small businesses' revenues or expenditures. The amendments are due to H.B. 10 (2020) and approved changes to USBE Board Policy 4002.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.			
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 rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendments are due to H.B. 10 (2020) and approved changes to USBE Board Policy 4002.			
F) Compliance costs for affected persons:			
There are no material compliance costs for affected persons. The amendments are due to H.B. 10 (2020) and approved changes to USBE Board Policy 4002.			
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	FY2021	FY2022	FY2023
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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.			
B) Name and title of department head commenting on the fiscal impacts:			
Sydnee Dickson, State Superintendent			

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):		
Article X, Section 3	Section 53E-8-402	Subsection 53E-3-401(4)
Subsection 53E-3-401(4)	Section 53E-8-409	Section 53E-8-204

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:	03/03/2021

10. This rule change MAY become effective on:	03/10/2021
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	01/14/2021
--	--	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-923	Filing No. 53282

Agency Information

1. Department:	Education
Agency:	Administration
Building:	Board of Education
Street address:	250 E 500 S
City, state:	Salt Lake City, UT 84111
Mailing address:	PO Box 144200

City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R277-923. American Indian and Alaskan Native Education State Plan Pilot Programs
3. Purpose of the new rule or reason for the change:
Rule R277-923 is a program that has been a pilot program. In the 2020 General Session, S.B. 124 passed making it a permanent program.
4. Summary of the new rule or change:
The changes include taking the word "pilot" out of this rule to match the amendments in S.B. 124 (2020).

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. The amendments are due to S.B. 124 (2020).
B) Local governments:
This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. The amendments are due to S.B. 124 (2020).
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have independent fiscal impacts on small businesses' revenues or expenditures. The amendments are due to S.B. 124 (2020).
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues

per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.

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 rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendments are due to S.B. 124 (2020).

F) Compliance costs for affected persons:

There are no material compliance costs for affected persons. The amendments are due to S.B. 124 (2020).

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	FY2021	FY2022	FY2023
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 Benefits	Fiscal	\$0	\$0	\$0
--------------	--------	-----	-----	-----

H) Department head approval of regulatory impact analysis:

The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.

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

Sydnee Dickson, State Superintendent

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):

Article X, Section 3	Section 53E-6-302	Subsection 53E-6-201(3)(a)
Subsection 53E-3-401(4)		

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: 03/03/2021

10. This rule change MAY become effective on: 03/10/2021

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:	Angie Stallings, Deputy Superintendent of Policy	Date:	01/14/2021
--	--	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-926	Filing No. 53283

Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R277-926. Certification of Residential Treatment Center Special Education Program
3. Purpose of the new rule or reason for the change:
Rule R277-926 is being amended to incorporate requested changes by residential treatment centers (RTC) and Utah State Board of Education (USBE) staff to achieve greater clarity regarding requirements for an RTC's special education program to be approved by the USBE.

4. Summary of the new rule or change:
The amendments clarify what is required for teaching personnel certifications, what transition plans need to include, and expand the time for application review and the correction time frame for application errors.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. The amendments are primarily clarifying and technical in nature.
B) Local governments:
This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. The amendments are primarily clarifying and technical in nature.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have independent fiscal impact on small businesses' revenues or expenditures. The amendments are primarily clarifying and technical in nature.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.
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 <i>agency</i>):
This rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendments are primarily clarifying and technical in nature.

F) Compliance costs for affected persons:			
There are no material compliance costs for affected persons. The amendments are primarily clarifying and technical in nature.			
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	FY2021	FY2022	FY2023
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 State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses			

are not expected to receive increased or decreased revenues per year. This rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses, and it does not require any expenditures of, or generate revenue for non-small businesses. This rule change has no fiscal impact on local education agencies and will not have a fiscal impact on small businesses either.

B) Name and title of department head commenting on the fiscal impacts:
Sydnee Dickson, State Superintendent

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):		
Article X, Section 3	Subsection 53E-3-401(4)	

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:	03/03/2021

10. This rule change MAY become effective on:	03/10/2021
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:	Angie Stallings, Deputy Superintendent of Policy	Date:	01/14/2021
--	---	--------------	------------

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R309-405	Filing No. 53234

Agency Information

1. Department:	Environmental Quality	
Agency:	Drinking Water	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144830	
City, state, zip:	Salt Lake City, UT 84114-4830	
Contact person(s):		
Name:	Phone:	Email:
Jennifer Yee	385-515-1501	jyee@utah.gov
Mark Berger	801-641-6457	mberger@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R309-405. Compliance and Enforcement: Administrative Penalty
3. Purpose of the new rule or reason for the change:
S.B. 88, which was passed in the 2020 General Session and signed by the governor, authorized the Director of the Division of Drinking Water (Division) to make rules to issue and enforce a notice of violation and an administrative order, and to assess and make a demand for payment of an administrative penalty for a violation of the Safe Drinking Water Act; Title R309 of the Administrative Code; and an order, permit, or administrative authorization issued by the director. S.B. 88 also established administrative penalty limits. Changes to Rule R309-405 incorporate those changes into the rule by repealing the current rule and reenacting a rewritten rule in its place.
4. Summary of the new rule or change:
This repeal and reenactment enhances the penalty and formal enforcement processes for the Director of the Division of Drinking Water. It provides a more detailed enforcement and penalty process for the Division. The Drinking Water Board reviewed and approved this rule repeal and reenactment on 01/12/2021.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
Changes to Rule R309-405 are anticipated to have no cost or savings to the state budget. The state General Fund, however, would benefit from any administrative penalties collected by the Division under the terms of this rule.
B) Local governments:
Changes to Rule R309-405 are anticipated to have no savings to local governments. The changes could have minor, unquantifiable costs to a local government, which operates a public water system that is assessed an administrative penalty for violation of state drinking water requirements. All costs could be avoided by maintaining compliance with state public drinking water requirements.
C) Small businesses ("small business" means a business employing 1-49 persons):
Changes to Rule R309-405 are anticipated to have no savings to small businesses. The changes could have minor, unquantifiable costs to a small business, which operates a public water system that is assessed an administrative penalty for violation of state drinking water requirements. All costs could be avoided by maintaining compliance with state public drinking water requirements.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Changes to Rule R309-405 are anticipated to have no savings to non-small businesses. The changes could have minor, unquantifiable costs to a non-small business, which operates a public water system that is assessed an administrative penalty for violation of state drinking water requirements. All costs could be avoided by maintaining compliance with state public drinking water requirements.
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 <i>agency</i>):
Changes to Rule R309-405 are anticipated to have no savings to persons other than small businesses, non-small businesses, state, or local governmental entities. The changes could have minor, unquantifiable costs to a person, who operates a public water system that is assessed an administrative penalty for violation of state drinking water requirements. All costs could be avoided by maintaining compliance with state public drinking water requirements.
F) Compliance costs for affected persons:
Changes to Rule R309-405 are anticipated to have small to no compliance costs for affected persons. Affected persons would be public water systems and their

customers. The changes would only have a relatively small, unquantifiable cost to a public water system and its customers that were assessed an administrative penalty for violation of state drinking water requirements. All costs could be avoided by maintaining compliance with state public drinking water requirements.

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	FY2021	FY2022	FY2023
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 Environmental Quality, Kim Shelley, has reviewed and approved this fiscal analysis.

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

There would only be a cost to a business that operates a public water system and was assessed an administrative penalty for violation of state drinking water requirements. This cost is inestimable because it would depend on the

gravity of the violation and whether a penalty was assessed. All costs could be avoided by maintaining compliance with state public drinking water requirements.

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

Kim Shelley, 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 19-4-104	Section 19-4-105	Subsection 9-4-106(4)
Section 19-4-109		

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: 03/03/2021

10. This rule change MAY become effective on: 03/10/2021

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:	Ying-Ying Macauley, Interim Director, Division of Drinking Water	Date:	01/12/2021
--	--	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R590-238-16	Filing No. 53285

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	3110	
Building:	State Office Building	
Street address:	450 N State St.	
City, state:	Salt Lake City, UT 84114	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-538-3803	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R590-238-16. Acquisition of Control of or Merger with Domestic Company
3. Purpose of the new rule or reason for the change:
As currently worded, this rule permits the Insurance Commissioner to waive or modify the public notice and hearing requirements under Section 31A-16-103 when the Commissioner is considering an application to change the control of a Utah insurance company. However, Section 31A-16-103 now gives the Commissioner the authority to waive or modify those requirements. Accordingly, the language in this rule is no longer needed and should be deleted.
4. Summary of the new rule or change:
The change deletes language that gives the Insurance Commissioner authority to waive or modify public notice and hearing requirements under Section 31A-16-103 when the Commissioner is considering an application to change the control of an insurance company. The language is no longer needed because Section 31A-16-103 gives the Commissioner this authority.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The change removes language from this rule that is already present in statute and has no other effect.
B) Local governments:
There is no anticipated cost or savings to local governments. The change removes language from this

rule that is already present in statute and has no other effect.

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

There is no anticipated cost or savings to small businesses. The change removes language from this rule that is already present in statute and has no other effect.

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

There is no anticipated cost or savings to non-small businesses. The change removes language from this rule that is already present in statute and has no other effect.

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 anticipated cost or savings to any other persons. The change removes language from this rule that is already present in statute and has no other effect.

F) Compliance costs for affected persons:

There are no compliance costs for any affected persons. The change removes language from this rule that is already present in statute and has no other effect.

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	FY2021	FY2022	FY2023
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 Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

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

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

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

Jonathan T. Pike, Insurance 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 31A-2-201	Section 31A-37-106	
-------------------	--------------------	--

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: 03/03/2021

10. This rule change MAY become effective on: 03/10/2021

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:	Steve Gooch, Public Information Officer	Date:	01/15/2021
--	---	--------------	------------

NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R657-58	Filing No.	53276
--------------------------------------	----------------	-------------------	--------------

Agency Information

1. Department:	Natural Resources	
Agency:	Wildlife Resources	
Room no.:	Suite 2110	
Building:	Department of Natural Resources	
Street address:	1594 W North Temple	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 146301	
City, state, zip:	Salt Lake City, UT 84114-6301	
Contact person(s):		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov

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

General Information

2. Rule or section catchline:
R657-58. Fishing Contests and Clinics

3. Purpose of the new rule or reason for the change:

This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to fishing contests and clinics.

4. Summary of the new rule or change:

The proposed amendments to this rule adjusts the number of participants from 50 to 85.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

The proposed rule amendments adjust the number of participants for fishing contests and clinic and can be initiated within the current workload and resources of DWR, therefore, DWR has determined that these amendments do not create a cost or savings impact to the state budget or DWR's budget since the changes will not increase workload and can be carried out with existing budget.

B) Local governments:

Since the proposed amendments only adjusts the number of participants and does not impact the process this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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 will not be a fiscal impact because the fees are not based on the number of participants.

F) Compliance costs for affected persons:

There will not be a fiscal impact because the fees are not based on the number of participants.

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	FY2021	FY2022	FY2023
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:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to 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 23-14-18	Section 23-14-19
------------------	------------------

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:	03/03/2021
--	------------

10. This rule change MAY become effective on:	03/10/2021
--	------------

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:	Rory Reynolds, Interim Division Director	Date:	01/07/2021
--	--	--------------	------------

End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a **PROPOSED RULE** in the *Utah State Bulletin*, it may receive comment that requires the **PROPOSED RULE** to be altered before it goes into effect. A **CHANGE IN PROPOSED RULE** allows an agency to respond to comments it receives.

As with a **PROPOSED RULE**, a **CHANGE IN PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **CHANGE IN PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends March 03, 2021.

From the end of the 30-day waiting period through June 01, 2021, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

CHANGES IN PROPOSED RULES are governed by Section 63G-3-303, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5b, R15-4-7, R15-4-9, and R15-4-10.

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Utah Admin. Code Ref (R no.):	R590-85	Filing No. 53217

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	3110	
Building:	State Office Building	
Street address:	450 N State St	
City, state, zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-538-3803	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:		
R590-85. Accident and Health Insurance and Medicare Supplement Rates		
3. Change in Proposed Rule:		
Changes Name, Publication, date of prior filing:	FILING	Accident and Health Insurance and Medicare Supplement Rates, 12/01/2020
4. Reason for this change:		
Based on comments received from the industry, the medical loss ratio was changed to improve the availability of short-term limited duration health insurance in the Utah market.		
5. Summary of this change:		
The change decreases the minimum loss ratio for a short-term limited duration health insurance form from 75% to 70% and adds an effective date section. (EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the December 1, 2020, issue of the Utah State Bulletin, on page 89. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)		

Fiscal Information

6. Aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The change sets the minimum loss ratio for insurers that want to offer short-term limited duration health insurance and has no other requirements.
B) Local government:
There is no anticipated cost or savings to local governments. The change sets the minimum loss ratio for insurers that want to offer short-term limited duration health insurance and has no other requirements.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The change sets the minimum loss ratio for insurers that want to offer short-term limited duration health insurance and has no other requirements.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. If an insurer elects to offer short-term limited duration health insurance, it will need to comply with the minimum loss ratio as stated in this rule. However, this does not constitute money the insurer would pay to the state or another entity; rather, it is money that is set aside by the insurer to ensure it has sufficient funds to cover losses.
E) Persons other than small businesses, non-small businesses, or 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 <i>agency</i>):
There is no anticipated cost or savings to any other persons. The change sets the minimum loss ratio for insurers that want to offer short-term limited duration health insurance and has no other requirements.
F) Compliance costs for affected persons:
There are no compliance costs for any affected persons. If an insurer elects to offer short-term limited duration health insurance, it will need to comply with the minimum loss ratio as stated in this rule. However, this does not constitute money the insurer would pay to the state or another entity; rather, it is money that is set aside by the insurer to ensure it has sufficient funds to cover losses.

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	FY2021	FY2022	FY2023
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 Acting Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

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

After conducting a thorough analysis, it was determined that this proposed CPR will not result in a fiscal impact to businesses.

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

Jonathan T. Pike, Acting Commissioner

Citation Information

8. 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 31A-2-201	Section 31A-22-605	Section 31A-22-620
-------------------	--------------------	--------------------

Public Notice Information

10. 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: 03/03/2021

11. This rule change MAY become effective on: 03/10/2021

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 11, 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:	Steve Gooch, Public Information Officer	Date:	01/11/2021
--	---	--------------	------------

NOTICE OF CHANGE IN PROPOSED RULE

Utah Admin. Code Ref (R no.):	R590-286	Filing No. 53219
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Insurance
Agency:	Administration
Room no.:	3110
Building:	State Office Building
Street address:	450 N State St
City, state, zip:	Salt Lake City, UT 84114
Mailing address:	PO Box 146901
City, state, zip:	Salt Lake City, UT 84114-6901

Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-538-3803	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:		
R590-286. Minimum Standards for Short-Term Limited Duration Health Insurance		
3. Change in Proposed Rule:		
Changes FILING Name, Publication date of prior filing:	FILING Publication date of prior filing:	Minimum Standards for Short-Term Limited Duration Health Insurance, 12/01/2020
4. Reason for this change:		
Based on comments from the industry, this proposed rule is being changed to give more clarity regarding compliance with specific provisions of this rule for short-term limited duration health insurance sold in Utah, and to set an effective date.		
5. Summary of this change:		
The changes to this rule clarify the preexisting condition definition, limitations, and exclusions; more appropriately reflect a coverage period selected by an individual consumer; promote the use of telehealth services, as appropriate; require that the acknowledgement of the receipt of the disclosure appear on the application; remove the required signature line from the disclosure form; and extend the compliance date. (EDITOR'S NOTE: The original proposed new rule upon which this change in proposed rule (CPR) was based was published in the December 1, 2020, issue of the Utah State Bulletin, on page 99. Underlining in the rule below indicates text that has been added since the publication of the proposed new rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed new rule together to understand all of the changes that will be enforceable should the agency make this rule effective.)		

Fiscal Information

6. Aggregate anticipated cost or savings to:	
A) State budget:	
There is no anticipated cost or savings to the state budget. The changes clarify the proposed rule and do not make any new requirements.	

B) Local government:			
There is no anticipated cost or savings to local governments. Local government is not affected by changes to this proposed rule.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no anticipated cost or savings to small businesses. Small businesses are not affected by changes to this proposed rule.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There is no anticipated cost or savings to non-small businesses as a result of changes to this proposed rule. As with the original proposed rule, if an insurer elects to offer a short-term limited duration health insurance policy, there will be associated business costs to initiate this type of product. The Insurance Department is not able to quantify those implementation and ongoing costs because it cannot know each insurer's business costs.			
E) Persons other than small businesses, non-small businesses, or 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 anticipated cost or savings to any other persons. No other persons are affected by changes to this proposed rule.			
F) Compliance costs for affected persons:			
There are no compliance costs for any affected persons as a result of changes to this proposed rule. As with the original proposed rule, if an insurer elects to offer a short-term limited duration health insurance policy, there will be associated business costs to initiate this type of product. The Insurance Department is not able to quantify those implementation and ongoing costs because it cannot know each insurer's business costs.			
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	FY2021	FY2022	FY2023
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 Acting Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.			
7. A) Comments by the department head on the fiscal impact the rule may have on businesses:			
After conducting a thorough analysis, it was determined that this CPR will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
Jonathan T. Pike, Acting Commissioner			

Citation Information

8. 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 31A-2-201(3)(a)	Section 31A-2-202	Subsection 31A-22-605(4)
Subsection 31A-22-605(6)	Subsection 31A-22-605.1(1)	Section 31A-45-103

Public Notice Information

10. 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:	03/03/2021
--	------------

11. This rule change MAY become effective on:	03/10/2021
--	------------

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 11, 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:	Steve Gooch, Public Information Officer	Date:	01/15/2021
--	---	--------------	------------

End of the Notices of Changes in 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.):	R68-4	Filing No. 50143

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-982-2204	ambermbrown@utah.gov
Robert Hougaard	801-982-2305	rhougaard@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R68-4. Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products

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 enacted under the authority of Subsection 4-2-103(1)(i) which allows the Department of Agriculture and Food (Department) to make rules necessary for the effective administration of agricultural laws in the state, as well as Subsection 4-2-103(1)(h) that allows the Department to establish operational standards for any establishment that manufactures, processes, produces, distributes, stores, sells, or offers for sale any agricultural product.

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 were received.

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 should be continued because it is needed to set standards for fresh fruits, vegetables, and plant products sold in Utah. It provides standards for apricots, which are not set in federal law. It provides for inspection and enforcement of standards to ensure products sold to Utah consumers are safe.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Acting Commissioner	Date:	01/11/2021
--	---------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R68-18	Filing No. 50144

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-982-2204	ambermbrown@utah.gov
Robert Hougaard	801-982-2305	rhougaard@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R68-18. Quarantine Pertaining to Karnal Bunt
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 enacted under the authority of Subsection 4-2-103(1)(k)(ii) that allows the Department of Agriculture and Food to establish and enforce quarantines.
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.
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 should be continued because it allows and provides guidelines for the quarantine of plants infected with karnal bunt, a serious fungal disease of wheat, durum wheat, and Triticale, to prevent spread in the state.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Acting Commissioner	Date:	01/11/2021
--	---------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R70-410	Filing No. 50175

Agency Information

1. Department:	Agriculture and Food	
Agency:	Regulatory Services	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-982-2204	ambermbrown@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R70-410. Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes
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 promulgated under the authority of Section 4-4-102 which allows the Department of Agriculture and Food to make and enforce rules related to egg grades and standards.
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 were received.

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 should be continued because it provides necessary standards for egg production and packaging in Utah that are designed to help businesses be successful while keeping the public safe and ensuring a healthy food supply.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Acting Commissioner	Date:	01/11/2021
--	---------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-67	Filing No. 50301

Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111-2316	
Mailing address:	PO Box 146741	
City, state, zip:	Salt Lake City, UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Larry Marx	801-530-6254	lmarx@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R156-67. Utah Medical Practice Act Rule
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 58, Chapter 67, provides for the licensure and regulation of physicians and surgeons. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a) provides that the Physicians Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules. This rule was enacted to

clarify the provisions of Title 58, Chapter 67, with respect to physicians and surgeons.

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:

Since this rule was last reviewed in February 2016, this rule has been amended several times. However, the Division has received no written comments with respect to 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 should be continued as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 67. This rule should also be continued as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Director	Date:	08/27/2020
--	-----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-69	Filing No. 52481

Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111-2316	
Mailing address:	PO Box 146741	
City, state, zip:	Salt Lake City, UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Larry Marx	801-530-6254	lmarx@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R156-69. Dentist and Dental Hygienist Practice Act Rule
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 58, Chapter 69, provides for the licensure and regulation of dentists and dental hygienists. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a) provides that the Dentist and Dental Hygienist Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules. This rule was enacted to clarify the provisions of Title 58, Chapter 69, with respect to dentists and dental hygienists.
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:
Since this rule was last reviewed in January 2015, this rule has been amended two times, once in December 2015 and once in March 2020. The only written comment the Division has received with respect to this rule was a February 6, 2020, email from Dr. Kevin Croft in which he submitted comments about the "anesthesiology" definition contained in a February 2020 proposed rule amendment filing. The Division and Dentist and Dental Hygienist Licensing Board reviewed Dr. Croft's comments and proceeded with making the proposed rule amendments effective on March 10, 2020, with no further changes.
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 should be continued as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 69. This rule should also be continued as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Director	Date:	08/10/2020
--	-----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R156-73	Filing No. 50314

Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84111-2316	
Mailing address:	PO Box 146741	
City, state, zip:	Salt Lake City, UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Allyson Pettley	801-530-6179	apettley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R156-73. Chiropractic Physician Practice Act Rule
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 58, Chapter 73, provides for the licensure and regulation of chiropractic physicians. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-1-202(1)(a) provides that the Chiropractic Physician Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules. This rule was enacted to clarify the provisions of Title 58, Chapter 73, with respect to chiropractic physicians.
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:
Since this rule was last reviewed in February 2016, two proposed rule amendment filings have been filed with the Office of Administrative Rules. The first filing was filed in December 2019 (OAR Filing No. 52439). This filing was amending unprofessional conduct definitions. The Division received multiple written comments both in support of and in opposition to the proposed amendments. Based on all comments received with respect to this proposed rule filing, the Division and Chiropractic Physician Licensing Board chose to let this rule filing lapse and would refile proposed rule amendments again at a later date. The second filing was filed in July 2020 (OAR Filing No. 52821). This filing was also amending unprofessional conduct definitions found in Section R156-73-501. Again, the Division received multiple written comments both in support of and in opposition to the proposed amendments in addition to some written comments that neither supported nor opposed the

proposed amendments. Based on all comments received and reviewed with respect to these proposed amendments, the Division and Chiropractic Physician Licensing Board, during an October 27, 2020, Board meeting, agreed to let this rule filing lapse and the Division and Board may refile proposed rule amendments again at a later date.

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 should be continued as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 73. This rule should also be continued as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Director	Date:	10/27/2020
--	-----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R313-26	Filing No. 50731
--------------------------------------	----------------	-------------------------

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov

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

General Information

2. Rule catchline:
R313-26. Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities

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

Subsection 19-3-104(4) allows the Waste Management and Radiation Control Board (Board) to make rules to meet the requirements of federal law relating to radiation control to ensure the radiation control program under this part is qualified to maintain primacy from the federal government. The subsection also allows the Board to make rules as necessary regarding the possession, use, transfer, or delivery of source and byproduct material and the disposal of byproduct material.

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 comments were received from any interested persons either supporting or opposing the rule during or since the last five-year review.

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

Rule R313-26 contains the requirements for the issuance of permits to radioactive waste generators, collectors and processors for transferring radioactive waste to a land disposal facility located within the . Without this rule, the radiation control program would not be qualified to maintain primacy from the federal government. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R315-15	Filing No. 52544
--------------------------------------	----------------	-------------------------

Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Waste Management
Room no.:	Second Floor
Building:	MASOB

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-15. Standards for the Management of Used Oil
A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 19-6-704 requires the Waste Management and Radiation Control Board (Board) to administer the Used Oil Management Act and comply with 40 CFR 279, Standards for the Management of Used Oil, to ensure the state's primacy to manage used oil. The Board is required to establish rules for the registration of facilities involved in the management of used oil, establish fees, establish the amounts of financial responsibility to be maintained by facilities involved in the management of used oil, establish rules for tracking, analysis and recordkeeping regarding used oil, authorize inspections and audits, establish standards for the management of used oil, establish rules for closure, remediation and response to releases of used oil, and establish a public education program to promote used oil recycling. 40 CFR 271.26 requires state programs to have standards for used oil management which are equivalent to 40 CFR 279 in order to be an authorized program.
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:
Since the last five-year review of this rule, it has been amended three times. The Division of Waste Management and Radiation Control, Waste Management (Division) received comments from regulated entities that pointed out a conflict in the rules that required a certain type of facility to register in one subsection but specifically did not require the same type of facility to register in another subsection. The first amendment corrected this conflict and removed the requirement from the rules that facilities managing used oil must submit all financial mechanisms signed in duplicate and allow facilities to follow the requirements of each mechanism regarding the number of signatures needed.

The next amendment changed the payment period for recycling fee incentive payments from quarterly to semi-annual and to increase the amount of the recycling incentive payments to \$0.25 per gallon.

The next amendment clarified the types of documents that a DIYer collection center must submit to qualify for reimbursement.

No comments were received on any of the three amendments during the public review and comment processes.

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

Rule R315-15 contains the standards for the management of used oil. In Section 19-6-702, the legislature found that millions of gallons of used oil are generated each year in Utah and that used oil is a valuable resource that can be recycled. The legislature also found that significant quantities of used oil are wastefully disposed of or improperly used in manners that cause pollution and endanger public health. Considering the harmful consequences that can result from the improper disposal and use of used oil, and its value as a resource, the collection, recycling, and reuse of used oil is in the public interest. This rule meets the intent of the Legislature that there be a program for the collection, recycling and reuse of used oil. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-17	Filing No. 50739

Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Waste Management
Room no.:	Second Floor
Building:	MASOB
Street address:	195 N 1950 W
City, state, zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144880
City, state, zip:	Salt Lake City, UT 84114-4880

Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-17. End of Life Automotive Mercury Switch Removal Standards

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

During the 2006 General Session of the Utah State Legislature passed H.B. 138 which created the Mercury Switch Removal Act. This act created Part 10 of Title 19, Chapter 6. Section 19-6-1003 requires the Waste Management and Radiation Control Board make rules governing the administration of the Act.

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 comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-17 contains the requirements that provide for the administration of the Mercury Switch Removal Act. The Mercury Switch Removal Act and this rule require the removal of mercury switches from vehicles that have reached the end of their useful life to prevent the release of this toxic material into the environment where it could have a detrimental effect on people's health. Due to the potential for negative impact on the environment and human health if this rule were discounted, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
-------------------------------------	---------------------	-------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-101	Filing No. 50735

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-101. Cleanup Action and Risk-Based Closure Standards

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Subsection 19-6-105(1)(d) allows the Board to make rules requiring owners or operators of a treatment, storage, or disposal facilities to take appropriate corrective action or other response measures for releases of hazardous waste or hazardous waste constituents.

40 CFR 271.12 requires state programs to have standards for closure and post-closure of hazardous waste facilities.

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 comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Rule R315-101 contains the requirements that allow the Division of Waste Management and Radiation Control, Waste Management to establish requirements for risk-based cleanup and closure standards at sites for which remediation or removal of hazardous constituents to background levels will not be achieved. The procedures in this rule also provide for continued management of sites for which minimal risk-based standards cannot be met. Without this rule, there would not be any requirements or standards for risk-based cleanup and closure which would result in detrimental impacts to human health and the environment. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-102	Filing No. 50733

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Name:
Tom Ball	801-536-0251	Tom Ball

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

General Information

2. Rule catchline:
R315-102. Penalty Policy
A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes

program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Subsection 19-6-113(2) states that any person who violates any order, plan, rule, or other requirement issued or adopted under this part is subject in a civil proceeding to a penalty.

40 CFR 271.16 requires state programs to have the ability to assess civil penalties to be authorized.

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 comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-102 contains the requirements used by the Division and the Waste Management and Radiation Control Board to assess and collect civil penalties from those entities that violate the hazardous waste and used oil rules. This rule is required by state code and by federal regulation to maintain primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-103	Filing No. 50734

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		

Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov

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

General Information

2. Rule catchline:

R315-103. Commercial Hazardous Waste Facility Siting Criteria

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Subsection 19-6-105(3) requires the Board to establish criteria for siting commercial hazardous waste treatment, storage, or disposal facilities.

40 CFR 270.14(b)(11) contains siting criteria that must be followed by hazardous waste treatment, storage and disposal facilities.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No changes were made to the rule at that time. No comments were received.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-103 contains the requirements that allow the Division of Waste Management and Radiation Control, Waste Management to ensure that commercial hazardous waste treatment, storage and disposal facilities are siting properly. This rule ensures that these types of facilities do not have a negative impact on human health and the environment of the community around the facilities. Without this rule, there would not be any requirements siting of hazardous waste treatment, storage and disposal facilities which would result in detrimental impacts to human health and the environment. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R315-124	Filing No. 50738
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Waste Management
Room no.:	Second Floor
Building:	MASOB
Street address:	195 N 1950 W
City, state, zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144880
City, state, zip:	Salt Lake City, UT 84114-4880
Contact person(s):	
Name:	Phone: Name:
Tom Ball	801-536-0251 Tom Ball

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

General Information

2. Rule catchline:

R315-124. Procedures for Decisionmaking

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Subsection 19-6-105(1)(f) requires the Board to make rules governing public hearings and participation.

40 CFR 124 contains the steps the Environmental Protection Agency (EPA) will follow in receiving permit applications, preparing draft permits, issuing public notice, inviting public comment, and holding public hearings. Also contained in 40 CFR 124 are procedures for assembling an administrative record, responding to comments, issuing a final permit decision, and allowing for administrative appeal of the final permit decisions.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. At this time, comments were received from two commentors.

One comment suggested that Section R315-124-1 was unclear and unnecessary and requested that, at a minimum, the intended meaning of the section be clarified.

One comment stated that the Director should not bar himself by rule from opposing intervention in any civil or administrative proceeding as required by Section R315-124-34.

One comment stated that it was inappropriate and unnecessary to require public comment for any proposed settlement of any enforcement action as required by Section R315-124-34. The commentor stated that because settlements over \$25,000 required approval by the Board and thus required public comment, only those settlements over \$25,000 should require public comment. The Division of Waste Management and Radiation Control, Waste Management (Division) response to these comments was that no changes were needed.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-124 contains the requirements and procedures that the Division will follow in receiving permit applications, preparing draft permits, assembling an administrative record, issuing public notice, inviting public comment, responding to comments, holding public hearings, issuing a final permit decision, and allowing for administrative appeal of the final permit decisions. These are all required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R315-260	Filing No. 52564
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Name:
Tom Ball	801-536-0251	Tom Ball
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-260. Hazardous Waste Management System

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program. 40 CFR 271 contains all the required elements for a state hazardous waste program to be consistent with the Federal program.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. At this time, comments were received from two commentors.

Both commentors pointed out that new definitions were being added to Section R315-260-12 for Rule R315-101 that were inconsistent with the current requirements in

Rule R315-101. The Division of Waste Management and Radiation Control, Waste Management (Division) responded by removing the definitions.

Several comments pointed out typographical errors and incorrect references or citations in various sections of Rule R315-260. The Division responded by correcting the errors.

Several comments asked for clarification of various sections of Rule R315-260. The Division responded with appropriate clarifications.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-260 provides definitions of terms, general standards, and overview information applicable to Rules R315-260 through R315-265 and R315-268. These are all required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-261	Filing No. 53251

Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Waste Management
Room no.:	Second Floor
Building:	MASOB
Street address:	195 N 1950 W
City, state, zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144880
City, state, zip:	Salt Lake City, UT 84114-4880
Contact person(s):	

Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov

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

General Information

2. Rule catchline:
R315-261. General Requirements -- Identification and Listing of Hazardous Waste

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program. 40 CFR 271.9 requires state programs to control all the hazardous wastes controlled under the Federal program and requires state programs to adopt a list of hazardous wastes and set of characteristics for identifying hazardous wastes that is equivalent to those under the Federal program.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. At this time comments were received from one commentor.

Several comments pointed out typographical errors and incorrect references or citations in various sections of Rule R315-261. The Division of Waste Management and Radiation Control, Waste Management (Division) responded by correcting the errors.

Several comments asked for clarification of various sections of Rule R315-261. The Division responded with appropriate clarifications.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-261 identifies those solid wastes which are subject to regulation as hazardous wastes under Rules R315-262 through R315-265, R315-268, R315-270, and R315-124 and which are subject to the notification requirements of these rules. This required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R315-262	Filing No. 52924
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Environmental Quality		
Agency:	Waste Management and Radiation Control, Waste Management		
Room no.:	Second Floor		
Building:	MASOB		
Street address:	195 N 1950 W		
City, state, zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 144880		
City, state, zip:	Salt Lake City, UT 84114-4880		
Contact person(s):			
Name:	Phone:	Email:	
Tom Ball	801-536-0251	tball@utah.gov	

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

General Information

2. Rule catchline:
R315-262. Hazardous Waste Generator Requirements

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and

hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program. 40 CFR 271.10 contains the requirements for generators of hazardous waste that the state program must be consistent with.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-262 establishes standards for generators of hazardous waste. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R315-263	Filing No. 52566
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Waste Management
Room no.:	Second Floor

Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-263. Standards Applicable to Transporters of Hazardous Waste and Standards Applicable to Emergency Control of Spills for All Hazardous Waste Handlers
A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.
Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.
40 CFR 271.4 requires state programs to be consistent with the Federal program. 40 CFR 271.11 contains the requirements for transporters of hazardous waste that the state program must be consistent with.
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:
In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.
No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R315-263 establishes standards which apply to persons transporting hazardous waste within Utah if the transportation requires a manifest under Rule R315-262. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-264	Filing No. 52925

Agency Information

1. Department:	Environmental Quality
Agency:	Waste Management and Radiation Control, Waste Management
Room no.:	Second Floor
Building:	MASOB
Street address:	195 N 1950 W
City, state, zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 144880
City, state, zip:	Salt Lake City, UT 84114-4880
Contact person(s):	
Name:	Phone: Email:
Tom Ball	801-536-0251 tball@utah.gov
Please address questions regarding information on this notice to the agency.	

General Information

2. Rule catchline:
R315-264. Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program. 40 CFR 271.12 contains the requirements for hazardous waste management facilities that the state program must be consistent with.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-264 establishes the minimum standards that define the acceptable management of hazardous waste that apply to each owner and operator of facilities that treat, store, or dispose of hazardous waste. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R315-265	Filing No. 52926
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov

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

General Information

2. Rule catchline:
R315-265. Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-265 establishes the minimum standards that define the acceptable management of hazardous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-266	Filing No. 52927

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov

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

General Information

2. Rule catchline:
R315-266. Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities
A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program. 40 CFR 271.12 contains the requirements for hazardous waste management facilities that the state program must be consistent with.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-266 establishes the minimum standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-268	Filing No. 52928

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-268. Land Disposal Restrictions
A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.
Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.
40 CFR 271.4 requires state programs to be consistent with the Federal program.
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:
In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.
No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R315-268 identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be land disposed. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	---------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R315-270	Filing No. 52929

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-270. Hazardous Waste Permit Program
A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and

hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program. 40 CFR 271.13 contains the requirements with respect to permits and permit applications for owners and operators of all hazardous waste management facilities that the state program must be consistent with. 40 CFR 271.14 contains provisions that state programs must have the legal authority to implement.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-270 requires that any person who owns, constructs, modifies, or operates any facility for the purpose of treating, storing, or disposing of hazardous waste must first submit an application for, and receive the approval of the Director for, a hazardous waste permit for that facility. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R315-273	Filing No. 52930
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Room no.:	Second Floor	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state, zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R315-273. Standards for Universal Waste Management

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

Subsection 19-6-104(1)(c) requires the Waste Management and Radiation Control Board (Board) to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program provided for in this part is qualified to assume primacy from the federal government in control over solid and hazardous waste.

Section 19-6-105 allows the Board to make rules identifying wastes that are determined to be hazardous and to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities.

40 CFR 271.4 requires state programs to be consistent with the Federal program.

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:

In 2016, this rule was renumbered to match the numbering contained in the federal regulations. No comments were received.

In 2018, the Division of Waste Management and Radiation Control, Waste Management (Division) received a comment regarding the use of use of propylene glycol as an engine antifreeze informing the Division that it is more widely used than was understood in 2016. Based on this

comment the Division added it along with ethylene glycol under the definition of antifreeze in this rule.

No other comments were received from any interested persons either supporting or opposing this rule during or since the last five-year review.

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

Rule R315-273 provides an alternative set of management standards that generators of hazardous waste can use to manage certain types of hazardous waste in lieu managing in accordance with the hazardous waste management requirements found in Rules R315-260 through R315-266, R315-268 and R315-270. These standards are required to meet the requirements of federal law related to solid and hazardous wastes to ensure that the solid and hazardous wastes program of the is qualified to assume primacy from the federal government in control over solid and hazardous waste. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Ty Howard, Director	Date:	01/14/2021
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R331-26	Filing No. 50812

Agency Information

1. Department:	Financial Institutions	
Agency:	Administration	
Room no.:	201	
Street address:	324 State St	
City, state, zip:	Salt Lake City, UT 84111-2321	
Mailing address:	PO Box 146800	
City, state, zip:	Salt Lake City, UT 84114-6800	
Contact person(s):		
Name:	Phone:	Email:
Paul Allred	801-538-8761	pallred@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R331-26. Ownership of Real Estate Other Than Property Used for Institution Business or Held as an Investment by Depository Institutions Subject to the Jurisdiction of the Department of Financial Institutions
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 7-3-18, 7-8-13, and 7-9-5 authorize depositories to hold real estate for purposes other than conducting the depository institution's business. This rule sets forth uniform regulatory standards for the safe and sound management of other real estate and applies to all depository institutions chartered by the .
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 supporting or opposing written comments have been received by the agency concerning 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:
The purpose of this rule is to protect the safety and soundness of state-chartered depository institutions by prescribing requirements and restrictions for the prudent management of real estate held for purposes other than conducting the depository institution's business. This rule sets forth uniform regulatory standards for the safe and sound management of other real estate by depository institutions under the jurisdiction of the Department of Financial Institutions. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	G. Edward Leary, Comissioner	Date:	01/14/2021
--	---------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-201	Filing No. 51603

Agency Information

1. Department:	Natural Resources
Agency:	Parks and Recreation
Room no.:	116

Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-201. Definitions
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Contained in this rule are definitions providing clarity to descriptions used in most of the boating rules. The following statutes require action from the Board of Parks and Recreation: Subsections 73-18-4(1)(a), 73-18-7(2)(b), 73-18-7(4), 73-18-7(17)(a), and 73-18-7(13)(b); Section 73-18-6; Subsections 73-18-7(17)(a), 73-18-7(17)(b), and 73-18-7(17)(c); Section 73-18-8; Subsections 73-18-9(5) and 73-18-4(2)(a)(B); Section 73-18-15; and Subsection 73-18-16(2).
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 comments have been received for Rule R651-201.
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 mandated by statutes. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-202	Filing No. 51602

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-202. Boating Advisory Council
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 73-18-3.5 states the Board of Parks and Recreation may appoint an advisory council representing various boating interests to seek recommendations on state boating policies.
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 comments have been received for Rule R651-202.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-203	Filing No. 51616

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-203. Waterway Marking System
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-4(1)(a) states that the Board of Parks and Recreation (Board) may promulgate rules and set fees. The Board shall promulgate rules creating a uniform waterway marking system.
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 comments have been received for Rule R651-203.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-204	Filing No. 51605

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-204. Regulating Waterway Markers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-4(1)(b) states that the Board of Parks and Recreation shall promulgate rules regulating the placement of waterway markers and other permanent or anchored objects on the waters of this state.
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 comments have been received for Rule R651-204.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-205	Filing No. 51615

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-205. Zoned Waters
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-4(1)(c) states that the Board of Parks and Recreation may promulgate rules and set fees. It also states that the Board of Parks and Recreation shall zone certain waters of this state for the purpose of prohibiting the operation of vessels or motors for safety and health purposes only.
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 comments have been received for Rule R651-205.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-206	Filing No. 51609

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-206. Carrying Passengers for Hire
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-4(2)(a) states that the Board of Parks and Recreation (Board) may promulgate rules and set fees. It also states that the Board shall set fees, licensing vessel operators, and registering outfitter companies and boat liveriers. In addition, Subsection 73-18-20(1) requires the enforcement of the maintenance inspection program for vessels carrying passengers for hire.
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 comments have been received for Rule R651-206.
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 mandated by statutes. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-207	Filing No. 51608

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-207. Registration Fee
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-7(2)(b) states the registration requirements. The owner shall sign the application for registration and pay the fee set by the Board of Parks and Recreation.
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 comments have been received for Rule R651-207.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-208	Filing No. 51611

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-208. Backing Plates
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-7(4) states that the Board of Parks and Recreation may designate procedures and requirements for the display of registration decals.
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 comments have been received for Rule R651-208.
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 mandated by statute, and the Code of Federal Regulations: Title 46, Subtitle II, Part H, Chapter 123. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-209	Filing No. 51613

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-209. Anchored and Beached Vessels
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-4(1)(e) states that the Board of Parks and Recreation may promulgate rules and set fees. It also states that the Board of Parks and Recreation shall regulate anchored, beached, moored, or abandoned vessels to minimize health, safety, and environmental concerns.
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 comments have been received for Rule R651-209.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-210	Filing No. 51617

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-210. Change of Address
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-7(13)(b) states that the Board of Parks and Recreation may provide rules defining the alteration of an existing registration card to show the owner's new address.
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 comments received for Rule R651-210.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-211	Filing No. 51614

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-211. Assigned Numbers
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 73-18-6 and Subsection 73-18-7(17)(a) requires that all motorboats and sailboats be numbered and the Board of Parks and Recreation may designate the suffix to assigned numbers and display of registration decals.
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 comments have been received for Section R651-211.
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 mandated by statutes, and the Code of Federal Regulations: Title 46, Subtitle II, Part H, Chapter 123. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-212	Filing No.	51627
--------------------------------------	----------	-------------------	-------

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-212. Display of Yearly Registration Decals and Month of Expiration Decals
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-7(17)(a) states that the Board of Parks and Recreation may designate the suffix to assigned numbers and by following the procedures and requirements, and make rules for the issuance and display of registration decals.
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 comments have been received for Rule R651-212.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-213	Filing No.	51623
--------------------------------------	----------	-------------------	-------

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-213. Dealer Numbers and Registrations
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-7(17)(b) states that the Board of Parks and Recreation may designate the suffix to assigned numbers and by following the procedures and requirements, make rules for the issuance and display of dealer numbers and registrations.
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 comments have been received for Rule R651-213.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-214	Filing No. 51625

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-214. Temporary Registration
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-7(17)(c) states that the Board of Parks and Recreation may designate the suffix to assigned numbers and by following the procedures and requirements, make rules for the issuance and display of temporary registrations.
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 comments have been received for Rule R651-214.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-215	Filing No. 51619

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:	
R651-215. Personal Flotation Devices	
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 73-18-8 lists safety equipment required to be on board vessels, and it allows the Board of Parks and Recreation to make rules for personal flotation devices to be worn on certain types of vessels, by age, and on certain waters.	
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 of Parks and Recreation received numerous written comments in 2017 from the public opposing the repeal of Section R651-215-8, River Throw Bag in Lieu of a Type IV PFD. This section was repealed as a result of a conflict with the Code of Federal Regulations. The United States Coast Guard pointed out that the had no authority (exemption from preemption) to use throw bags in lieu of the carriage of a Type IV PFD. Thus, this is why the section was repealed. The rest of Rule R651-215 remained in effect.	
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 mandated by statute. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-216	Filing No. 51622
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:	
R651-216. Navigation Lights - Note: Figures 1 through 7 mentioned below are on file with the Utah Division of Parks and Recreation	
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	
Subsection 73-18-8(6)(b) states that the Board of Parks and Recreation may adopt rules conforming with the requirements of this section which govern specifications for and the use of safety equipment. In addition, Subsection 73-18-8(2) states that the operator between sunset and sunrise shall display lighted navigation lights approved by the Division of Parks and Recreation.	
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 comments have been received for Rule R651-216.	
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 mandated by statutes. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-217	Filing No. 51618
--------------------------------------	-----------------	-------------------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-218	Filing No. 51620
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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.		

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-217. Fire Extinguishers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-8(6)(b) states that the Board of Parks and Recreation may adopt rules conforming with the requirements of this section which govern specifications for and the use of safety equipment. In addition, Subsection 73-18-8(4) states that each vessel shall have fire extinguishing equipment on board.
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 comments have been received for Rule R651-217.
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 mandated by statutes. Therefore, this rule should be continued.

General Information

2. Rule catchline:
R651-218. Carburetor and Back Flame Control
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-8(6)(b) states that the Board of Parks and Recreation may adopt rules conforming with the requirements of this section which govern specifications for and the use of safety equipment. In addition, Subsection 73-18-8(5) states that any inboard gasoline engine shall be equipped with a carburetor backfire flame control device.
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 comments have been received for Rule R651-218.
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 mandated by statutes. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-219	Filing No. 51621
--------------------------------------	-----------------	-------------------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-220	Filing No. 51624
--------------------------------------	-----------------	-------------------------

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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.		

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-219. Additional Safety Equipment
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-8(6) states that the Board of Parks and Recreation may adopt rules conforming with the requirements of this section which govern specifications for and the use of safety equipment.
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 comments have been received for Rule R651-219.
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 mandated by statute. Therefore, this rule should be continued.

General Information

2. Rule catchline:
R651-220. Registration and Numbering Exemptions
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-9(5) states a motorboat or sailboat belonging to a class of vessels which is exempt from registration by the Board of Parks and Recreation (Board), after the Board finds it will not materially aid in identification, is exempt from numbering in the United States Coast Guard numbering system.
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 comments have been received for Rule R651-220.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-221	Filing No. 51630
--------------------------------------	----------	-------------------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-222	Filing No. 51632
--------------------------------------	----------	-------------------------

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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.		

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-221. Boat Liveries - Boat Rental Companies
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-4(2)(a)(B) states that the Board of Parks and Recreation (Board) may promulgate rules and set fees. The Board may set fees for boat liveries. Section 73-18-10.2 states the duties for owners of boat livery, outlining record keeping and safety equipment.
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 comments have been received for Section R651-221.
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 mandated by statutes. Therefore, this rule should be continued.

General Information

2. Rule catchline:
R651-222. Muffling Requirements
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 73-18-11 states that the Board of Parks and Recreation shall adopt rules for the regulating of muffling devices on all vessels.
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 comments have been received for Rule R651-222
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-224	Filing No. 51629
--------------------------------------	----------	-------------------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R651-226	Filing No. 51628
--------------------------------------	----------	-------------------------

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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.		

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-224. Towed Devices
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 73-18-15 states that the Board of Parks and Recreation is to adopt rules concerning water skiing and aquaplane riding and use of other devices towed behind a vessel.
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 comments have been received for Rule R651-224.
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 mandated by statute. Therefore, this rule should be continued.

General Information

2. Rule catchline:
R651-226. Regattas and Races
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 73-18-16(2) states that the Board of Parks and Recreation may adopt rules concerning the safety of vessels and persons, either as observers or participants.
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 comments have been received for Rule R651-226.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

statute and provide consistency of registration sticker display on each specific type of off-highway vehicle. Therefore, this rule should be continued.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-401	Filing No. 51637

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-405	Filing No. 51638

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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.		

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-401. Off-Highway Vehicle and Registration Stickers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under Subsection 41-22-3(4), the Division of Motor Vehicles shall issue a registration sticker and a card for each registration of an off-highway vehicles. Section 41-22-5.1 authorizes the Board of Park and Recreation to create and establish a rule for the display of a registration sticker on an off-highway vehicle in accordance with Section 41-22-3.
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 of Parks and Recreation has not received any written comments, during the last five years that are either in support or oppose to 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 in order to remain compliant with

General Information

2. Rule catchline:
R651-405. Off Highway Implement of Husbandry Sticker Fee and Display
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsections 41-22-5.5(1)(a)(i) and (iii)(B) state any type of off-highway vehicle may be used for agricultural purposes if the owner applies with the Division of Motor Vehicles for an implement of husbandry sticker. The payment of an implement of husbandry sticker fee shall not exceed \$10. Included as part of this process is Subsection 41-22-5.5(1)(c) which states that the off-highway vehicle implement of husbandry sticker shall be displayed in a manner prescribed by the Board of Parks and Recreation (Board). These subsections direct the Board for a rule for the sticker fee and a rule that indicates where an implement of husbandry sticker shall be permanently placed upon the off-highway vehicle.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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 of Parks and Recreation has not received any written comments, during the last five years that are either in support or oppose to 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 in order to remain compliant with statute and provide consistency of the implement of husbandry fee and sticker display on each specific type of off-highway vehicle used for agricultural purposes. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-406	Filing No. 51633

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-406. Off Highway Vehicle Registration Fees
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 41-22-8 authorizes the Board of Parks and Recreation to establish rules regarding fees associated

with each specific off-highway vehicle machine type, a fee for a duplicate registration certificate, and a fee for a duplicate numbered sticker.

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 of Parks and Recreation has not received any written comments, during the last five years that are either in support or oppose to 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 in order to remain compliant with statute and provide consistency with off-highway vehicle registration fees, duplicate off-highway vehicle registration certificate fees, and duplicate off-highway vehicle numbered sticker fees. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-611	Filing No. 51658

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-611. Fee Schedule

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

Subsection 79-4-203(8) states that the Board of Parks and Recreation shall set fees and make appropriate rules governing the collection of charges. Subsection 79-4-203(8)(a) states that the division may make charges for special services and use of facilities, the income from which is available for park and recreation purposes.

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 that specifically support or oppose the Division's fee schedule.

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

Without this rule, the Utah courts will not prosecute a violator for failure to pay park fees. Therefore, this rule should be continued.

General Information

2. Rule catchline:

R651-801. Swimming Prohibited

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 73-18b-1 states that the Board of Parks and Recreation may make rules necessary to promote safety in swimming, scuba diving, and related activities on any waters where public boating is permitted.

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 comments have been received for Rule R651-801.

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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	--------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-801	Filing No. 51688

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R651-802	Filing No. 51677

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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.		

Agency Information

1. Department:	Natural Resources	
Agency:	Parks and Recreation	
Room no.:	116	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84029	
Mailing address:	PO Box 146001	
City, state, zip:	Salt Lake City, UT 84114-6001	
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 catchline:
R651-802. Scuba Diving
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 73-18b-1 states that the Board of Parks and Recreation may make rules necessary to promote safety in scuba diving where public boating is permitted.
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 comments have been received for Rule R651-802.
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 mandated by statute. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jeff Rasmussen, Director	Date:	01/05/2021
--	-----------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R652-8	Filing No. 51693

Agency Information

1. Department:	Natural Resources	
Agency:	Forestry, Fire and State Lands	
Room no.:	352	
Building:	DNR	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 145703	
City, state, zip:	Salt Lake City, UT 84114-5703	
Contact person(s):		
Name:	Phone:	Email:
Brianne Emery	385-239-0791	brianneemery@utah.gov
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R652-8. Adjudicative Proceedings
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 Subsection 63G-4-102(5), Sections 63G-4-202 and 63G-4-203 which authorizes the Division of Forestry, Fire and State Lands (Division) to designate adjudicative proceedings as informal and provides procedures for informal adjudicative proceedings. Leases, sales, and exchanges are treated as contracts for purchase or sale of interests in real property. Therefore, management and administrative actions concerning specific leases, sales or exchanges are not governed by the procedural requirements of this rule pursuant to Subsection 63G-4-102(2)(g).
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 were received.
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 authorizes the Division to designate adjudicative proceedings as informal and provides procedures for informal adjudicative proceedings and identifies the division director as the presiding officer. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Brian Cottam, Director	Date:	12/21/2020
--	---------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R652-9	Filing No. 51687

Agency Information

1. Department:	Natural Resources
Agency:	Forestry, Fire and State Lands
Room no.:	352
Building:	DNR
Street address:	1594 W North Temple
City, state, zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 145703
City, state, zip:	Salt Lake City, UT 84114-5703

Contact person(s):		
Name:	Phone:	Email:
Brianne Emery	385-239-0791	brianneemery@utah.gov
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov

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

General Information

2. Rule catchline:
R652-9. Consistency Review
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 the procedure through which any party aggrieved by a Division of Forestry, Fire and State Lands (Division) action directly determining the rights, obligations, or legal interests of specific persons may petition the executive director of the Department of Natural Resources to review the action for consistency with statutes, rules, and Division policy pursuant to Subsection 65A-1-4(6).
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 were received.
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 establishes the procedure through which any party aggrieved by a Division action may petition the executive director of the Department of Natural Resources to review the action for consistency with statutes, rules, and Division policy and identifies the actions the executive director may take upon receipt of a petition. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Brian Cottam, Director	Date:	12/21/2020
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R652-41	Filing No. 51696

Agency Information

1. Department:	Natural Resources	
Agency:	Forestry, Fire and State Lands	
Room no.:	352	
Building:	DNR	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 145703	
City, state, zip:	Salt Lake City, UT 84114-5703	
Contact person(s):		
Name:	Phone:	Email:
Brianne Emery	385-239-0791	brianneemery@utah.gov
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov

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

General Information

2. Rule catchline:
R652-41. Rights of Entry
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 65A-7-1 which authorizes the Division of Forestry, Fire and State Lands (Division) to establish criteria by rule for the sale, exchange, lease, or other disposition or conveyance of sovereign lands including procedures for determining fair-market value of those lands.
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 were received.
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 authorizes the Division to establish criteria by rule for the sale, exchange, lease, or other disposition or conveyance of sovereign lands including procedures for determining fair-market value of those lands. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Brian Cottam, Director	Date:	12/21/2020
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R652-80	Filing No. 51697

Agency Information

1. Department:	Natural Resources	
Agency:	Forestry, Fire and State Lands	
Room no.:	352	
Building:	DNR	
Street address:	1594 W North Temple	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 145703	
City, state, zip:	Salt Lake City, UT 84114-5703	
Contact person(s):		
Name:	Phone:	Email:
Brianne Emery	385-239-0791	brianneemery@utah.gov
Jamie Barnes	385-222-1536	jamiebarnes@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R652-80. Land Exchanges
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 65A-7-1 which authorizes the Division of Forestry, Fire and State Lands (Division) to specify application procedures and review criteria for the exchange of sovereign lands.
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 were received.
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 gives the Division the authority to specify application procedures and review criteria for the exchange of sovereign lands. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Brian Cottam, Director	Date:	12/21/2020
--	------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R671-518	Filing No. 51840

Agency Information

1. Department:	Pardons (Board of)	
Agency:	Administration	
Street address:	448 E Winchester Street, Suite 300	
City, state, zip:	Murray, UT 84107	
Contact person(s):		
Name:	Phone:	Email:
Mike Haddon	801-261-6467	mikehaddon@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R671-518. Conduct of Proceedings When a Criminal Charge Results in Conviction
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 77-27-5 outlines the Board of Pardons and Parole's (Board) authority over paroled individuals and conditions of parole. Subsection 77-27-9(5) allow the adoption of rules by the Board including rules related to the general conditions under which parole may be granted and revoked. Section 77-27-11 allows the Board to revoke the parole of any individual found to have violated any condition of the individual's parole.
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:
At this time, there are no written comments that have been received by the Board regarding this rule since its last five-year review.
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 clarity to the general public that a parolee that has a new criminal conviction may have parole revoked without conducting an evidentiary hearing.

An evidentiary hearing by the Board is not necessary as the court will have already conducted its own proceedings that led to the new criminal conviction. No comments in opposition to this rule (R671-518) have been received by the Board. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carrie Cochran, Chair	Date:	01/11/2021
--	-----------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R698-8	Filing No. 51854

Agency Information

1. Department:	Public Safety	
Agency:	Administration	
Building:	Calvin Rampton Complex	
Street address:	4501 S 2700 W, 1st Floor	
City, state, zip:	Salt Lake City, UT 84119-5994	
Mailing address:	PO Box 141775	
City, state, zip:	Salt Lake City, UT 84114-1775	
Contact person(s):		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund
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 authorized under Section 53-17-301, which requires the Commissioner of the Department of Public Safety to make rules to implement Title 53, Chapter 17, Public Safety Officer and Firefighter Line-of-duty Death Act.
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 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 required under Section 53-17-301 and is necessary to establish procedures for implementation of the Public Safety Officer and Firefighter Line-of-Duty Death Act. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jess L. Anderson, Commissioner	Date:	01/15/2021
--	--------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R708-18	Filing No. 51870

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state, zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state, zip:	Salt Lake City, UT 84114-4501	
Contact person(s):		
Name:	Phone:	Email:
Tara Zamora	801-964-4483	tarazamora@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R708-18. Regulatory and Administrative Fees
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
The statutory authority cited in this rule to authorize rulemaking is inaccurate. Upon review of this rule, it appears that the statutory provisions under which the rule was originally enacted no longer apply. This rule duplicates language that is already listed in statute with respect to fees that the Driver License Division has authority to assess. Due to the fact that this rule is not authorized or necessary, we will submit a rule filing to repeal this rule.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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 Public Safety has not received any written comments regarding this rule 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 in the process of being repealed and needs to be in place until the repeal can be made effective. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Christopher Caras, Division Director	Date:	01/14/2021
--	--------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R708-19	Filing No. 51868

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state, zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state, zip:	Salt Lake City, UT 84114-4501	
Contact person(s):		
Name:	Phone:	Email:
Tara Zamora	801 964-4483	tarazamora@utah.gov
Kim Gibb	801 556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R708-19. Automobile No-Fault Self-Insurance
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 authorized under Section 41-12a-201, which states the Department of Public Safety (Department) may

adopt rules as necessary for the administration of Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act.

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 regarding this rule 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 in order to set forth the methods approved by the Department for providing a certificate of self-funded coverage under Section 41-12a-407 as proof of owner's or operator's security required under Section 41-12a-301. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Christopher Caras, Division Director	Date:	01/06/2021
--	--------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R708-20	Filing No. 51872

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state, zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state, zip:	Salt Lake City, UT 84114-4501	
Contact person(s):		
Name:	Phone:	Email:
Tara Zamora	801 964-4483	tarazamora@utah.gov
Kim Gibb	801 556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R708-20. Motor Vehicle Accident Prevention Course Standards

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 authorized under Section 31A-19a-211, which states the Department of Public Safety (Department) make rules to establish and clarify standards pertaining to the curriculum and teaching methods of a course under Section 31A-19a-211.

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 regarding this rule 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 in order to establish and clarify standards pertaining to the curriculum and teaching methods of an accident prevention course for drivers age 55 or older that can be used for premium reduction for vehicle insurance as authorized under Subsection 31A-19a-211(1). Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Christopher Caras, Division Director	Date:	01/06/2021
--	--------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R708-38	Filing No. 51883

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state, zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state, zip:	Salt Lake City, UT 84114-4501	
Contact person(s):		
Name:	Phone:	Email:
Tara Zamora	801-964-4483	tarazamora@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov

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

General Information

2. Rule catchline:

R708-38. Anatomical Gift

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 authorized under Subsection 53-3-205(15)(a) which states a licensee shall authenticate the indication of intent to make an anatomical gift under Title 26, Chapter 28, Revised Uniform Anatomical Gift Act, in accordance with the Division of Driver License 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 of Public Safety has not received any written comments regarding this rule 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 in order to define the process for authenticating an applicant's intent to make an anatomical gift (organ donation) when applying for a driver license or identification card excluding renewal by mail. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Christopher Caras, Division Director	Date:	01/13/2021
--	--------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R708-42	Filing No. 51892

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state, zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state, zip:	Salt Lake City, UT 84114-4501	

Contact person(s):		
Name:	Phone:	Email:
Tara Zamora	801 964- 4483	tarazamora@utah.gov
Kim Gibb	801- 556- 8198	kgibb@utah.gov

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

General Information

2. Rule catchline:
R708-42. Driver Address Record
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 authorized under Subsection 53-3-109(8)(f), which states the Department of Public Safety (Department) may make rules to designate the procedures, requirements, and formats for disclosing personal identifying information under Subsection 53-3-109(1)(b). This section of the code has been renumbered; as a result, a nonsubstantive change will be submitted to correct the statutory references in the rule following the five-year review.
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 regarding this rule 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 in order to define the procedures, requirements and format for requesting and disclosing a Driver Address Record in accordance with Subsection 53-3-109(1)(b) to an insurer, insurance support organization, or a self-insured entity, or its agents, employees, or contractors that issues any motor vehicle insurance under Title 31A, Chapter 22, Part 3, for use in connection with claims investigation activities, antifraud activities, rating, or underwriting for any person issued a license certificate under Title 53, Chapter 3. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Christopher Caras, Division Director	Date:	01/13/2021
--	--------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R708-43	Filing No. 51901

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state, zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state, zip:	Salt Lake City, UT 84114-4501	
Contact person(s):		
Name:	Phone: Email:	
Tara Zamora	801 964- 4483	tarazamora@utah.gov
Kim Gibb	801 556- 8198	kgibb@utah.gov

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

General Information

2. Rule catchline:
R708-43. Verification of Personal Identifying Information by Depository Institutions
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 authorized under Subsection 53-3-109(8)(f), which states the Department of Public Safety (Department) may make rules to designate the procedures, requirements, and formats for disclosing personal identifying information under Subsection 53-3-109(1)(b). This section of the code has been renumbered; as a result, a nonsubstantive change will be submitted to correct the statutory references in the rule following the five-year review.
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 regarding this rule 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 in order to define the procedures, requirements and format for verifying personal identifying information to a depository institution as defined in Section

7-1-103 in accordance with Subsection 53-3-109(1)(b)(iii). Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Christopher Caras, Division Director	Date:	01/13/2021
--	--------------------------------------	--------------	------------

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R708-44	Filing No. 51902
--------------------------------------	----------------	-------------------------

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state, zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state, zip:	Salt Lake City, UT 84114-4501	
Contact person(s):		
Name:	Phone:	Email:
Tara Zamora	801-964-4483	tarazamora@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov

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

General Information

2. Rule catchline:
R708-44. Citation Monitoring Service

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 authorized under Section 53-3-109, which states the Department of Public Safety (Department) may make rules to designate the procedures, requirements, and formats necessary for the implementation of Subsection 53-3-109(3), the Citation Monitoring Service.

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 regarding this rule 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 in order to designate the procedures, requirements, and formats necessary for the implementation of Subsection 53-3-109(3). This rule sets forth the methods approved by the Department for providing an authorized requester access to Division of Driver License records as authorized under Subsection 53-3-109(3). Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Christopher Caras, Division Director	Date:	01/06/2021
--	--------------------------------------	--------------	------------

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

Administrative Services

Administration

No. 53213 (Amendment) R13-2: Management of Records and Access to Records
Published: 12/01/2020
Effective: 01/08/2021

Purchasing and General Services

No. 53121 (Amendment) R33-1: Utah Procurement Rules, General Procurement Provisions
Published: 12/15/2020
Effective: 01/22/2021

No. 53122 (Amendment) R33-2: Rules of Procedure for Procurement Policy Board
Published: 12/15/2020
Effective: 01/22/2021

No. 53123 (Amendment) R33-3: Procurement Organization
Published: 12/15/2020
Effective: 01/22/2021

No. 53124 (Amendment) R33-4: Supplemental Procurement Procedures
Published: 12/15/2020
Effective: 01/22/2021

No. 53125 (Amendment) R33-5: Other Standard Procurement Processes
Published: 12/15/2020
Effective: 01/22/2021

No. 53126 (Amendment) R33-6: Bidding
Published: 12/15/2020
Effective: 01/22/2021

No. 53127 (Amendment) R33-7: Request for Proposals
Published: 12/15/2020
Effective: 01/22/2021

No. 53128 (Amendment) R33-8: Exceptions to Standard Procurement Process
Published: 12/15/2020
Effective: 01/22/2021

No. 53129 (Amendment) R33-9: Cancellations, Rejections, and Debarment
Published: 12/15/2020
Effective: 01/22/2021

No. 53130 (Amendment) R33-10: Preferences
Published: 12/15/2020
Effective: 01/22/2021

No. 53131 (Amendment) R33-11: Form of Bonds
Published: 12/15/2020
Effective: 01/22/2021

No. 53132 (Amendment) R33-12: Terms and Conditions, Contracts, Change Orders and Costs
Published: 12/15/2020
Effective: 01/22/2021

No. 53133 (Amendment) R33-13: General Construction Provisions
Published: 12/15/2020
Effective: 01/22/2021

No. 53134 (Amendment) R33-15: Procurement of Design Professional Services
Published: 12/15/2020
Effective: 01/22/2021

No. 53135 (Amendment) R33-16: Protests
Published: 12/15/2020
Effective: 01/22/2021

NOTICES OF RULE EFFECTIVE DATES

No. 53136 (Amendment) R33-19: General Provisions
Related to Protest or Appeal
Published: 12/15/2020
Effective: 01/22/2021

No. 53138 (Amendment) R33-24: Unlawful Conduct and
Ethical Standards
Published: 12/15/2020
Effective: 01/22/2021

Agriculture and Food

Plant Industry

No. 53205 (Amendment) R68-26: Industrial Hemp Product
Registration and Labeling
Published: 12/01/2020
Effective: 01/08/2021

No. 53151 (New Rule) R68-34: Educational Event and
Educational Material Rules
Published: 12/01/2020
Effective: 01/08/2021

No. 53177 (New Rule) R68-35: Academic Medical
Cannabis Research
Published: 12/15/2020
Effective: 01/22/2021

Alcoholic Beverage Control

Administration

No. 53233 (New Rule) R82-9: Event Permits
Published: 12/15/2020
Effective: 01/26/2021

Commerce

Administration

No. 53220 (Amendment) R151-4: Department of
Commerce Administrative Procedures Act Rule
Published: 12/01/2020
Effective: 01/08/2021

Occupational and Professional Licensing

No. 53200 (Amendment) R156-31b: Nurse Practice Act
Rule
Published: 12/01/2020
Effective: 01/08/2021

Education

Administration

No. 53206 (Amendment) R277-100: Definitions for Utah
State Board of Education (Board) Rules.
Published: 12/01/2020
Effective: 01/08/2021

No. 53207 (New Rule) R277-311: Specialized
Endorsements
Published: 12/01/2020
Effective: 01/08/2021

No. 53037 (Amendment) R277-326: Early Learning
Professional Learning Grant Program
Published: 09/15/2020
Effective: 01/05/2021

No. 53038 (Amendment) R277-327: School Leadership
Development Grant
Published: 09/15/2020
Effective: 01/05/2021

No. 53208 (Amendment) R277-445: Classifying Small
Schools as Necessarily Existent
Published: 12/01/2020
Effective: 01/08/2021

No. 53209 (Repeal) R277-507: Driver Education
Endorsement
Published: 12/01/2020
Effective: 01/08/2021

No. 53210 (New Rule) R277-626: Special Needs
Opportunity Scholarship Program
Published: 12/01/2020
Effective: 01/08/2021

No. 53221 (Amendment) R277-726: Statewide Online
Education Program
Published: 12/01/2020
Effective: 01/08/2021

No. 53222 (Amendment) R277-920: School Improvement -
Implementation of the School Turnaround and Leadership
Development Act
Published: 12/01/2020
Effective: 01/08/2021

Environmental Quality

Waste Management and Radiation Control, Radiation

No. 53211 (Amendment) R313-36: Special Requirements
for Industrial Radiographic Operations
Published: 12/01/2020
Effective: 01/15/2021

No. 53212 (Amendment) R313-37: Physical Protection of
Category 1 or Category 2 Quantities of Radioactive Material
Published: 12/01/2020
Effective: 01/15/2021

Governor

Energy Development (Office of)

No. 53145 (Amendment) R362-4: High Cost Infrastructure
Development Tax Credit Act
Published: 11/15/2020
Effective: 01/11/2021

Health

Health Care Financing, Coverage and Reimbursement Policy
 No. 53214 (Amendment) R414-60: Medicaid Policy for
 Pharmacy Program
 Published: 12/01/2020
 Effective: 01/12/2021

Human Services

Aging and Adult Services
 No. 53152 (Amendment) R510-200: Liability
 Published: 12/01/2020
 Effective: 01/14/2021

No. 53036 (Amendment) R510-302: Adult Protective
 Services
 Published: 10/01/2020
 Effective: 01/04/2021

Insurance

Administration
 No. 53229 (Amendment) R590-160: Adjudicative
 Proceedings
 Published: 12/15/2020
 Effective: 01/22/2021

No. 53230 (Repeal) R590-231: Workers' Compensation
 Market of Last Resort
 Published: 12/15/2020
 Effective: 01/22/2021

No. 53218 (Amendment) R590-244: Individual and Agency
 Licensing Requirements
 Published: 12/01/2020
 Effective: 01/08/2021

Labor Commission

Industrial Accidents
 No. 53180 (Amendment) R612-100: Forms Used By
 Industrial Accidents Division
 Published: 11/15/2020
 Effective: 01/01/2021

No. 53176 (Amendment) R612-200: Reporting and
 Investigating Injuries
 Published: 11/15/2020
 Effective: 01/01/2021

No. 53174 (Amendment) R612-300: Workers'
 Compensation Rules - Medical Care
 Published: 11/15/2020
 Effective: 01/01/2021

No. 53166 (Amendment) R612-400: Premium Rates for the
 Uninsured Employers' Fund and the Employers' Reinsurance
 Fund
 Published: 11/15/2020
 Effective: 01/01/2021

Natural Resources

Parks and Recreation
 No. 53117 (Amendment) R651-601: Posted
 Published: 11/15/2020
 Effective: 01/05/2021

No. 53116 (Amendment) R651-606: Camping
 Published: 11/15/2020
 Effective: 01/05/2021

Water Rights

No. 53224 (New Rule) R655-18: Public Water Supplier 40
 Year Water Requirement Plan Standards
 Published: 12/15/2020
 Effective: 01/22/2021

Wildlife Resources

No. 53119 (Amendment) R657-58: Fishing Contests and
 Clinics
 Published: 11/15/2020
 Effective: 01/07/2021

No. 53120 (Amendment) R657-62: Deployed Military
 Published: 11/15/2020
 Effective: 01/07/2021

Public Safety

Fire Marshal
 No. 53085 (Repeal) R710-10: Rules Pursuant to Fire
 Service Training, Education, and Certification
 Published: 10/15/2020
 Effective: 01/11/2021

Criminal Investigations and Technical Services, Criminal
 Identification
 No. 53147 (New Rule) R722-930: Automatic Expungement
 Published: 11/15/2020
 Effective: 01/11/2021

Veterans' and Military Affairs

Administration
 No. 53203 (Amendment) R978-1: Grant Program
 Published: 12/01/2020
 Effective: 01/12/2021

End of the Notices of Rule Effective Dates Section

