# UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed July 16, 2008, 12:00 a.m. through August 1, 2008, 11:59 p.m.

Number 2008-16
August 15, 2008

Kimberly K. Hood, Executive Director
Kenneth A. Hansen, Director
Nancy L. Lancaster, Editor

The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah State Government. The Department of Administrative Services, Division of Administrative Rules produces the *Bulletin* under authority of Section 63G-3-402, *Utah Code Annotated* 1953.

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

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

Division of Administrative Rules, Salt Lake City 84114



Printed in the United States of America

**Library of Congress Cataloging-in-Publication Data**

Utah state bulletin.
Semimonthly.
1. Delegated legislation--Utah--Periodicals. 2. Administrative procedure--Utah--Periodicals.
I. Utah. Office of Administrative Rules.

KFU440.A73S7
348.792'025--DDC 85-643197

# TABLE OF CONTENTS

## 1. SPECIAL NOTICES



## 2. NOTICES OF PROPOSED RULES

## 3. NOTICES OF CHANGES IN PROPOSED RULES



## 4. NOTICES OF 120-DAY (EMERGENCY) RULES



## 5. FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

# SPECIAL NOTICES

**Governor's Executive Order 2008-0006: Launching the Working 4 Utah Initiative**

**EXECUTIVE ORDER**

LAUNCHING THE *WORKING 4 UTAH* INITIATIVE

**WHEREAS,** through the one-year *Working 4 Utah* initiative, Utah state government strives to become the model employer of qualified people, conserve energy for taxpayers and employees, and provide to the public extended hours of access to government services;

**WHEREAS,** through *Working 4 Utah*, state agency employees' working hours generally will be adjusted from five eight-hour days a week to four ten-hour days a week;

**WHEREAS**, state agencies will now be open from 7:00 a.m. until 6:00 p.m., Monday through Thursday, which allows two additional hours each of those days for public access to government services;

**WHEREAS**, overall access to government services is expanding for Utahns, who can access more than 800 government services online at www.utah.gov;

**WHEREAS,** Utah is a national leader in technology services with an award-winning website;

**WHEREAS,** certain essential government services, such as those within public safety, emergency management, and corrections will continue providing daily service to the public;

**WHEREAS,** closing state agency offices on Fridays will result in increased energy efficiency;

**WHEREAS,** reducing energy consumption is an important step in achieving the state goal of increasing energy efficiency by 20 percent by 2015;

**WHEREAS,** state agency employees will reduce their weekly commutes by 20 percent, saving the cost of one round trip per week in fuel or other transportation costs;

**WHEREAS,** the state has established a *Working 4 Utah* hotline (801) 538-1808 that will be staffed on Fridays through December to provide information to the public about operational hours and online capabilities for state government services;

**WHEREAS,** both state agencies and employees will mutually benefit from employees being off work on Fridays. For the state, it will assist in recruitment and retention of qualified employees and employees will benefit from regular three-day weekends to enjoy the quality of life Utah is known for;

**WHEREAS,** changes in holiday leave will be fiscally neutral and keep employees whole;

**WHEREAS,** by maintaining operational hours on Columbus Day this year:

1. the State is able to both keep this program fiscally neutral and keep employees annual holiday leave accrual whole; and,

2. the public will benefit by having state agency offices open on an extra day this year;

**NOW, THEREFORE**, I, Jon M. Huntsman Jr., Governor of the State of Utah, by the authority vested in me by the laws and constitution of the State, do hereby order that:

1. the *Working 4 Utah* Initiative be implemented for one year beginning on August 4, 2008;

2. general office hours of state agencies are to be modified to Monday through Thursday, 7:00 a.m. until 6:00 p.m., except for essential services which need to continue current hours of operation;

3. state agencies remain open on Columbus Day 2008;

4. state agency employees receive 10 hours holiday leave on each remaining holiday during the *Working 4 Utah* pilot;

5. agencies should ensure optimal use of building mechanical and lighting systems by implementing plans that could include;

a. monitoring monthly energy usage;

b. modifying system operating hours as needed to support *Working 4 Utah* business hours;

c. targeting systems to support only the occupied zones in partially used buildings;

d. renegotiating lease agreements where possible to accommodate *Working 4 Utah* schedule;

e. co-locating essential services that need to continue current hours of operation.

**IN WITNESS, WHEREOF**, I have hereuntoset my hand and cause to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 31st day of July, 2008.

(State Seal)

**Jon M. Huntsman, Jr.**
**Governor**

**Attest:**

**Gary R. Herbert**
**Lieutenant Governor**

2008/2006

---

**Governor's Executive Order 2008-0007: Wildland Fire Management**

**EXECUTIVE ORDER**

Wildland Fire Management

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

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

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

**WHEREAS**, immediate action is required to suppress the fires and mitigate post-burn flash floods to protect public safety, property, natural resources and the environment,

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

**NOW THEREFORE**, I, Jon M. Huntsman, Jr., Governor of the State of Utah by virtue of the power vested in me by the constitution and the laws of the State of Utah, do hereby order that:

It is found, determined and declared that a "State of Emergency" exists statewide due to the threat to public safety, property, natural resources and the environment for thirty days, effective as of August 10, 2008 requiring aid, assistance and relief available pursuant to the provisions of state statutes, and the State Emergency Operations Plan, which is hereby activated.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah this 10th day of August 2008.

(State Seal)

**Jon M. Huntsman, Jr.**
**Governor**

**ATTEST:**

**Gary R. Herbert**
**Lieutenant Governor**

2008/0007

---

**Health**
**Health Care Financing, Coverage and Reimbursement Policy**

**Notice for September Medicaid Rate Changes**

Effective 09/01/2008, Utah Medicaid will adjust its rates consistent with approved methodologies. Rate adjustments include new codes priced consistent with approved Medicaid methodologies, as well as potential adjustments to existing codes. No significant reimbursement change to impacted providers is expected.

All rate changes are posted to the web and can be viewed at:
http://health.utah.gov/medicaid/stplan/bcrp.htm. A copy of the changes may also be obtained through local health departments.

**End of the Special Notices Section**

# NOTICES OF
# PROPOSED RULES

A state agency may file a PROPOSED RULE when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between July 16, 2008, 12:00 a.m., and August 1, 2008, 11:59 p.m. are included in this, the August 15, 2008, issue of the *Utah State Bulletin*.

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

Following the RULE ANALYSIS, the text of the PROPOSED RULE is usually printed. New rules or additions made to existing rules are underlined (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., [~~example~~]). Rules being repealed are completely struck out. A row of dots in the text between paragraphs (. . . . . ) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not printed. If a PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of each rule that is too long to print is available from the filing agency or from the Division of Administrative Rules.

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the *Utah State Bulletin* until at least September 15, 2008. The agency may accept comment beyond this date and will list the last day the agency will accept comment in the RULE ANALYSIS. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency to hold a hearing on a specific PROPOSED RULE. Section 63G-3-302 requires that a hearing request be received "in writing not more than 15 days after the publication date of the PROPOSED RULE."

From the end of the public comment period through December 13, 2008, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE filing lapses and the agency must start the process over.

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

PROPOSED RULES are governed by Section 63G-3-301; and Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5, R15-4-9, and R15-4-10.

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

# Commerce, Occupational and Professional Licensing

# R156-26a

## Certified Public Accountant Licensing Act Rule

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31763
FILED: 07/28/2008, 16:35

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: As a result of statutory amendments made in S.B. 163 during the 2008 General Session of the Legislature, corresponding amendments need to be made to the rule. (DAR NOTE: S.B. 163 (2008) is found at Chapter 265, Laws of Utah 2008, and was effective 05/05/2008.)

SUMMARY OF THE RULE OR CHANGE: Statutory citations have been amended throughout the rule due to amendments made in Title 58, Chapter 26a, Certified Public Accountant Licensing Act. Section R156-26a-201 regarding CPA peer committees is amended to avoid the Education Advisory Committee from becoming too large as additional colleges with qualified education programs are added. Also added that the Education Advisory Committee will advise the Utah Board of Accountancy regarding proposed changes to rules with respect to education. Amendments in Subsections R156-26a-302a(3) and R156-26a-302b(1), and Section R156-26a-302c are made to update the reference to the current version (2007) of the Uniform Accountancy Act. Subsection R156-26a-303a(7)(b) is being deleted because it is redundant and not needed. Section R156-26a-305 regarding the use of certified public accountant title is being deleted in its entirety because this subject is adequately addressed in statute and the present rule conflicts with the statute.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-26a-101 and Subsections 58-1-106(1)(a) and 58-1-202(1)(a)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The Division will incur minimal costs of approximately $50 to print the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.

❖ LOCAL GOVERNMENTS: The proposed amendments do not apply to local governments; therefore no costs or savings are anticipated. This proposed rule only applies to licensed certified public accountants and applicants for licensure as a certified public accountant.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: The proposed amendments only apply to licensed certified public accountants and CPA firms and applicants for licensure as a certified public accountant or a CPA firm, of which some may qualify as a "small business". The Division does not anticipate any costs or savings to these groups as a result of the minor technical changes to the rule beyond those considered in the passage of S.B. 163.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendments only apply to licensed certified public accountants and CPA firms and applicants for licensure as a certified public accountant or a CPA firm, of which some may qualify as a "small business". The Division does not anticipate any costs or savings to these groups as a result of the minor technical changes to the rule beyond those considered in the passage of S.B. 163.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact to businesses is anticipated from this rule filing, which corrects statutory references, updates references to the Uniform Accountancy Act, clarifies the composition of the peer advisory committee and makes other minor technical changes. Francine A. Giani, Executive Director

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Dan S. Jones at the above address, by phone at 801-530-6720, by FAX at 801-530-6511, or by Internet E-mail at dansjones@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 9/03/2008 at 1:00 PM, Heber Wells Bldg, 160 E 300 S, Conference Room 475 (fourth floor), Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: F. David Stanley, Director

---

**R156. Commerce, Occupational and Professional Licensing.**
**R156-26a. Certified Public Accountant Licensing Act Rule.**
**R156-26a-102. Definitions.**

In addition to the definitions in Title 58, Chapters 1 and 26a, as defined or used in this rule:

(1) "Administering organization" means an organization approved by the Division of Occupational and Professional Licensing and the Utah Board of Accountancy which will administer peer reviews in the Peer Review Program.

(2) "AICPA" means American Institute of Certified Public Accountants.

(3) "Incidental to regular practice" as defined in Subsection 58-26a-305(1)([~~a~~]b) is further defined to mean:

(a) An individual or a firm licensed as a certified public accountant or equivalent designation in any other state, district, or territory of the United States or any foreign country may perform services in this state for a client whose principal office or residence is located outside of this state as long as the services are incidental to primary services being performed outside of this state for that client.

(b) An individual or firm licensed in another jurisdiction, as incidental to their practice in such other jurisdiction, may advertise in this state that their services are available by any means including, but not limited to television, radio, newspaper, magazine or Internet advertising provided such representations are not false, misleading or deceptive; and provided that such individual or firm does not establish a CPA/Client relationship to perform services requiring a CPA license or CPA firm registration with any individual, business or other legal entity having its principal office or residence in this state without first obtaining a CPA license and CPA firm registration in this state.

(c) Incidental to regular practice in another jurisdiction includes a licensed CPA or equivalent designation continuing a CPA/Client relationship with an individual which originated while the client's residence was located outside of this state but thereafter the client moved their residence to this state.

(4) "Qualified continuing professional education (CPE)" as used in this rule means continuing education that meets the standards set forth in Section R156-26a-303b.

(5) "Standard setting bodies" means the Financial Accounting Standards Board, the Government Accounting Standards Board, the American Institute of Certified Public Accountants, the Securities and Exchange Commission, and the Federal Accounting Standards Advisory Board and other generally recognized standard setting bodies.

(6) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 26a, is further defined, in accordance with Subsection 58-1-203(1)(e), in Section R156-26a-501.

(7) "Year of review" means the calendar year during which a peer review is to be conducted.

**R156-26a-201. Advisory Peer Committees Created - Membership - Duties.**

(1) There is created in accordance with Subsection 58-1-203(1)(f), the Education Advisory Committee to the Utah Board of Accountancy consisting of one full-time faculty from each of five or more colleges or [~~university~~]universities in Utah which has an accredited program as set forth in Section R156-26a-302a(1)(a), a majority of which committee are to be licensed CPAs.

(2) The Education Advisory Committee shall be appointed and serve in accordance with Section R156-1-205. The duties and responsibilities of the Education Advisory Committee shall include assisting the Division in collaboration with the Board in their duties, functions, and responsibilities and shall include:

(a) advising the Board as to the acceptability of an educational institution;[~~ and~~]

(b) assisting the Board to make a final determination pursuant to R156-26a-302a(4)(c) of whether an applicant is qualified to sit for the AICPA examination; and

(c) advising the Board regarding proposed changes to rules.

(3) The committee shall consider, when advising the Board of the acceptability of the educational institution, the following:

(a) the institution's accreditation;

(b) the acceptability by other state licensing boards;

(c) the faculty qualifications; and

(d) other educational resources.

(4) There is created in accordance with Subsection 58-1-203(1)(f), the Peer Review Committee to the Utah Board of Accountancy consisting of not more than ten licensed CPAs. The committee shall be appointed and serve in accordance with Section R156-1-205.

(5) The duties and responsibilities of the Peer Review Committee shall be advising the Board on peer reviews matters and shall include:

(a) reviewing the results of peer reviews administered by approved organizations and requiring corrective action of firms with significant deficiencies noted in the review process when considered necessary in addition to those required by the administering organization;

(b) evaluating compliance of CPE programs;

(c) performing random audits to determine compliance with the CPE requirements and the standards for CPE programs;

(d) reviewing complaints and recommending whether certain acts, practices or omissions violate the ethical standards of the profession;

(e) providing technical assistance to the Division; and

(f) serving as expert witnesses at administrative hearings.

**R156-26a-302a. Qualifications for CPA Licensure - Education Requirements.**

The education requirements for CPA licensure in Subsection 58-26a-302(1)(d) are defined, clarified, or established as follows:

(1) An applicant shall submit transcripts showing completion of course work consisting of a minimum of 150 semester hours (225 quarter hours) as follows:

(a) a graduate or undergraduate program within an institution whose business or accounting education program is accredited by the Association of Advanced Collegiate Schools of Business (AACSB), or the Association of Collegiate Business Schools and Programs (ACBSP), from which the applicant received one of the following:

(i) a graduate degree in accounting;

(ii) a graduate degree in taxation, or a master of business administration degree which includes not less than:

(A) 24 semester hours (36 quarter hours) in upper division accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting;

(B) 15 semester hours (23 quarter hours) graduate level accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting;

(C) an equivalent combination of graduate and upper division accounting courses covering the subjects of financial accounting, auditing, taxation, and management accounting with one hour of graduate level course work being equivalent to 1.6 hours of upper division course work; or

(iii) a baccalaureate degree in business or accounting and 30 semester hours (45 quarter hours) beyond the requirements for a baccalaureate degree which includes not less than:

(A) 16 semester hours (24 quarter hours) in upper division accounting courses, which when combined with the accounting courses listed in Subsection (B) below, have at least one course with a minimum of two semester hours (three quarter hours) each covering the subjects of financial accounting, auditing, taxation, and management accounting;

(B) eight semester hours (12 quarter hours) in graduate level accounting courses, which when combined with the accounting courses listed in Subsection (A) above, have at least one course each covering the subjects of financial accounting, auditing, taxation, and management accounting;

(C) 12 semester hours (18 quarter hours) in upper division non-accounting business courses;

(D) 12 semester hours (18 quarter hours) in graduate level business or accounting courses; and

(E) 10 semester hours (15 quarter hours) of either graduate or upper division accounting or business courses.

(b) a graduate or undergraduate program from an institution accredited by the Northwest Commission on Colleges and Universities, North Central Association of Colleges and Schools, Middle States Association of Colleges and Schools, New England Association of Colleges and Schools, Southern Association of Colleges and Schools and Western Association of Schools and Colleges from which the applicant received a baccalaureate or graduate degree with not less than:

(i) 30 semester hours (45 quarter hours) in business or related courses providing a minimum of two semester hours (three quarter hours) in each of the following subjects:

(A) business law;

(B) computers;

(C) economics;

(D) ethics;

(E) finance;

(F) statistics and quantitative methods;

(G) written and oral communications; and

(H) business administration such as marketing, production, management, policy or organizational behavior;

(ii) 24 semester hours (36 quarter hours) in upper division accounting courses with a minimum of two semester hours (three quarter hours) in each of the following subjects:

(A) auditing;

(B) finance;

(C) managerial or cost;

(D) systems; and

(E) taxes; and

(iii) 30 semester hours (45 quarter hours) beyond the requirements for a baccalaureate degree of additional business related course work including not less than:

(A) eight semester hours (12 quarter hours) in graduate accounting courses;

(B) 12 semester hours (18 quarter hours) in graduate accounting or graduate business courses; and

(C) 10 semester hours (15 quarter hours) of additional business related hours shall be taken in upper division undergraduate or graduate level courses.

(2) The Division in collaboration with the Board or the education subcommittee of the board may make a written finding for cause that a particular accredited institution or program is not acceptable.

(3) The Division in collaboration with the Board or the education subcommittee of the board may accept education of a person who holds a license as a certified public accountant or equivalent designation in a foreign country, if the applicant has obtained from the National Association of State Boards of Accountancy (NASBA) verification of compliance with the terms of an agreement for reciprocal licensure between the foreign country and the International Qualifications Appraisal Board of NASBA, which agreement provides the applicant's examinations, education and experience is determined to be substantially equivalent to the [~~1994~~]2007 Uniform Accountancy Act licensure requirements or a version of the Uniform Accountancy Act having substantially equivalent requirements.

(4) In accordance with Section 58-26a-306, the qualifications to sit for the AICPA examination are clarified or supplemented as follows:

(a) In accordance with Subsection 58-26a-306(1)(a), the form of application approved by the Division shall be the application that CPA Examination Services (CPAES) requires in order to sit for the examination.

(b) In accordance with Subsection 58-26a-306(1)(b), the fee shall be the fee charged by CPAES. No additional fee shall be due to the Division.

(c) In accordance with Subsections 58-26a-306(1)(c) and (d), the Board has approved CPAES to make the determination of whether the applicant has met the education requirements, provided however that, if an applicant disputes the finding of CPAES, the Board shall make a final determination of whether the applicant is qualified to sit for the AICPA examination.

**R156-26a-302b. Qualifications for Licensure - Experience Requirements.**

In accordance with Subsections 58-1-203(1)([~~g~~]b) and 58-1-301(3), the experience requirements for licensure in Section 58-26a-302 are clarified, or supplemented as follows:

(1) The Division in collaboration with the board may accept experience of a person who holds a license as a certified public accountant or equivalent designation in a foreign country, if the applicant has obtained from the National Association of State Boards of Accountancy (NASBA) verification of compliance with the terms of an agreement for reciprocal licensure between the foreign country and the International Qualifications Appraisal Board of NASBA, which agreement provides the applicant's examinations, education and experience is determined to be substantially equivalent to the [~~1994~~]2007 Uniform Accountancy Act licensure requirements or a version of the Uniform Accountancy Act having substantially equivalent requirements.

**R156-26a-302c. Qualifications for Licensure - Examinations.**

The Division in collaboration with the Board may accept testing of a person who holds a license as a certified public accountant or equivalent designation in a foreign country, if the applicant has obtained from the National Association of State Boards of Accountancy (NASBA) verification of compliance with the terms of an agreement for reciprocal licensure between the foreign country and the International Qualifications Appraisal Board of NASBA, which agreement provides the applicant's examinations, education and experience is determined to be substantially equivalent to the [~~1994~~]2007 Uniform Accountancy Act licensure requirements or a version of the Uniform Accountancy Act having substantially equivalent requirements.

**R156-26a-303a. Renewal Requirements - Peer Review.**

(1) General.

In accordance with Subsections 58-1-308(3)(b) and 58-26a-303(2)(b), there is created a peer review requirement as a condition for renewal of licenses issued under the Certified Public Accountant Licensing Act, providing for review of the work products of licensees and firms.

(a) The purpose of the program is to monitor compliance with applicable accounting and auditing standards adopted by generally recognized standard setting bodies.

(b) The program shall emphasize education and may include other remedial actions determined appropriate where a firm's work product and services do not comply with established professional standards.

(c) In the event a firm is unwilling or unable to comply with established standards, or intentionally disregards professional standards so as to warrant disciplinary action, the administering organization shall refer the matter to the Division and shall consult with the Division regarding appropriate action to protect the public interest.

(2) Scheduling of the Peer Review.

(a) A firm's initial peer review shall be assigned a due date to require that the initial review be started no later than 18 months after the date of the issuance of its initial report as defined in Subsection 58-26a-102([~~16~~]20).

(b) Not less than once in each three years a firm engaged in the practice of public accounting shall undergo, at its own expense, a peer review commensurate in scope with its practice.

(c) The administering organization will assign the year of review.

(d) A portion of the peer review may be performed by a regulatory body if the Utah Board of Accountancy approves the regulatory body as an administering organization. This does not by itself satisfy the peer review requirement unless the other standards as specified in this rule are fulfilled by the regulatory body.

(3) Selection of a Peer Reviewer or inspector in the case of inspections mandated by law or regulatory bodies.

A firm scheduled for peer review shall engage a reviewer qualified to conduct the peer review. Regulatory bodies will assign inspectors.

(4) Qualifications of a Peer Reviewer and inspectors.

(a) Peer reviewers must provide evidence of one of the two following minimum qualifications to the administering organization:

(i) acceptance as a peer reviewer by the AICPA; or

(ii) compliance with the qualifications required by the AICPA to qualify as a peer reviewer.

(b) Peer reviewers must be licensed or hold a permit to practice as a CPA in the state of Utah or another state or jurisdiction of the United States.

(c) The administering organization will approve reviewers for those reviews not administered by the AICPA.

(d) Regulatory bodies will determine the qualifications of inspectors.

(5) Conduct of the Peer Review or inspection. Peer reviews shall be conducted as follows:

(a) Peer reviews shall be conducted according to the "Standards for Performing and Reporting on Peer Reviews" promulgated by the AICPA, effective January 1, 2005 as amended, which are hereby incorporated by reference and adopted as the minimum standards for peer reviews of all firms. This section shall not require any firm or licensee to become a member of the AICPA or any administering organization.

(b) The Utah Board of Accountancy may review the standards used by the regulatory body to determine if those standards are sufficient to satisfy all or part of the peer review requirements, or what additional review may be required to meet the peer review requirements under this rule.

(6) If an administering organization finds that a peer review was not performed in accordance with this rule or the peer review results in a modified or adverse report or in repeat findings, the Peer Review Committee may require remedial action to assure that the review or performance of the CPA or CPA firm being reviewed meets the objectives of the peer review program.

(7) Review of Multi-State Firms.

(a) With respect to a multi-state firm, the Division may accept a peer review based solely upon work conducted outside of this state as satisfying the requirement to undergo peer review under this rule, if:

(i) the peer review is conducted during the year scheduled or rescheduled under R156-26a-303a(2);

(ii) the peer review is performed in accordance with requirements equivalent to those of this state;

(iii) the peer review:

(A) studies, evaluates and reports on the quality control system of the firm as a whole in the case of on-site reviews; or

(B) results in an evaluation and report on selected engagements in the case of off-site reviews;

(iv) the firm's internal inspection procedures require that the firm's personnel from another office outside the state perform the inspection of the office located in this state not less than once in each three year period; and

(v) at the conclusion of the peer review, the peer reviewer issues a report equivalent to that required by R156-26a-303a(5) or in the case of an approved regulatory body, a report is issued under their standards.

(b) [~~A multi-state firm not granted approval under R156-26a-303a(8)(a) shall undergo a peer review pursuant to this rule which shall comply with R156-26a-303a(8)(a) of the multi-state firm within this state; and~~

~~(c)~~ ]A multi-state firm seeking approval under R156-26a-303a([~~8~~]7)(a) shall submit an application to the administering organization by February 1 of the year of review establishing that the peer review it proposes to undergo meets all of the requirements of R156-26a-303a(5).

(8) A firm which does not perform services encompassed in the scope of minimum standards as set out in R156-26a-303a(5)(a) or (b) is exempt from peer review and shall notify the Division of Occupational and Professional Licensing of the exemption at the time of renewal of its registration. A firm which begins providing these services must commence a peer review within 18 months of the date of the issuance of its initial report as defined in Subsection 58-26a-102(16).

(9) Mergers, Combinations, Dissolutions or Separations.

(a) Mergers or combinations: In the event that two or more firms are merged or sold and combined, the surviving firm shall retain the year of review of the largest firm.

(b) Dissolutions or separations: In the event that a firm is divided, the new firms shall retain the year of review of the former firm. In the event that this period is less than 12 months, a new year shall be assigned so that the review occurs after 12 months of operation.

(c) Upon application to the administering organization and a showing of hardship caused solely by compliance with R156-26a-303a(10), the Division may authorize a change in a firm's year of review.

(10) If the firm can demonstrate that the time established for the conduct of a peer review will create an unreasonable hardship upon the firm, the Division may approve an extension not to exceed 180 days from the date the peer review was originally scheduled. A request for extension shall be addressed in writing by the firm to the Division with a copy to the administering organization responsible for administration of that firm's peer review. The written request for extension must be received by the Division and the administering organization not less than 30 days prior to the date of scheduled review or the request will not be considered. The Division shall inform the administering organization of the approval of any extension.

(11) Retention of Documents Relating to Peer Reviews.

(a) All documentation necessary to establish that each peer review was performed in conformity with peer review standards adopted by the Board, including the peer review working papers, the peer review report, comment letters and related correspondence indicating the firm's concurrence or nonconcurrence, and any proposed remedial actions and related implementation shall be maintained.

(b) The documents described in R156-26a-303a(11)(a) shall be retained for a period of time corresponding to the designated retention period of the relevant administering organization. In no event shall the retention period be less than 90 days.

(12) Costs and Fees for Peer Review.

(a) All costs associated with firm-on-firm reviews will be negotiated between the firm and the reviewer and paid directly to the reviewer. All costs associated with committee assigned review team (CART) reviews will be set by the administering organization. The administering organization will collect the fees associated with CART reviews and pay the reviewer.

(b) All costs associated with the administration of the review process will be paid from fees charged to the firms. The fees will be collected by the administering organization. The schedule of fees will be included in the administering organization's proposal. The fee schedule will specify how much is to be paid each year and will be based on the firm size.

(13) All financial statements, working papers, or other documents reviewed are confidential. Access to those documents shall be limited to being made available, upon request, to the Peer Review Committee or the technical reviewer for purposes of assuring that peer reviews are performed according to professional standards.

[~~**R156-26a-305. Use of Certified Public Accountant (CPA) Title.**~~

~~An individual who has a current CPA license issued by any other state may use the title or designation "Certified Public Accountant" but may only practice public accountancy in the state of Utah if currently licensed in the state of Utah or if performing public accountancy which is incidental to regular practice in another state as defined in Subsection 58-26a-305(1) and as further clarified in R156-26a-102(4).~~

]

**KEY: accountants, licensing, peer review, continuing professional education**

**Date of Enactment or Last Substantive Amendment: [~~March 31,~~ ]2008**

**Notice of Continuation: February 1, 2007**

**Authorizing, and Implemented or Interpreted Law: 58-26a-101; 58-1-106(1)(a); 58-1-202(1)(a)**

♦ ♦

# Health, Health Care Financing, Coverage and Reimbursement Policy

# R414-1-5

## Incorporations by Reference

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 31789

FILED: 08/01/2008, 12:27

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 26-18-3(2)(a) requires the Medicaid program to implement policy through administrative rules. The Department, in order to draw down federal funds, must have an approved State Plan with the Centers for Medicare and Medicaid Services. This change, therefore, incorporates the most current Medicaid State Plan by reference. It also implements by rule ongoing Medicaid policy for services described in the Utah Medicaid Provider Manual, Medical Supplies Manual and List, and incorporates this manual and list by reference.

SUMMARY OF THE RULE OR CHANGE: Subsection R414-1-5(2) is changed to update the incorporation of the State Plan by reference effective 10/01/2008. It also incorporates State Plan Amendments that become effective no later than 10/01/2008. The change further incorporates by reference the Medical Supplies Manual and List, effective 10/01/2008.

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

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Utah Medicaid State Plan, 10/01/2008, and Utah Medicaid Provider Manual, Medical Supplies Manual and List, 10/01/2008

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: There is no budget impact because this change only fulfills the requirement to incorporate the State Plan by reference. Implementation of the State Plan is within legislative budget allotments. Further, the rule's incorporation of ongoing Medicaid policy described in the Medical Supplies Manual and List does not create costs or savings to the Department or other state agencies.

❖ LOCAL GOVERNMENTS: There is no budget impact because this change only fulfills the requirement to incorporate the State Plan by reference. Implementation of the State Plan is

within legislative budget allotments. Further, the rule's incorporation of ongoing Medicaid policy described in the Medical Supplies Manual and List does not create costs or savings to local governments.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: There is no budget impact because this change only fulfills the requirement to incorporate the State Plan by reference. Implementation of the State Plan is within legislative budget allotments. Further, the rule's incorporation of ongoing Medicaid policy described in the Medical Supplies Manual and List does not create costs or savings to other persons and small businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs because this change only fulfills the requirement to incorporate the State Plan by reference. Implementation of the State Plan is within legislative budget allotments. Further, the rule's incorporation of ongoing Medicaid policy described in the Medical Supplies Manual and List does not create costs to a single person.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule should not have a direct fiscal impact on business. Incorporation of the State Plan by this rule assures that the Medicaid program is implemented through administrative rule. David N. Sundwall, MD, Executive Director

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Craig Devashrayee at the above address, by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: David N. Sundwall, Executive Director

---

**R414. Health, Health Care Financing, Coverage and Reimbursement Policy.**
**R414-1. Utah Medicaid Program.**
**R414-1-5. Incorporations by Reference.**

(1) The Department adopts the Utah State Plan Under Title XIX of the Social Security Act Medical Assistance Program effective [~~July~~]October 1, 2008. It also incorporates by reference State Plan Amendments that become effective no later than [~~July~~]October 1, 2008.

(2) The Department adopts the Medical Supplies Manual and List described in the Utah Medicaid Provider Manual, Section 2, Medical Supplies, with its referenced attachment, Medical Supplies List, [~~July~~]October 1, 2008, as applied in Rule R414-70.

**KEY: Medicaid**
**Date of Enactment or Last Substantive Amendment: [~~July 1~~], 2008**
**Notice of Continuation: April 16, 2007**
**Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-18-1**

♦ ♦

# Health, Health Systems Improvement, Licensing
# R432-270
## Assisted Living Facilities

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31768
FILED: 07/29/2008, 14:58

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Residents of Assisted Living Facilities that become hospice patients will be able to stay in the facility as long as the facility makes arrangements to evacuate them in the event of an emergency.

SUMMARY OF THE RULE OR CHANGE: This amendment adds a definition of "Hospice Patient" at Subsection R432-270-3(2)(e) and renumbers subsequent parts of Subsections R432-270-3(2)(f) through (n). It amends Subsections R432-270-10(9)(a) and (c) to define the characteristics of hospice patients who may remain in a Type I facility and the conditions under which they may remain. It imposes a limit of 25% of census on the percentage of residents in a Type I Assisted Living facility that may be hospice patients who cannot exit the building without assistance. In addition, it eliminates the 25% limit on the percentage of the census of an Assisted Living facility Type II who may be hospice patients, and defines the conditions under which hospice patients may be retained in Type II facilities. These changes were requested by the Utah Assisted Living Association, which represents Assisted Living facilities. The Department's statutory Health Facilities Committee held two subcommittee meetings to receive public and industry comment. The subcommittee recommended these changes and the Health Facilities Committee voted on 05/23/2008 to authorize the amendment of this rule with the language contained in the amendment.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-21-5

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: Aggregate cost savings to the state budget will be approximately $280 from staff time no longer spent on reviewing variance requests from Type II facilities with hospice patients in excess of 25% of census.

❖ LOCAL GOVERNMENTS: There is no impact on local governments since they do not operate Assisted Living facilities and are not involved in the enforcement of the rule.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: In state fiscal year 2007, small businesses made a total of 28 hospice census variance requests. These variance requests are unnecessary if this rule is adopted. Facilities which are small businesses will save an aggregate total of approximately $350. No "persons other than small businesses" are impacted as only business entities are licensed as Assisted Living Facilities. Residents in Assisted Living Type II facilities may save money because they can stay in an Assisted Living Facility instead of moving to a nursing home; however, the number of these residents is impossible to calculate.

COMPLIANCE COSTS FOR AFFECTED PERSONS: No action by a facility or resident is mandated by this rule. Type I Assisted Living facilities and residents will have the option to stay even if the resident is no longer able to independently evacuate the facility. The number of such residents is unknown. Some Type I facilities may already have sufficient trained workers or volunteers to meet the requirement. Those that do not have sufficient workers or volunteers may transfer the resident to a more appropriate facility or train additional staff. The numerous variables make it impossible to estimate an impact on single facilities. Type II facilities will have no new compliance costs because the amendment does not add new requirements for them.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change will give residents and facilities the option of not discharging a resident that needs hospice care. The fiscal impact on assisted living facilities should be positive. Impact on nursing homes may be negative, but these facilities are aware of this proposed rule change and have raised no objections to date. Fiscal impact will be evaluated again after the public comment period. David N. Sundwall, MD, Executive Director

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

HEALTH
HEALTH SYSTEMS IMPROVEMENT, LICENSING
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Angela Anderson or Allan Elkins at the above address, by phone at 801-538-6450 or 801-538-6595, by FAX at 801-538-6163 or 801-538-6163, or by Internet E-mail at angelaanderson@utah.gov or aelkins@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: David N. Sundwall, Executive Director

---

**R432. Health, Health Systems Improvement, Licensing.**
**R432-270. Assisted Living Facilities.**
**R432-270-3. Definitions.**

(1) The terms used in these rules are defined in R432-1-3.

(2) In addition:

(a) "Assessment" means documentation of each resident's ability or current condition in the following areas:

(i) memory and daily decision making ability;

(ii) ability to communicate effectively with others;

(iii) physical functioning and ability to perform activities of daily living;

(iv) continence;

(v) mood and behavior patterns;

(vi) weight loss;

(vii) medication use and the ability to self-medicate;

(viii) special treatments and procedures;

(ix) disease diagnoses that have a relationship to current activities of daily living status, behavior status, medical treatments, or risk of death;

(x) leisure patterns and interests;

(xi) assistive devices; and

(xii) prosthetics.

(b) "Activities of daily living (ADL)" are the following:

(i) personal grooming, including oral hygiene and denture care;

(ii) dressing;

(iii) bathing;

(iv) toileting and toilet hygiene;

(v) eating during mealtime;

(vi) self administration of medication; and

(vii) independent transferring, ambulation and mobility.

(c) "Dependent" means a person who meets one or all of the following criteria:

(i) requires inpatient hospital or 24-hour continual nursing care that will last longer than 15 calendar days after the day on which the nursing care begins;

(ii) is unable to evacuate from the facility without the physical assistance of two persons.

(d) "Home-like" as used in statute and this rule means a place of residence which creates an atmosphere supportive of the resident's preferred lifestyle. Home-like is also supported by the use of residential building materials and furnishings.

(e) "Hospice patient" means an individual who is admitted to a hospice program or agency.

(f) "Licensed health care professional" means a registered nurse, physician assistant, advanced practice registered nurse, or physician licensed by the Utah Department of Commerce who has education and experience to assess and evaluate the health care needs of the resident.

([~~f~~]g) "Self-direct medication administration" means the resident can:

(i) recognize medications offered by color or shape; and

(ii) question differences in the usual routine of medications.

([~~g~~]h) "Semi-independent" means a person who is:

(i) physically disabled but able to direct his own care; or

(ii) cognitively impaired or physically disabled but able to evacuate from the facility or to a zone or area of safety with limited physical assistance of one person.

([~~h~~]i) "Service Plan" means a written plan of care for services which meets the requirements of R432-270-13.

([~~i~~]j) "Services" means activities which help the residents develop skills to increase or maintain their level of psycho-social and physical functioning, or which assist them in activities of daily living.

([~~j~~]k) "Significant change" means a major change in a resident's status that is self-limiting or impacts on more than one area of the resident's health status.

([~~k~~]l) "Significant assistance" means the resident is unable to perform any part of an ADL and is dependent upon staff or others to accomplish the ADL as defined in R432-270-3(2)(b).

([~~l~~]m) "Social care" means:

(i) providing opportunities for social interaction in the facility or in the community; or

(ii) providing services to promote independence or a sense of self-direction.

([~~m~~]n) "Unit" means an individual living space, including living and sleeping space, bathroom, and optional kitchen area.

**R432-270-10. Admissions.**

(1) The facility shall have written admission, retention, and transfer policies that are available to the public upon request.

(2) Before accepting a resident, the facility must obtain sufficient information about the person's ability to function in the facility through the following:

(a) an interview with the resident and the resident's responsible person; and

(b) the completion of the resident assessment.

(3) If the Department determines during inspection or interview that the facility knowingly and willfully admits or retains residents who do not meet license criteria, then the Department may, for a time period specified, require that resident assessments be conducted by an individual who is independent from the facility.

(4) The facility shall accept and retain only residents who meet the following criteria:

(a) Residents admitted to a Type I facility shall meet the following criteria before being admitted:

(i) be ambulatory or mobile and be capable of taking life saving action in an emergency;

(ii) have stable health;

(iii) require no assistance or only limited assistance in the activities of daily living; and

(iv) require and receive intermittent care or treatment in the facility from a licensed health care professional either through contract or by the facility, if permitted by facility policy.

(b) Residents admitted to a Type II facility may be independent and semi-independent, but shall not be dependent.

(5) Type I and Type II assisted living facilities shall not admit or retain a person who:

(a) manifests behavior that is suicidal, sexually or socially inappropriate, assaultive, or poses a danger to self or others; or

(b) has active tuberculosis or other chronic communicable diseases that cannot be treated in the facility or on an outpatient basis; or may be transmitted to other residents or guests through the normal course of activities; or

(c) requires inpatient hospital or long-term nursing care.

(6) A Type I facility may accept or retain residents who:

(a) do not require significant assistance during night sleeping hours;

(b) are able to take life saving action in an emergency without the assistance of another person; and

(c) do not require significant assistance from staff or others with more than two ADL's.

(7) A Type II facility may accept or retain residents who require significant assistance from staff or others in more than two ADL's, provided the staffing level and coordinated supportive health and social services meet the needs of the resident.

(8) The prospective resident or the prospective resident's responsible person must sign a written admission agreement prior to admission. The admission agreement shall be kept on file by the facility and shall specify at least the following:

(a) room and board charges and charges for basic and optional services;

(b) provision for a 30-day notice prior to any change in established charges;

(c) admission, retention, transfer, discharge, and eviction policies;

(d) conditions under which the agreement may be terminated;

(e) the name of the responsible party;

(f) notice that the Department has the authority to examine resident records to determine compliance with licensing requirements; and

(g) refund provisions that address the following:

(i) thirty-day notices for transfer or discharge given by the facility or by the resident,

(ii) emergency transfers or discharges,

(iii) transfers or discharges without notice, and

(iv) the death of a resident.

(9) A type I assisted living facility may accept and retain residents who have been admitted to a hospice program, under the following conditions:

(a)[~~ hospice residents comprise no more than 25 percent of the facility's resident census.~~

~~(b)~~] the facility keeps a copy of the physician's diagnosis and orders for care;

([~~c~~]b) the facility makes the hospice services part of the resident's service plan which shall explain who is responsible to meet the resident's needs; and

([~~d~~]c) [~~if a resident is admitted to a hospice program and is no longer capable of exiting the facility without assistance and the facility wants to retain the resident in the facility, the facility must:~~

~~(i) submit a Request for Agency Action Variance Application to the Department; and~~

~~(ii) ensure that the an individual capable of assisting the resident to exit the facility in an emergency is with the resident 24 hours a day, seven days a week.~~]a facility may retain hospice patient residents who are not capable to exit the facility without assistance upon the following conditions:

(i) the facility must assure that a worker or an individual is assigned solely to each specific hospice patient is on-site to assist the resident in emergency evacuation 24 hours a day, seven days a week;

(ii) the facility must train the assigned worker or individual to specifically assist in the emergency evacuation of the assigned hospice patient resident;

(iii) the worker or individual must be physically capable of providing emergency evacuation assistance to the particular hospice patient resident; and

(iv) hospice residents who are not capable to exit the facility without assistance comprise no more than 25 percent of the facility's resident census.

(10) A type II assisted living facility may accept and retain hospice patient residents[~~ who have been admitted to a hospice program,~~] under the following conditions:

(a)[ ~~hospice residents comprise no more than 25 percent of the facility's resident census.~~

~~(b)~~] the facility keeps a copy of the physician's diagnosis and orders for care;

([~~c~~]b) the facility makes the hospice services part of the resident's service plan which shall explain who is responsible to meet the resident's needs; and

([~~d~~]c) if a resident becomes dependent while on hospice care and the facility wants to retain the resident in the facility, the facility must:

(i) develop an emergency plan to evacuate the hospice resident in the event of an emergency; and

(ii) integrate the emergency plan into the resident's service plan.

**KEY: health facilities**
**Date of Enactment or Last Substantive Amendment: [~~May 10, 2005~~]2008**
**Notice of Continuation: January 31, 2005**
**Authorizing, and Implemented or Interpreted Law: 26-21-5; 26-21-1**

♦ ♦

# Health, Health Systems Improvement, Primary Care and Rural Health

# R434-100

## Physician Visa Waivers

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31779
FILED: 07/30/2008, 19:41

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The change will allow Utah to take advantage of changes in the federal Conrad 30 J-1 Visa Waiver program that allows for subspecialty physicians to receive waivers by serving the subspecialty needs of medically underserved populations in a state. This change would currently allow Utah to approve up to ten subspecialty physicians to serve medically underserved populations.

SUMMARY OF THE RULE OR CHANGE: The change amends the current Physician Visa Waiver rule to include subspecialty physicians (current rule only allows for primary care physicians) as defined for placement under the Conrad 30 J-1 Visa waiver program.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-18

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: Minimal cost to process and review applications and requests, and write letters in support of these waivers to the U.S. Department of State. A potential for savings exists when medically underserved populations can receive services without having to resort to emergency rooms.

❖ LOCAL GOVERNMENTS: No costs anticipated and no savings anticipated.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: No impact unless a small business chooses to become an employer of a J-1 physician approved under this waiver program. In such a case, the small business would likely benefit from being able to bill for the services of this physician as those billings are likely to exceed the cost to employ the physician.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The J-1 physician and employing agency must comply with the applicable federal and state regulations regarding physician waivers. This does require the services of an attorney for the physician and/or employing agency to complete the paperwork and application.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The opportunity to employ noncitizen physicians in underserved areas where employment of citizen physicians has been attempted but has been unsuccessful, will have a positive fiscal impact on both businesses and citizens. Participation in the program is voluntary and this rule change will make it more available where it is needed. David N. Sundwall, MD, Executive Director

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

HEALTH
HEALTH SYSTEMS IMPROVEMENT,
PRIMARY CARE AND RURAL HEALTH
3760 S HIGHLAND DR
SALT LAKE CITY UT 84106, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Erin Olsen at the above address, by phone at 801-273-6618, by FAX at 801-273-4146, or by Internet E-mail at elolsen@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: David N. Sundwall, Executive Director

---

**R434. Health, Health Systems Improvement, Primary Care and Rural Health.**
**R434-100. Physician Visa Waivers.**
**R434-100-2. Definitions.**

As used in this rule:

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

(2) "Health care facility" means a doctor's office, local health department, clinic or licensed health care facility where a J-1 visa waiver physician may work under the supervision of the sponsoring physician.

(3) "Primary care physician" means a physician who specializes in general internal medicine, family medicine, general pediatrics, obstetrics and gynecology, or psychiatry.

(4) "Principal" means any person who owns 10% or more beneficial or equitable interest in the health care facility.

(5) "Subspecialty care physician" means a physician who specializes in a specialty other than general internal medicine, family medicine, general pediatrics, obstetrics and gynecology, or psychiatry.

**R434-100-4. Physician Eligibility.**

[~~(1)~~ ]A physician is eligible to apply for a J-1 visa waiver recommendation if he:

([~~a~~]1) is enrolled in or has completed a minimum three year postgraduate training program in the United States accredited by the Accreditation Committee on Graduate Medical Education or the American Osteopathic Association Bureau of Professional Education prior to submitting an application;

([~~b~~]2) has passed the examination requirements for licensure as a physician or surgeon or osteopathic physician or surgeon in Utah, pursuant to rule established by the Division of Occupational and Professional Licensing; and

([~~c~~]3) has the specialty training and previous work experience that corresponds to the health care facility's recruitment descriptions.

**R434-100-5. Requests.**

The health care facility or the physician must submit to the Department a written request for the J-1 visa waiver.

(1) The request must include from the health care facility:

(a) the speciality of physician that the facility has been unable to recruit;

(b) documentation of its recruitment efforts to hire a qualified United States citizen for at least one immediate prior year for the position the J-1 visa waiver physician seeks to fill;

([~~b~~]c) documentation that it implements a sliding fee scale, payment schedule, or similar method that demonstrates that it provides discounts to medically indigent patients; and

([~~c~~]d) an assurance letter that the health care facility and its principals are not under investigation for, under probation for, or under restriction for:

(i) Children's Health Insurance Program, Medicaid, or Medicare fraud;

(ii) violations of Division of Occupational and Professional Licensing statute or rules; or

(iii) other violations of law that may indicate that it may not be in the public interest that a waiver of the two-year home residency requirement be granted.

(2) The request must include from the physician:

(a) a completed application that includes all professional experience, education, licenses and certificates, specialty or specialties, research, honors, professional memberships, and three professional references;

(b) a copy of all IAP-66 forms "Certificate of Eligibility for Exchange Visitor (J-1) Status" and INS forms I-94 for the physician and his or her spouse and children; and

(c) the case number issued by the United States Department of State indicating payment of the federal fee required to apply for the visa waiver.

(3) The request must also include:

(a) a copy of the complete contract between the J-1 visa waiver physician and the health care facility;

(b) any required processing fees; and

(c) other information requested by the Department as may be reasonably necessary to determine whether it is in the public interest that a waiver of the two-year home residency requirement be granted.

**R434-100-6. Contract Requirements.**

To obtain a state recommendation that the visa waiver is in the public interest, the contract that the applicant submits must meet the following criteria:

(1) The contract must be for employment at a health care facility:

(a) to work as a primary care physician located within a federally designated primary care Health Professional Shortage Area or to work as a subspecialty care physician serving medically needy population;

(b) that has been operating for at least one year;

(c) whose principals are free from default on any federal or state scholarship or loan repayment program offered by the National Health Service Corps or by the state under Title 26, Chapter 46;

(d) that it or its principals are not under investigation for, under probation for, or under restriction for:

(i) Medicaid or Medicare fraud;

(ii) violations of Division of Occupational and Professional Licensing statute or rules; or

(iii) other violations of law that may indicate that it may not be in the public interest that a waiver of the two-year home residency requirement be granted.

(e) that accepts all Medicaid, Medicare, Children's Health Insurance Program, Primary Care Network and Utah Medical Assistance Program eligible patients; and

(f) that implements a sliding fee scale, payment schedule, or similar method that demonstrates that it provides discounts to medically indigent patients.

(2) The contract must provide:

(a) that the physician agrees to meet the requirements set forth in section 214(k) of the Immigration and Nationality Act, 8 USC 1184(k);

(b) the specific address of the health care facility where the physician will practice medicine;

(c) a description of the geographic area that will be served by the physician;

(d) that the physician agrees to work an annual full-time equivalency [~~or~~]of 40 hours in patient care per week;

(e) for an obligation committing both parties to three years of employment; and

(f) that the physician agrees to begin employment at the health care facility within ninety (90) days of the waiver being granted;

(3) The contract shall not contain a "non competition" clause or other provision that would discourage or inhibit the physician from working anywhere in the state upon termination of his employment with the health care facility.

**KEY: waivers, underserved, physicians**
**Date of Enactment or Last Substantive Amendment: [~~October 31, 2005~~]2008**
**Authorizing, and Implemented or Interpreted Law: 26-1-18**

♦ ♦

## Human Resource Management, Administration
## R477-6-4
## Salary

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31782
FILED: 07/31/2008, 13:32

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This amendment deletes a class of employees not eligible for longevity in order to comply with the Utah Code.

SUMMARY OF THE RULE OR CHANGE: In Subsection R477-6-4(3)(f), time limited exempt employees are removed from the prohibition from longevity in compliance with the Utah Code.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 63F-1-106, 67-19-6, 67-19-12, and 67-19-12.5, and Subsection 67-19-15.1(4)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: There is no impact to the state budget as the rule change merely changes language to comply with code.

❖ LOCAL GOVERNMENTS: This rule only affects agencies of the executive branch of state government and will have no impact on local government.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: This rule only affects the executive branch of state government and will have no impact on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule only affects agencies of the executive branch of state government.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the Utah Personnel Management Act, Title 67, Chapter 19. This act limits the provisions of career service and these rules to employees of the executive branch of state government. The only possible impact may be a very slight, indirect effect if an agency passes costs or savings on to business through fees. However, it is anticipated that the minimal costs associated with these changes will be absorbed by agency budgets and will have no effect on business. Jeff Herring, Executive Director

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

HUMAN RESOURCE MANAGEMENT
ADMINISTRATION
Room 2120 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
J.J. Acker or Pam Poulson at the above address, by phone at 801-537-9096 or 801-538-3761, by FAX at 801-538-3081 or 801-538-3081, or by Internet E-mail at jacker@utah.gov or pmpoulson@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Jeff Herring, Executive Director

---

**R477. Human Resource Management, Administration.**
**R477-6. Compensation.**
**R477-6-4. Salary.**

(1) Merit increases. The following are applicable if merit increases are authorized and funded by the legislature:

(a) Employees who are not on a longevity step and who are not at the maximum step of their salary range, who receive a successful or higher rating on their performance evaluations and who have been in a paid status by the state for at least six months shall receive a merit increase of one or more salary steps at the beginning of the new fiscal year.

(b) Employees designated as schedule AE, AI and AL who are receiving benefits are eligible for merit step increases.

(c) Employees designated as schedule AJ are not eligible for merit step increases.

(2) Promotions and Reclassifications.

(a) An employee promoted or reclassified to a job with a salary range exceeding the employee's current salary range maximum by one salary step shall receive a salary increase of a minimum of one salary step and a maximum of four salary steps. An employee who is promoted or reclassified to a job with a salary range exceeding the employee's current salary range maximum by two or more salary steps shall receive a salary increase of a minimum of two salary steps and a maximum of four salary steps.

(i) An employee may not be placed higher than the maximum salary step or lower than the minimum salary step in the new salary range. Placement of an employee in longevity shall be consistent with Subsection R477-6-4(3).

(ii) An employee who remains in longevity status after a promotion or reclassification shall retain the same salary by being placed on the corresponding longevity step.

(b) To be eligible for a promotion, an employee shall:

(i) meet the job requirements and skills specified in the job description and position specific criteria as determined by the agency for the position unless the promotion is to a career service exempt position.

(c) An employee whose position is reclassified or changed by administrative adjustment to a job with a lower salary range shall retain the current salary. The employee shall be placed on the corresponding longevity step if the salary exceeds the maximum of the new salary range.

(3) Longevity.

(a) An employee shall receive a longevity increase of 2.75 percent when:

(i) the employee has been in state service for eight years or more. The employee may accrue years of service in more than one agency and such service is not required to be continuous; and

(ii) the employee has been at the maximum salary step in the current salary range for at least one year and received a performance appraisal rating of successful or higher within the 12-month period preceding the longevity increase.

(b) An employee on a longevity step shall be eligible for the same across the board pay plan adjustments authorized for all other employee pay plans.

(c) An employee on a longevity step shall only be eligible for additional step increases every three years. To be eligible, an employee must receive a performance appraisal rating of successful or higher within the 12-month period preceding the longevity increase.

(d) An employee on a longevity step who is reclassified to a lower salary range shall retain the current actual wage.

(e) An employee on a longevity step who is promoted or reclassified to a higher salary range shall only receive an increase if the current actual wage is less than the highest salary step of the new range.

(f) Agency heads or [~~time limited exempt employees identified in Section R477-4-10~~ ]are not eligible for the longevity program.

(4) Administrative Adjustment.

(a) An employee whose position has been allocated by DHRM from one job to another job or salary range for administrative purposes, shall not receive an adjustment in the current actual wage.

(b) Implementation of new job descriptions as an administrative adjustment shall not result in an increase in the current actual wage unless the employee is below the minimum step of the new range.

(5) Reassignment.

An employee's current actual wage may only be lowered when permitted by federal or state law, including but not limited to the Americans with Disabilities Act.

(6) Transfer.

Management may increase or decrease the current actual wage of an employee who initiates a transfer to another position consistent with Section R477-6-4.

(7) Demotion.

An employee demoted consistent with Section R477-11-2 shall receive a reduction in the current actual wage of one or more salary steps as determined by the agency head or designee. The agency head or designee may move an employee to a position with a lower salary range concurrent with the reduction in the current actual wage.

(8) Productivity step adjustment.

Agency management may establish policies to reward an employee who assumes additional workloads which result from the elimination of a position for at least one year with an increase of up to four salary steps. An employee at the maximum step of the salary range or in longevity shall be given a one time lump sum bonus award of 2.75% of their annual salary.

(a) To implement this program, agencies shall apply the following criteria:

(i) either the employee or management can make the suggestion;

(ii) the employee and management agree;

(iii) the agency head approves;

(iv) a written program policy achieves increased productivity through labor and management collaboration;

(v) DHRM approves;

(vi) the position will be abolished from the position authorization plan for a minimum of one year;

(vii) staff receive additional duties which are substantially above a normal full workload;

(viii) the same or higher level of service or productivity is achieved without accruing additional overtime hours;

(ix) the total dollar increase, including benefits, awarded to the workgroup as a result of the additional salary steps does not exceed 50 percent of the savings generated by eliminating the position.

(9) Administrative Salary Increase.

The agency head authorizes and approves administrative salary increases under the following parameters:

(a) An employee shall receive one or more steps up to the maximum of the salary range.

(b) Administrative salary increases shall only be granted when the agency has sufficient funding within their annualized base budgets for the fiscal year in which the adjustment is given.

(c) Justifications for Administrative Salary Increases shall be:

(i) in writing;

(ii) approved by the agency head;

(iii) supported by issues such as: special agency conditions or problems or other unique situations or considerations in the agency.

(d) The agency head is the final authority for salary actions authorized within these guidelines. The agency head or designee shall answer any challenge or grievance resulting from an administrative salary increase.

(e) Administrative salary increases may be given during the probationary period. These increases alone do not constitute successful completion of probation or the granting of career service status.

(f) An employee at the maximum step of the range or on a longevity step may not be granted administrative salary increases.

(10) Administrative Salary Decrease.

The agency head authorizes and approves administrative salary decreases for nondisciplinary reasons according to the following:

(a) An employee shall receive a one or more step decrease not to exceed the minimum of the salary range.

(b) Justification for administrative salary decreases shall be:

(i) in writing;

(ii) approved by the agency head; and

(iii) supported by issues such as previous written agreements between the agency and employees to include career mobility; reasonable accommodation, special agency conditions or problems, or other unique situations or considerations in the agency.

(c) The agency head is the final authority for salary actions within these guidelines. The agency head or designee shall answer any challenge or grievance resulting from an administrative salary decrease.

**KEY: salaries, employee benefit plans, insurance, personnel management**
**Date of Enactment or Last Substantive Amendment: July 1, 2007**
**Notice of Continuation: June 9, 2007**
**Authorizing, and Implemented or Interpreted Law: 63F-1-106; 67-19-6; 67-19-12; 67-19-12.5; 67-19-15.1(4)**

♦ ♦

## Human Resource Management, Administration

# R477-7

## Leave

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31788
FILED: 08/01/2008, 09:35

## RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: These amendments change leave rules to accommodate the Working 4 Utah initiative, making them feasible for a four-day workweek. Changes are also made to the order of subsections for greater clarity.

SUMMARY OF THE RULE OR CHANGE: Subsection R477-7-2(1) is changed to list holidays as "paid" rather than "designated legal" and Columbus Day is deleted from the list. Subsection R477-7-2(4)(c) is deleted and the rest of Subsection R477-7-2(4) is moved to become Subsection R477-7-2(2). New Subsection R477-7-2(2)(a) states that employees shall accrue ten rather than eight hours of paid leave. Subsection R477-7-2(2) is changed to explain Saturday and Sunday holidays, as well as holidays falling on scheduled days off. Subsection R477-7-3(3) is changed from eight to ten hours. Subsection R477-7-7(1)(c) changes authority of agency head to grant up to ten hours of administrative leave per occurrence. In Section R477-7-9, bereavement leave is changed from a maximum of 24 hours to three days. In Subsection R477-7-11(1), disaster relief volunteer leave is changed from 120 hours to 15 days.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 34-43-103, 49-9-203, 63-13-2, 67-19-6, 67-19-12.9, 67-19-14, 67-19-14.2, and 67-19-14.4

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: This rule change affects only the administrative aspects of leave usage, without fiscal impact in and of itself. However, it is expected to contribute to the implementation of the Working 4 Utah initiative which is anticipated to save the state approximately $3,000,000.

❖ LOCAL GOVERNMENTS: This rule only affects the executive branch of state government and will have no fiscal impact on local governments.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: This rule only affects the executive branch of state government and will have no impact on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule only affects agencies of the executive branch of state government.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Rules published by the Department of Human Resource Management (DHRM) have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the Utah Personnel Management Act, Title 67, Chapter 19. This act limits the provisions of career service and these rules to employees of the executive branch of state government. The only possible impact may be a very slight, indirect effect if an agency passes costs or savings on to business through fees. However, it is anticipated that the minimal costs associated with these changes will be absorbed by agency budgets and will have no effect on business. Jeff Herring, Executive Director

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

HUMAN RESOURCE MANAGEMENT
ADMINISTRATION
Room 2120 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

J.J. Acker or Pam Poulson at the above address, by phone at 801-537-9096 or 801-538-3761, by FAX at 801-538-3081 or 801-538-3081, or by Internet E-mail at jacker@utah.gov or pmpoulson@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Jeff Herring, Executive Director

---

**R477. Human Resource Management, Administration.**
**R477-7. Leave.**
**R477-7-2. Holiday Leave.**

(1) The following dates are [~~designated legal~~]paid holidays for eligible employees:

(a) New Years Day -- January 1
(b) Dr. Martin Luther King Jr. Day -- third Monday of January
(c) Washington and Lincoln Day -- third Monday of February
(d) Memorial Day -- last Monday of May
(e) Independence Day -- July 4
(f) Pioneer Day -- July 24
(g) Labor Day -- first Monday of September
[~~(h) Columbus Day -- second Monday of October~~
]([~~i~~]h) Veterans' Day -- November 11
([~~j~~]i) Thanksgiving Day -- fourth Thursday of November
([~~k~~]j) Christmas Day -- December 25
([~~l~~]k) Any other day designated as a [~~legal~~]paid holiday by the Governor.

(2) The following employees are eligible to receive holiday leave:

(a) A full-time employee shall accrue ten hours of paid holiday leave on holidays.

(b) A part-time career service employee and a partner in a shared position who normally works 40 hours or more per pay period shall receive holiday leave in proportion to the hours paid in the pay period in which the holiday falls.

([~~2~~]3) If a holiday falls on a regularly scheduled day off, an eligible employee shall receive equivalent time off, not to exceed ten hours, or shall accrue excess hours.[~~If a holiday falls on a Sunday, the following Monday shall be observed as a holiday. If a holiday falls on a Saturday, the preceding Friday shall be observed as a holiday.~~]

(a) If a holiday falls on a Sunday, and an employee is regularly scheduled to work on the following Monday, the following Monday shall be observed as a holiday.

(b) If a holiday falls on a Saturday, and an employee is regularly scheduled to work on the preceding Friday, the preceding Friday shall be observed as a holiday.

([~~3~~]4) If an employee is required to work on an observed holiday, the employee shall receive appropriate holiday leave, or shall accrue excess hours.[

~~(4) The following employees are eligible to receive holiday leave:~~

~~(a) A full-time employee shall accrue eight hours of paid holiday leave on holidays.~~

~~(b) A part-time career service employee and a partner in a shared position who normally works 40 hours or more per pay period shall receive holiday leave in proportion to the hours paid in the pay period in which the holiday falls.~~

~~(c) An employee working flex time, as defined in Section R477-8-2, shall receive a maximum of 88 hours of holiday leave in each calendar year. If the holiday falls on a regularly scheduled day off, a flex time employee shall receive an equivalent workday off, not to exceed eight hours, or shall accrue excess hours.~~]

(5) An employee receives holiday leave in proportion to the number of hours paid during the pay period in which the holiday falls.

(a) A new hire shall be in a paid status on or before the holiday in order to receive holiday leave.

(b) A separating employee shall be in a paid status on or after the holiday in order to receive holiday leave.

(c) An employee in a leave without pay status shall receive holiday leave in proportion to the time paid in the pay period in which the holiday falls.

**R477-7-3. Annual Leave.**

(1) An employee eligible for annual leave shall accrue leave based on the following years of state service:

(a) less than 5 years -- four hours per pay period;

(b) at least 5 and less than 10 years -- five hours per pay period;

(c) at least 10 and less than 20 years --six hours per pay period;

(d) 20 years or more -- seven hours per pay period.

(2) The accrual rate for an employee rehired to a position which receives leave benefits shall be based on all state employment in which the employee was eligible to accrue leave.

(3) The first [~~eight~~]ten hours of annual leave used by an employee in the calendar leave year shall be the employee's personal preference day.

(4) Agency management shall allow every employee the option to use annual leave each year for at least the amount accrued in the year.

(5) Unused accrued annual leave time in excess of 320 hours shall be forfeited during year end processing for each calendar year.

(6) The maximum annual leave accrual rate shall be granted to a certain employee under the following conditions:

(a) an employee described in Section 67-22-2, an employee in schedule AB, and agency deputy directors and division directors appointed to career service exempt positions.

(b) an employee who is schedule A, FLSA exempt and who has a direct reporting relationship to an elected official, executive director, deputy director, commissioner or board.

(c) The maximum accrual rate shall be effective from the day the employee is appointed through the duration of the appointment. Employees in these positions on July 1, 2003, shall have the leave accrual rate adjusted prospectively.

(d) The employee may not be eligible for any transfer of leave from other jurisdictions.

(e) Other provisions of leave shall apply as defined in Section R477-7-1.

**R477-7-7. Administrative Leave.**

(1) Administrative leave may be granted consistent with agency policy for the following reasons:

(a) administrative;

(i) governor approved holiday leave;

(ii) during management decisions that benefit the organization;

(iii) when no work is available due to unavoidable conditions or influences; or

(iv) other reasons consistent with agency policy.

(b) protected;

(i) suspension with pay pending hearing results;

(ii) personal decision making prior to discipline;

(iii) removal from adverse or hostile work environment situations;

(iv) fitness for duty or employee assistance; or

(v) other reasons consistent with agency policy.

(c) reward in lieu of cash;

(i) the agency head or designee may grant paid administrative leave up to [~~eight hours~~]one day per occurrence;

(ii) administrative leave in excess of [~~eight hours~~]one day may be granted with written approval by the agency head.

(iii) administrative leave given as a reward in lieu of cash may not exceed 40 hours in a fiscal year.

(iv) administrative leave given as a reward in lieu of cash may be given from one agency to employees of another agency if both agency heads agree in advance.

(d) student educational assistance.

(e) An employee who satisfies the criteria in this subsection shall be granted up to two hours of administrative leave to vote in an official election.

(i) The employee must:

(A) have fewer than three total hours off the job between the time the polls open and close, and;

(B) apply for the time in the previous 24 hours.

(ii) Management may specify the hours when the employee may be absent.

(f) Administrative leave shall be given for non-performance based purposes to employees who are on Family and Medical Leave or a military leave of absence if the leave would have been given had the employee been in a working status.

(2) With the exception of administrative leave used as a reward, as described in Subsection R477-7(1)(c), the agency head or designee may grant paid administrative leave up to ten consecutive working days per occurrence. Administrative leave in excess of ten consecutive working days per occurrence may be granted by the agency head.

(3) Administrative leave taken must be documented in the employee's leave record.

**R477-7-9. Bereavement Leave.**

An employee may receive a maximum of [~~24 hours~~]three days bereavement leave per occurrence with pay, at management's discretion, following the death of a member of the employee's immediate family. Bereavement leave may not be charged against accrued sick or annual leave.

(1) The immediate family means relatives of the employee or spouse including in-laws, step-relatives, or equivalent relationship as follows:

(a) spouse;

(b) parents;

(c) siblings;

(d) children;

(e) all levels of grandparents; or

(f) all levels of grandchildren.

**R477-7-11. Disaster Relief Volunteer Leave.**

(1) An employee may be granted leave from work with pay for an aggregate of 15 working days [~~or 120 work hours~~ ]in any 12 month period to participate in disaster relief services for the American Red Cross. To request this leave an employee must be a certified disaster relief volunteer and file a written request with the employing agency. The request shall include:

(a) a copy of a written request for the employee's services from an official of the American Red Cross;

(b) the anticipated duration of the absence;

(c) the type of service the employee is to provide for the American Red Cross; and

(d) the nature and location of the disaster where the employee's services will be provided.

**KEY: holidays, leave benefits, vacations**
**Date of Enactment or Last Substantive Amendment: [~~July 1, 2007~~]2008**
**Notice of Continuation: June 29, 2007**
**Authorizing, and Implemented or Interpreted Law: 34-43-103; 49-9-203; 63-13-2; 67-19-6; 67-19-12.9; 67-19-14; 67-19-14.2; 67-19-14.4**

♦ ♦

# Human Resource Management, Administration
# R477-8
## Working Conditions

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31784
FILED: 07/31/2008, 15:32

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: These amendments change typical business hours for state offices and correct a citation.

SUMMARY OF THE RULE OR CHANGE: Subsection R477-8-1(1)(b) is changed to reflect typical business hours for state offices as Monday through Thursday, 7:00 a.m. - 6:00 p.m.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 67-19-6, 67-19-6.7, and 20A-3-103

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: This rule change is expected to save the state approximately $3,000,000 in energy costs.

❖ LOCAL GOVERNMENTS: This rule only affects the executive branch of state government and will have no fiscal impact on local governments.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: This rule only affects the executive branch of state government and will have no impact on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule only affects the executive branch of state government.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Rules published by the Department of Human Resource Management (DHRM) have no direct fiscal impact on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the Utah Personnel Management Act, Title 67, Chapter 19. This act limits the provisions of career service and these rules to employees of the executive branch of state government. The only possible impact may be a very slight, indirect effect if an agency passes costs or savings on to business through fees. However, it is anticipated that the minimal costs associated with these changes will be absorbed by agency budgets and will have no effect on business. Jeff Herring, Executive Director

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

HUMAN RESOURCE MANAGEMENT
ADMINISTRATION
Room 2120 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Pam Poulson or J.J. Acker at the above address, by phone at 801-538-3761 or 801-537-9096, by FAX at 801-538-3081 or 801-538-3081, or by Internet E-mail at pmpoulson@utah.gov or jacker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Jeff Herring, Executive Director

---

**R477. Human Resource Management, Administration.**
**R477-8. Working Conditions.**
**R477-8-1. Work Period.**

(1) Tasks shall be assigned and wages paid in return for work completed. During the state's standard work week, each employee is responsible for fulfilling the essential functions of his job.

(a) The state's standard work week begins Saturday and ends the following Friday.

(b) State offices are typically open Monday through [~~Friday~~]Thursday from [~~8~~]7 a.m. to [~~5~~]6 p.m. Agencies may adopt extended business hours to enhance service to the public, consistent with overtime provisions of Section R477-8-6.

(c) An employee may negotiate for flexible starting and quitting times with the immediate supervisor as long as scheduling is consistent with overtime provisions of the rules Section R477-8-6.

(d) Agencies may implement alternative work schedules approved by the Director.

(e) An employee is required to be at work on time. An employee who is late, regardless of the reason including inclement weather, shall make up the lost time by using accrued leave, leave without pay or, with management approval, adjust their work schedule.

(f) An employee must work in increments of 15 minutes or more to receive salary for hours worked and overtime hours worked. This rule incorporates by reference 29 CFR 785.48 for rounding practices when calculating time worked.

**R477-8-5. Overtime.**

The state's policy for overtime is adopted and incorporated from the Fair Labor Standards Act, 29 CFR Parts 500 to 899(2002) and Section 67-19-6.7.

(1) Management may direct an employee to work overtime. Each agency shall develop internal rules and procedures to ensure overtime usage is efficient and economical. These policies and procedures shall include:

(a) prior supervisory approval for all overtime worked;

(b) recordkeeping guidelines for all overtime worked;

(c) verification that there are sufficient funds in the budget to compensate for overtime worked.

(2) Overtime compensation standards are identified for each job title in HRE as either FLSA nonexempt, or FLSA exempt.

(a) An employee may appeal the FLSA designation to the agency human resource office and DHRM concurrently. Further appeals must be filed directly with the United States Department of Labor, Wage and Hour Division. The provisions of Sections 67-19-31, 67-19a-301 and Title 63G, Chapter 4[~~6b~~] shall not apply for FLSA appeals purposes.

(3) An FLSA nonexempt employee may not work more than 40 hours a week without management approval. Overtime shall accrue when the employee actually works more than 40 hours a week. Leave and holiday time taken within the work period shall not count as hours worked when calculating overtime accrual. Hours worked over two or more weeks shall not be averaged with the exception of certain types of law enforcement, fire protection, and correctional employees.

(a) An FLSA nonexempt employee shall sign a prior overtime agreement authorizing management to compensate the employee for overtime worked by actual payment or time off at time and one half.

(b) An FLSA nonexempt employee may receive compensatory time for overtime up to a maximum of 80 hours. Only with prior approval of the Executive Director, DHRM, may compensatory time accrue up to 240 hours for regular employees or up to 480 hours for peace or correctional officers, emergency or seasonal employees. Once an employee reaches the maximum, additional overtime shall be paid on the payday for the period in which it was earned.

(4) An FLSA exempt employee may not work more than 80 hours in a pay period without management approval. Compensatory time shall accrue when the employee actually works more than 80 hours in a work period. Leave and holiday time taken within the work period may not count as hours worked when calculating compensatory time. Each agency shall compensate an FLSA exempt employee who works overtime by granting time off. For each hour of overtime worked, an FLSA exempt employee shall accrue an hour of compensatory time.

(a) Agencies shall establish in written policy a uniform overtime year either for the agency as a whole or by division and communicate it to employees. If an agency fails to establish a uniform overtime year, the Executive Director, DHRM, and the Director of Finance, Department of Administrative Services, will determine the date for the agency at the end of one of the following pay periods: Five, Ten, Fifteen, Twenty, or the last pay period of the calendar year. An agency may change the established overtime year only after the current overtime year has lapsed, unless justifiable reasons exist and the Executive Director, DHRM, has granted a written exception.

(b) Any compensatory time earned by an FLSA exempt employee is not an entitlement, a benefit, nor a vested right.

(c) Any compensatory time earned by an FLSA exempt employee shall lapse upon occurrence of any one of the following events:

(i) at the end of the employee's established overtime year;

(ii) when an employee transfers to another agency; or

(iii) when an employee terminates, retires, or otherwise does not return to work before the end of the overtime year.

(d) If an FLSA exempt employee's status changes to nonexempt, that employee's compensatory time earned while in exempt status shall lapse if not used by the end of the current overtime year.

(e) The agency head may approve overtime for career service exempt deputy and division directors, but overtime shall not be compensated with actual payment. Schedule AB employees shall not be compensated for compensatory time except with time off.

(5) Law enforcement, correctional and fire protection employees

(a) To be considered for overtime compensation under this rule, a law enforcement or correctional officer must meet the following criteria:

(i) be a uniformed or plainclothes sworn officer;

(ii) be empowered by statute or local ordinance to enforce laws designed to maintain public peace and order, to protect life and property from accident or willful injury, and to prevent and detect crimes;

(iii) have the power to arrest;

(iv) be POST certified or scheduled for POST training; and

(v) perform over 80 percent law enforcement duties.

(b) Agencies shall select one of the following maximum work hour thresholds to determine when overtime compensation is granted to law enforcement or correctional officers designated FLSA nonexempt and covered under this rule.

(i) 171 hours in a work period of 28 consecutive days; or

(ii) 86 hours in a work period of 14 consecutive days.

(c) Agencies shall select one of the following maximum work hour thresholds to determine when overtime compensation is granted to fire protection employees.

(i) 212 hours in a work period of 28 consecutive days; or

(ii) 106 hours in a work period of 14 consecutive days.

(d) Agencies may designate a lesser threshold in a 14 day or 28 day consecutive work period as long as it conforms to the following:

(i) the Fair Labor Standards Act, Section 207(k);

(ii) 29 CFR 553.230;

(iii) the state's payroll period;

(iv) the approval of the Executive Director, DHRM.

(6) Compensatory Time

(a) Agency management shall arrange for an employee's use of compensatory time as soon as possible without unduly disrupting agency operations or endangering public health, safety or property.

(b) Compensatory time balances for an FLSA nonexempt employee shall be paid down to zero in the same pay period that the employee is transferred from one agency to a different agency, promoted, reclassified, reassigned, or transferred to an FLSA exempt position. The pay down for unused compensatory time balances shall be based on the employee's hourly rate of pay in the old position.

(7) Time Reporting

(a) An FLSA nonexempt employee must complete and sign a state approved biweekly time record that accurately reflects the hours actually worked, including:

(i) approved and unapproved overtime;

(ii) on-call time;

(iii) stand-by time;

(iv) meal periods of public safety and correctional officers who are on duty more than 24 consecutive hours; and

(v) approved leave time.

(b) An employee who fails to accurately record time shall be disciplined.

(c) Time records developed by the agency shall have the same elements of the state approved time record and be approved by the Department of Administrative Services, Division of Finance.

(d) An FLSA exempt employee who works more than 80 hours in a work period must record the total hours worked and the compensatory time used on a biweekly time record. All hours must be recorded in order to claim overtime. Completion of the time record is at agency discretion when no overtime is worked during the work period.

(e) A Supervisor who directs an employee to submit an inaccurate time record or knowingly approves an inaccurate time record shall be disciplined.

(f) A Non-exempt employee who believes FLSA rights have been violated may submit a complaint directly to the Executive Director, or designee, of the Department of Human Resource Management.

(8) Hours Worked: An FLSA nonexempt employee shall be compensated for all hours worked. An employee who works unauthorized overtime may be disciplined.

(a) All time that an FLSA nonexempt employee is required to wait for an assignment while on duty, before reporting to duty, or before performing activities is counted towards hours worked.

(b) Time spent waiting after being relieved from duty is not counted as hours worked if one or more of the following conditions apply:

(i) the employee arrives voluntarily before their scheduled shift and waits before starting duties;

(ii) the employee is completely relieved from duty and allowed to leave the job;

(iii) the employee is relieved until a definite specified time;

(iv) the relief period is long enough for the employee to use as the employee sees fit.

(c) On-call time: An employee required by agency management to be available for on-call work shall be compensated for on-call time at a rate of one hour for every 12 hours the employee is on-call.

(i) Time is considered on-call time when the employee has freedom of movement in personal matters as long as the employee is available for call to duty.

(ii) An employee must be directed by his supervisor, either verbally or in writing, that he is on call for a specified time period. Carrying a beeper or cell phone shall not constitute on-call time without a specific directive from a supervisor.

(iii) The employee shall record the hours spent in on-call status on his time sheet in order to be paid.

(d) Stand-by time: An employee restricted to stand-by at a specified location ready for work must be paid full-time or overtime, as appropriate. An employee must be paid for stand-by time if required to stand by the post ready for duty, even during lunch periods, equipment breakdowns, or other temporary work shutdowns.

(e) The meal periods of guards, police, and other public safety or correctional officers and firefighters who are on duty more than 24 consecutive hours must be counted as working time, unless an express agreement excludes the time.

(9) Commuting and Travel Time for FLSA exempt and nonexempt employees:

(a) Normal commuting time from home to work and back shall not count towards hours worked.

(b) Time an employee spends traveling from one job site to another during the normal work schedule shall count towards hours worked.

(c) Time an employee spends traveling on a special one day assignment shall count towards hours worked except meal time and ordinary home to work travel.

(d) Travel that keeps an employee away from home overnight does not count towards hours worked if it is time spent outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile.

(e) Travel as a passenger counts toward hours worked if it is time spent during regular working hours. This applies to nonworking days, as well as regular working days. However, regular meal period time is not counted.

(10) Excess Hours for FLSA exempt and nonexempt employees: An employee may use excess hours the same way as annual leave.

(a) Agency management shall approve excess hours before the work is performed.

(b) Agency management may deny the use of any leave time, other than holiday leave, that results in an employee accruing excess hours.

(c) An employee may not accumulate more than 80 excess hours.

(d) Agency management may pay out excess hours under one of the following:

(i) paid off automatically in the same pay period accrued;

(ii) paid off at any time during the year as determined appropriate by a state agency or division;

(iii) all hours accrued above the limit set by DHRM; or

(iv) upon request of the employee and approval by the agency head.

**KEY: breaks, telecommuting, overtime, dual employment**
**Date of Enactment or Last Substantive Amendment: [~~January 22~~], 2008**
**Notice of Continuation: June 9, 2007**
**Authorizing, and Implemented or Interpreted Law: 67-19-6; 67-19-6.7; 20A-3-103**

♦ ♦

## Human Services, Child and Family Services

# R512-41

## Qualifying Adoptive Families and Adoption Placement

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31741
FILED: 07/21/2008, 15:27

## RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The reason for this rule change is to implement changes in state and federal legislation specific to background screening for prospective adoptive parents.

SUMMARY OF THE RULE OR CHANGE: This rule is being modified to require prospective adoptive parents to complete fingerprint-based criminal background screening and out-of-state child abuse registry checks if they have lived outside of Utah in the previous five years, and other nonsubstantive changes.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 62a-4A-120 and 78B-6-131

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: This specific rule does not increase costs to the state budget. The state incurred additional costs as the broader legislation was implemented last year to create capacity to implement more extensive background screening for prospective foster and adoptive parents required by federal law. These costs were funded by a fiscal note for H.B. 245 in the 2007 legislative session including $161,000 of ongoing general funds and $83,600 of one-time funds, and with additional federal grant funds; however, this funding and costs are not specific to the changes made by this rule. (DAR NOTE: H.B. 245 (2007) is found at Chapter 152, Laws of Utah 2007, and was effective 04/30/2007.)

❖ LOCAL GOVERNMENTS: There will be no cost or savings to local government because funding for this program comes out of state and federal funds and this rule does not apply to local government.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: There will be no cost or savings to small businesses and persons other than businesses because it was determined that funding for this program comes out of state and federal funds and this rule does not apply to small businesses and persons other than businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance costs will be minimal for affected persons. Prospective adoptive parents will be required to complete an FBI fingerprint-based check and will be charged $10 per person for the fingerprints to be scanned.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no cost or savings on businesses because it was determined that this rule does not apply to businesses. Lisa-Michele Church, Executive Director

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

HUMAN SERVICES
CHILD AND FAMILY SERVICES
Room 225
120 N 200 W
SALT LAKE CITY UT 84103-1500, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol Miller at the above address, by phone at 801-538-4451, by FAX at 801-538-3993, or by Internet E-mail at CAROLMILLER@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Duane Betournay, Director

---

**R512. Human Services, Child and Family Services.**
**R512-41. Qualifying Adoptive Families and Adoption Placement.**
**R512-41-1. Purpose and Authority.**

[~~A.~~ ]As authorized by Sections 62A-4a-102, 62A-4a-105, and 62A-4a-205.6, [~~the Division~~]Child and Family Services qualifies adoptive parents and individuals for the adoption of children in the custody of [~~the Division~~]Child and Family Services. This rule specifies the requirements used to qualify adoptive parents or individuals and the criteria for adoption placement.

**R512-41-2. Definitions.**

A. For the purpose of this rule the following definitions apply:

1. Adoptive [~~P~~]parent(s) means a family or individual who completes [~~Division~~]Child and Family Services training for prospective adoptive parent(s) and is approved by a licensed child placement agency or by [~~the Division~~]Child and Family Services.

2. Cohabiting means residing with another person and being involved in a sexual relationship.

3. Involved in a sexual relationship means any sexual activity and conduct between persons.

4. Permanency means the establishment and maintenance of a permanent living situation for a child to give the child an internal sense of family stability and belonging and a sense of self that connects the child to his or her past, present and future.

5. Residing means living in the same household on an uninterrupted or an intermittent basis.

**R512-41-3. Requirements for Adoptive Parent(s).**

A. Prospective adoptive [~~P~~]parent(s) who apply to adopt a child in the custody of [~~the Division~~]Child and Family Services, including kin[~~, Section 62A-4a-108, ~~], or [~~Division~~]Child and Family Services employees, [~~Utah Administrative Code, Human Services, R512-40-4,~~ ]must meet all of the following requirements, pursuant to R512-40-4:

1. complete the adoption training program approved by [~~the Division~~]Child and Family Services;

2. be assessed and approved as adoptive parent(s) following completion of a home study by a licensed child placement agency or by [~~the Division~~]Child and Family Services;

3. obtain a foster care license issued by the Department of Human Services, Office of Licensing[~~ure~~], or meet the same standards, or receive a written waiver from [~~the Division~~]Child and Family Services of a standard;

4. receive a determination by [~~the Division~~]Child and Family Services that no conflict of interest exists in the adoption process.

**R512-41-4. Adoption Assessment Requirements.**

A. An adoption assessment must be consistent with the standards of the Child Welfare League of America (the assessment may be done by a licensed child placement agency or [~~the Division~~]Child and Family Services) and must include the following:

1. an autobiography or psychosocial inventory of prospective adoptive parent(s) and family members;

2. a behavioral assessment of parent(s) and children living at home;

3. a declaration that applicants are not cohabiting in a relationship that is not a legal marriage and in compliance with Section 78B-6-137[~~78-30-9(3)(a and b)~~];

4. a health status verification of parent(s) and children living at home;

5. a verification of financial status;

6. an assessment of home safety and health;

7. [~~A~~]a criminal background check of all adults present in the home, including a national fingerprint-based check of prospective adoptive parents that is approved according to criteria specified in Section 62A-2-120;

8. a screening of all adults present in the home against the child abuse data base, including for prospective adoptive parents a check of child abuse registries in any states in which the prospective adoptive parents have resided in the five years prior to application to adopt;

9. an assessment of prospective adoptive parent(s) parenting skills;

10. recommendation of the types of children that may be appropriate for the prospective adoptive parent(s).

**R512-41-5. Matching the Child and the Adoptive Parent(s).**

A. In the matching process, the selection of adoptive parent(s) will be in the best interest of the child.

B. The decision must be based on a thorough assessment of the child's current and potential development, medical, emotional, and educational needs.

C. The capacity of the prospective adoptive parent(s) to successfully meet the child's needs and to love and accept the child as a fully integrated member of the family must be considered.

D. The child's preference may be considered, if the child has the capacity to express a preference.

E. When possible and appropriate, sibling groups should not be separated.

F. Foster care parent(s) (or other care[~~-~~]giver with physical custody) of the child may be given preferential consideration for adoption if the child has substantial emotional ties with the foster parent(s)/care[~~-~~]giver and if removal of the child from the foster parent(s)/care[-]giver would be detrimental to the child's well-being.

G. Geographic boundaries alone should not present barriers or delays to the selection of adoptive parent(s).

H. The Indian Child Welfare Act, 25 USC 1901-1963,[~~ (Public Law 95-608)~~] takes precedent for an adoption of an Indian child who is a member of a federally recognized tribe or Alaskan native village.

I. Placements will be made in accordance with the Interethnic Adoption Act, 42 USC 1996b.

J. [~~The division~~]Child and Family Services observes the following priorities for adoption of children in [~~the division's~~]Child and Family Services' custody:

1. [~~Beginning May 1, 2000, the division~~]Child and Family Services gives priority for adoptive placements to families in which both a man and a woman are legally married under the laws of this state or valid proof that a court or administrative order has established a valid common law marriage as specified in Section 30-1-4.5. An individual who is not cohabiting may also be considered as an adoptive parent, if the Region Director determines it is in the best interest of the child.

**R512-41-6. Adoption Decision.**

A. Permanency decisions should be made in a timely manner recognizing the child's developmental needs and sense of time. [~~The Division~~]Child and Family Services shall make intensive efforts to place the child with adoptive parent(s) within 30 days after the court has freed the child for adoption.

B. [~~The Division~~]Child and Family Services will appoint and convene an adoption committee or committees to select adoptive parent(s) in the best interest of the child and to determine the level of adoption assistance, if any. The committee is also responsible for recommending removal of the child from a placement.

C. The adoption committee will consist of at least three members to include senior-level [~~Division~~]Child and Family Services staff and one or more members from an outside agency with expertise in adoption or foster care.

D. Anyone who has information regarding the child and the potential matching families may be invited by the committee to present information but not to participate in the deliberations. The committee will reach its decision through consensus. If consensus cannot be reached, the committee will submit their recommendation to the Region[~~al~~] Director. The Region[~~al~~] Director may confer with the [~~Division~~]Child and Family Services Director for the final decision.

E. The committee will make and retain a written record of their proceedings. All proceedings are confidential.

F. Any member of the committee who has a potential conflict of interest must recuse himself or herself from the proceeding.

G. [~~The Division~~]Child and Family Services will send written notification of selection to the adoptive parent(s).

H. [~~The Division~~]Child and Family Services shall provide detailed information about the child to the prospective adoptive parent(s), allowing sufficient time for the prospective adoptive parent(s) to make an informed decision regarding placement of the child. The information given to the prospective adoptive parent(s) must be a full disclosure of all information available and committed to writing. Release of all documents is subject to the Government Records Management Act. The prospective adoptive parent(s) shall be advised of possible financial and medical assistance available to meet the special needs of the child. [~~The Division~~]Child and Family Services and the prospective adoptive parent(s) will acknowledge receipt of the information by signing [~~the Division's~~]Child and Family Services' information disclosure form. [~~The Division~~]Child and Family Services shall respond to questions or concerns of the potential adoptive parent(s). The prospective adoptive parent(s) shall have the opportunity to meet the child prior to permanent placement.

I. A family or individual that is not selected for an adoption placement of a specific child shall have no right to appeal the decision, unless the parent(s) not selected for the adoptive placement is the child's current foster parent(s) and the foster parent(s) have completed all requirements. If the foster parent(s) are not selected for the adoptive placement, the foster parent(s) due process rights for removal of a child apply. Foster Parents Due Process, Utah Administrative Code, Human Services Rule, R512-31.

J. When approved adoptive parent(s) agree to accept the placement of a child for adoption, the adoptive parent(s) and a representative from [~~the Division~~]Child and Family Services shall sign an adoption agreement on a form provided by [~~the Division~~]Child and Family Services.

K. When adoptive parent(s) agree to accept the placement of a child who is not free for adoption, the parent(s) shall sign [~~the Division's~~]Child and Family Services' Foster Child Adoption agreement.

**R512-41-7. Information Regarding the Adoptive Parent(s).**

[~~A.~~ ]No identifying information regarding adoptive parent(s) shall be released to birth families without the written consent of the adoptive parent(s).

**R512-41-8. Placement.**

A. [~~The Division~~]Child and Family Services will make every effort to make a smooth and effective transition of the child to the adoptive parent(s) with the cooperation of the foster family and others who have a supportive relationship with the child. All out-of-home requirements continue to be applicable until the adoption is finalized.

B. Adoptive parent(s) will have access to all relevant information in the case record to help them understand and accept the child and preserve the child's history. [~~The Division~~]Child and Family Services will inform adoptive parent(s) of community services and adoption assistance available before and after the adoption is final.

C. [~~The Division~~]Child and Family Services will develop a service plan within 30 days of placement and supervise adoptive parent(s), including frequent visits with the child for at least the first six months after placement.

D. [~~Division~~]Child and Family Services supervision will continue until the adoption is final.

**R512-41-9. Adoption Disruption/Removal of a Child from Adoptive Parent(s) Prior to Finalization.**

A. [~~The Division~~]Child and Family Services shall consider removal of a child before an adoption is finalized if adoptive parent(s) request removal or if serious circumstances impair the child's security or development.

B. Prior to removal, [~~the Division~~]Child and Family Services shall respond to adoptive parent(s)' concerns in a timely manner, counsel with the adoptive parent(s) and, if possible and appropriate, offer further treatment, including intensive in-home services or temporary removal of the child from the home for respite purposes.

C. When removal is recommended, the adoption committee shall review the placement progress, present situation, and decide to either continue placement with further services or to remove the child from the home. The Region[~~al~~] Director will review and approve the decision.

D. If the adoption committee decides to remove the child, a Notice of Agency Action shall be sent to the adoptive parent(s) notifying them of their due process rights. The adoptive parent(s) shall be offered the same rights as those offered a foster family regarding removal of a child, Utah Administrative Code, Human Services, Rule R512-31.

**R512-41-10. Adoption Finalization and Post Adoption.**

[~~A.~~ ]Before an adoption is final, the adoption committee shall review the placement, authorize finalization, and approve adoption assistance, when appropriate. Utah Administrative Code, Human Services, R512-43.

**R512-41-11. Adult Adoptee or Adoptive Parent(s) Request for Records.**

[~~A.~~ ]The adoption records of [~~the Division~~]Child and Family Services shall be made available to the adoptive parent(s) or adult adoptee upon written request in accordance with the Government Records Access Management Act, Title 63G, Chapter 2. An adult adoptee may also register with the Utah Department of Health Adoption Registry, Section 78B-6-144[~~78-30-18~~].

**KEY: child welfare, adoption**
**Date of Enactment or Last Substantive Amendment: [~~July 20, 2000~~]2008**
**Notice of Continuation: August 27, 2004**
**Authorizing, and Implemented or Interpreted Law: 62A-4a-105; 62A-4a-205.6**

♦ ♦

# Human Services, Child and Family Services
# R512-43
## Adoption Assistance

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31742
FILED: 07/22/2008, 12:05

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being changed to comply with recent changes in federal adoption assistance requirements and to clarify practice when a child has a Utah adoption assistance agreement.

SUMMARY OF THE RULE OR CHANGE: This rule change eliminates the need to reevaluate eligibility criteria immediately preceding issuance of adoption assistance, extends the ending date of adoption assistance agreements until the month a child reaches the age of 18, and clarifies that children who have previously received a Utah adoption assistance monthly subsidy previously may qualify for a subsequent subsidy. The rule change also makes nonsubstantive technical corrections.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-4a-901 et seq., 42 USC 673, and 45 CFR 1356.40

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: No additional costs to the state budget are anticipated by these changes. The changes in federal policy are minor technical adjustments to an existing process. Extending subsequent adoption assistance to a child who previously had state adoption assistance is not an increase in costs because the subsidy costs are already included in the adoption assistance budget. There may be a slight costs savings to the state budget if a child can immediately be placed in a subsequent adoptive home following the dissolution of an adoption without having to enter foster care. However, these occurrences are very infrequent.

❖ LOCAL GOVERNMENTS: There will be no cost or savings to local government because funding for this program comes out of state and federal funds and this rule does not apply to local government.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: There will be no cost or savings to small businesses and persons other than businesses because it was determined that funding for this program comes out of state and federal funds and this rule does not apply to small businesses and persons other than businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons associated with implementing the changes to this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no cost or savings on businesses because it was determined that this rule does not apply to businesses. Lisa-Michele Church, Executive Director

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

HUMAN SERVICES
CHILD AND FAMILY SERVICES
Room 225
120 N 200 W
SALT LAKE CITY UT 84103-1500, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol Miller at the above address, by phone at 801-538-4451, by FAX at 801-538-3993, or by Internet E-mail at CAROLMILLER@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Duane Betournay, Director

---

**R512. Human Services, Child and Family Services.**
**R512-43. Adoption Assistance.**
**R512-43-1. Definitions.**

In addition to terms defined in Section 62A-4a-902, the following terms are defined for purposes of this rule:

(1) Initiation of adoption proceedings means the earlier of (a) the date an Adoption Agreement is signed with [~~the Division of~~ ]Child and Family Services for placement of a child in the home, or (b) the date an adoption petition is filed.

(2) Child in public foster care means a judicially removed child whose placement resulting in adoption was immediately preceded by protective, temporary, or legal custody with a State IV-E agency, or a child who was placed with a State IV-E agency through a Voluntary Placement Agreement, or the child of a minor parent in foster care.

(3) A child or youth who was taken into protective custody and, as a result of the protective episode, was placed with a relative who was given legal custody meets the definition of a child in public foster care.

(a) If the court orders Child and Family Services to continue to provide Protective Supervision Services for the family in making safety and permanency decisions for the child, including placement decisions and permanency goals, the child is eligible for adoption assistance if the child's permanency goal becomes adoption, if all other criteria in R512-43-3(1-4) are met.

(i) This may include a change in placement to another relative while the Protective Supervision Services continue to be court ordered.

(4) State IV-E agency means [~~the Division of~~ ]Child and Family Services or a public agency or tribal organization with whom [~~the Division of~~ ]Child and Family Services has an agreement in effect for foster care maintenance payments in accordance with Title IV-E, Section 42 USC 672.

(5) AFDC means the Aid to Families with Dependent Children program that was in effect on July 16, 1996.

(6) Child with a previous IV-E agreement means a child who was Title IV-E eligible in a previous adoption with a fully executed adoption assistance agreement originating in any state, and the previous adoption was legally dissolved or ended due to the death of both of the adoptive parents.

**R512-43-2. Purpose and Authority.**

(1) The purpose of the adoption assistance program is to aid an adoptive family to establish and maintain a permanent adoptive living arrangement for a child who qualifies for the program under state and federal law.

(2) The adoption assistance program is intended to provide a permanent family for a child in public foster care or who receives Supplemental Security Income (SSI) by providing financial and medical assistance for the child's benefit and best interest to the family who adopts the child.

(3) Section 62A-4a-901, et seq. authorizes the state to provide adoption assistance and supplemental adoption assistance and Section 473, Social Security Act, authorizes federal adoption assistance. Section 473, Social Security Act (42 USC 673) (2001),[~~and~~] 45 CFR 1356.40,(2000) and 45 CFR 1356.41 (2000) are incorporated by reference.

(4) This rule is authorized by Section 62A-4a-102.

**R512-43-3. General Requirements for Adoption Assistance.**

(1) Qualification for adoption assistance is based upon the child meeting qualifying factors, not the adoptive family.

(2) A child qualifies for adoption assistance if all of the following are met:

(a) The state has determined that the child cannot or should not be returned home.

(b) The state can document that reasonable efforts were made to place the child for adoption without providing adoption assistance. An exception applies if the child has significant emotional ties with the adoptive family and it is not in the child's best interest to consider a different adoptive placement.

(c) The state determines the child meets the definition of a child with a special need in accordance with Section 62A-4a-901, et seq.

(i) A child under age five in public foster care meets the special need definition of "a child with a physical, emotional or mental disability" when the child is at risk to develop such a condition due to specific factors identified in the child's or birth parents' health and social histories.

(3) In determining eligibility for adoption assistance, there is no income eligibility requirement or means test for the adoptive parents.

(4) A child must be a U.S. citizen or qualified alien to receive adoption assistance.

(5) An application for adoption assistance is submitted to the regional adoption subsidy committee on a form provided by [~~the Division of~~ ]Child and Family Services.

(6) Application for adoption assistance, approval, and completion of the adoption assistance agreement, including signatures of an adoptive parent and a representative from [~~the Division of~~ ]Child and Family Services, are to be completed prior to finalization of the adoption.

(7) Adoptive parents may request adoption assistance after an adoption is finalized by requesting a fair hearing through the Office of Administrative Hearings. Adoption assistance may only be granted after finalization when the conditions stated in R512-43-11-2(a) are met.

(8) Adoption assistance usually begins after finalization of an adoption. However, adoption assistance may be initiated at the time of placement if the child is legally free for adoption, the adoptive home is approved, adoption proceedings are initiated, an adoption assistance agreement is fully executed prior to placement, and foster care maintenance payments are not being provided for the child.

(9) An adoption assistance agreement shall be approved and have all required signatures before any payments may be made to an adoptive family or before state medical assistance may be initiated.

(10) A qualified child shall continue to be eligible to receive adoption assistance until a child reaches age 18 unless causes for termination apply as stated in R512-43-10[~~1~~]. Assistance may be extended until a child reaches age 21 when the regional adoption subsidy committee has determined that the child has a mental or physical disability that warrants continuing assistance.

(a) An extension of adoption assistance beyond age 18 is warranted if the child meets the criteria for services in the Department of Human Services, Division of Services for People with Disabilities.

(11) [~~The Division of~~ ]Child and Family Services is responsible for notifying a prospective adoptive family of the availability of adoption assistance when the family begins an adoptive placement of a qualified child in public foster care.

(12) The adoptive parents are responsible to notify [~~the Division of~~ ]Child and Family Services of any circumstances that may affect the child's eligibility for adoption assistance or eligibility for adoption assistance in a different amount.

**R512-43-5. Monthly Subsidy.**

(1) Qualifying for a Monthly Subsidy.

A child qualifies for a monthly subsidy when the following requirements are met:

(a) The child meets all of the qualifying factors for adoption assistance listed in R512-43-3(2), and

(b) The child meets the definition of child in public foster care, qualifies for SSI, or [~~meets the definition of a~~]the child had [~~with~~ ]a previous IV-E agreement or Utah state adoption assistance agreement.

[~~(i)~~](c) The child's eligibility for SSI benefits is established no later than the time adoption proceedings are initiated.

(2) Guiding Principles for Monthly Subsidies.

(a) The amount of monthly subsidy to be paid for a child is based on the child's present and long-term treatment and care needs and available resources, including the family's ability to meet the needs of the child. A combination of the parents' resources and subsidy should cover the ordinary and special needs expenses of the child projected over an extended period of time.

(b) The amount of the monthly subsidy may not exceed the payment that would be made if the child was placed in a foster family home at the point in time when the agreement is being initiated or revised.

(c) The amount of monthly subsidy may increase or decrease when the child's level of need or the family's ability to meet those needs changes. The family or the caseworker may initiate a change in the amount of subsidy at any time when needs or resources change.

(d) For a child in public foster care, the requested amount of monthly subsidy is negotiated between the adoptive parent and caseworker. The Adoptive Parent Statement of Disclosure items must be reviewed in depth by the caseworker and adoptive parent prior to subsidy negotiation.

(e) The amount of the monthly subsidy is subject to the approval of the regional adoption subsidy committee. If the requested amount is not granted, the adoptive parent has a right to appeal as stated in R512-43-11.

(3) Process for Determining Monthly Subsidy Amount.

(a) Utilizing the level of need criteria specified in R512-43-5(4), the caseworker and adoptive family identify the child's level of need.

(b) The caseworker and adoptive family identify the applicable monthly subsidy payment range, according to the child's specified level of need, as specified in R512-43-5(5).

(c) The caseworker and adoptive family negotiate the amount of monthly subsidy to be requested from the regional adoption subsidy committee. The requested monthly subsidy amount may not exceed the maximum amount for the specific level of need identified for the child nor the maximum amount that the child would receive if placed in a foster family home.

(d) The identified need level for the child and requested amount of monthly subsidy is presented to the regional adoption subsidy committee for approval. If the requested amount is not approved or is reduced by the committee, [~~the Division of~~ ]Child and Family Services must send a written notice to the adoptive parents within 30 days informing them of the process to request a fair hearing.

(4) Determining Child's Level of Need.

(a) The level of need is determined by considering the child's age, history, physical, mental, emotional, and social functioning and needs, and any other relevant factors. Frequency of occurrence, duration, severity, and number of needs or problem areas are also considered.

(b) The presence of a particular issue listed within a designated level does not mandate that the child be categorized at that level. The child's needs, taken as a whole, determine the level selected for the child.

(c) Level of need is classified into three categories.

(i) Level One applies to a child with a minimal number and severity of needs. It is expected that most of these issues will improve with time, and significant improvement may be anticipated over the course of the adoption. For children ages five and under issues may include, but are not limited to: feeding problems, aggressive or self destructive behavior, victimization from sexual abuse, victimization from physical abuse; or no more than one developmental delay in fine motor, gross motor, cognitive or social/emotional domains. For children ages 6-18, issues may include but are not limited to: social conflict, physical aggression, minor sexual reactivity, need for education resource classes or tutoring, some minor medical problems requiring ongoing monitoring, or mental health issues requiring time limited counseling.

(ii) Level Two applies to a child with a moderate number and severity of needs. It is expected that a number of these issues are long-term in nature and the adoptive family and child will be working with them over the course of the adoption, and some may intensify or worsen if not managed carefully. Outside provider support will

probably continue to be needed during the course of the adoption. For children ages five and under, issues may include, but are not limited to: developmental delays in two or more areas of fine motor, gross motor, cognitive or social/emotional domains; diagnosis of failure to thrive; moderate genetic disease or physical handicapping condition; or physical aggression expressed several times a week, including superficial injury to self or others. For children ages 6-18, issues may include, but are not limited to: daily social conflict or serious withdrawn behavior; moderate risk of harm to self or others due to physically aggressive behavior; emotional or psychological issues with a DSM-IV diagnosis requiring ongoing counseling sessions over an extended period of time; moderate sexual reactivity or perpetration; chronic patterns of being destructive to items or property; cruelty to animals; mild mental retardation or autism, with ongoing need for special education services; and physical disabilities requiring ongoing attendant care or other caretaker support.

(iii) Level Three applies to a child with a significant number or high severity of needs. It is expected that these issues will not moderate and may become more severe over time. The child's level of need may at some time require personal attendant care or specialized care outside of the home, when prescribed by a professional. For children ages five and under issues may include, but are not limited to: severe life threatening medical issues; moderate or severe retardation or autism; serious developmental delays in three or more areas of fine or gross motor, cognitive or social/emotional domains; anticipated need for ongoing support for activities of daily living, such as feeding, dressing and self care; or high levels of threat for harm to self or others due to aggressive behaviors. For children ages 6-18 issues may include, but are not limited to: moderate or severe retardation or autism; life threatening medical issues; severe physical disabilities not expected to improve over time; predatory sexual perpetration; high risk of serious injury to self or others due to aggressive behavior; serious attempts or threats of suicide; severely inhibiting DSM-IV diagnosed mental health disorders diagnosed within the past year that limit normal social and emotional development, such as an Axis 5 GAF score under 50; or need for ongoing self contained or special education services.

(d) The regional adoption subsidy committee must approve the level of need identified for the child.

(5) Identifying Amount for Monthly Subsidy Based Upon the Child's Level of Need.

(a) Each level of need corresponds to a dollar range in the amount of monthly subsidy that may be paid for a child, with the specific amount based upon the individual child's needs and the family's ability to meet those needs.

(b) The monthly subsidy amount for an individual child may not exceed the maximum amount for the payment range applicable to the child's level of need. A family may choose to defer receipt of a monthly subsidy for which a child qualifies, with the option to initiate a monthly subsidy at a later date, or to receive a lesser amount than would be allowable for the level of need at a given point in time.

(c) Monthly subsidy payments for a child's needs categorized as Level One range from zero to 40 percent of the maximum maintenance payment that may be paid for a child in a foster family home.

(d) Monthly subsidy payments for a child's needs categorized as Level Two range from [~~40~~]41 to 70 percent of the maximum maintenance payment that may be paid for a child in a foster family home.

(e) Monthly subsidy payments for a child's needs categorized as Level Three range from [~~70~~]71 to 100 percent of the maximum maintenance payment that may be paid for a child in a foster family home.

(f) For extraordinary, infrequent, or uncommon documented needs that cannot be covered by a monthly subsidy or state medical assistance, refer to supplemental adoption assistance in R512-43-7.

(6) Funding Sources and Eligibility for Monthly Subsidy.

(a) The two funding sources for the monthly subsidy are Title IV-E Adoption Assistance and state adoption assistance funds. The child's eligibility determines which funding source is used for payment.

(b) Title IV-E Adoption Assistance shall be considered first for the monthly subsidy. To receive Title IV-E Adoption Assistance, a child with special needs shall meet at least one of the following Federal requirements:

(i) A child is determined eligible for SSI by the Social Security Administration prior to the initiation of adoption proceedings.

(ii) The removal home for the child in public foster care received, or would have been eligible to receive, AFDC prior to removal, and the child was removed from the home as a result of a judicial determination that remaining in the home would be contrary to the child's welfare.[~~In addition, the child meets AFDC requirements in the month adoption proceedings are initiated.~~]

(iii) The child was voluntarily placed for foster care with the state and:

(A) Was or would have been AFDC eligible at the time of removal if application had been made,

(B) The child lived with a specified relative within the six months prior to the voluntary placement, and

(C) Title IV-E foster care maintenance payments were made on behalf of the child.[~~, and~~

~~(D) The child continues to meet AFDC requirements in the month adoption proceedings are initiated.~~]

(iv) The child's needs were met through foster care maintenance payments made to and for the child's minor parents as provided by Subsection 475(4)(B) of the Social Security Act.

(v) The child had a[~~meets the definition of a child with a~~] previous IV-E adoption assistance agreement.[~~agreement.~~]

(c) State adoption assistance funds may be used for the monthly subsidy if the qualified child is not eligible for Title IV-E Adoption Assistance.

(7) Use of the monthly subsidy.

The monthly subsidy may be used according to the parents' discretion. Some examples of the uses of the monthly subsidy payment are medical, dental, or mental health services not paid for by the state medical assistance or family insurance, special equipment for physically or mentally challenged children, respite, day care, therapeutic equipment, minor renovation of the home to meet special needs of the child, damage and repairs, speech therapy, tutoring, specialized preschool based on needs of the child, private school, exceptional basic needs such as special food, clothing, and/or shelter, visitations with biological relatives, cultural and heritage activities and information.

**R512-43-6. State Medical Assistance.**

(1) A child qualifies for state medical assistance as a component of adoption assistance when all of the following requirements are met:

(a) The child meets all of the qualifying factors for adoption assistance listed in R512-43-3(2), and

(b) The child meets the definition of child in public foster care, qualifies for SSI, or the child had a previous IV-E adoption assistance agreement or Utah state adoption assistance agreement.[~~meets the definition of a child with a previous IV-E agreement.~~]

(i) The child's eligibility for SSI benefits is established no later than the time adoption proceedings are initiated.

(c) The child meets state medical assistance citizenship requirements.

(2) A qualified child may receive state medical assistance through an adoption assistance agreement without also receiving a monthly subsidy payment.

(3) The adoptive family must meet all Medicaid requirements, including application, citizenship verification, and annual review requirements in order for Medicaid to be initiated and continue throughout the period of the adoption assistance agreement.

**R512-43-7. Supplemental Adoption Assistance.**

(1) A child meeting all qualifying criteria for a monthly subsidy and for whom an adoption assistance agreement for a monthly subsidy or state medical assistance is in effect may qualify for supplemental adoption assistance.

(2) Supplemental adoption assistance may only be used for extraordinary, infrequent, or uncommon documented needs not otherwise covered by a monthly subsidy, state medical assistance, or other public benefits for which a child who has a special need is eligible.

(3) Supplemental adoption assistance is not an entitlement, and will be granted only when justified by unique needs of the child and when all other resources for which a child is eligible have been exhausted.

(4) Supplemental adoption assistance requests up to $3,000 will be considered and are subject to the approval of the regional adoption subsidy committee.

(5) Supplemental adoption assistance requests from $3,001 to $10,000 shall be considered by the appropriate regional advisory committee established under Subsection 62A-4a-905(2).

(6) Supplemental adoption assistance requests exceeding $10,001 shall be considered by a state level advisory committee with the same membership composition as the regional advisory committees.

(7) Recommendations from the advisory committee are subject to the approval of the [~~r~~]Region[~~al~~] [~~d~~]Director or designee.

(8) Any obligation made or expense incurred by a family prior to approval shall not be reimbursed with supplemental adoption assistance funds unless approval is granted by the [~~r~~]Region[~~al~~] [~~d~~]Director.

(9) A request for an amendment or extension of an existing supplemental adoption assistance agreement will be reviewed by the same committee that reviewed the initial request. If the total amount of multiple requests in a year is $3,000 to $10,000, the request shall be submitted to the appropriate regional advisory committee. If the request exceeds $10,000, the request shall be submitted to the state level advisory committee.

(10) Supplemental adoption assistance is subject to the availability of state funds appropriated for adoption assistance.

**R512-43-9. [~~Renewal and Review of~~ ]Adoption Assistance Review.**

(1) The adoption assistance agreement for a monthly subsidy or state medical assistance shall [~~be renewed at least once every three years and reviewed periodically by regional staff~~]continue until the month of the adopted child's 18th birthday.

(2) An agreement for supplemental adoption assistance exceeding $3,000 shall be reviewed according to a time frame determined on a case by case basis by the appropriate regional advisory committee.

**R512-43-10. Termination of Adoption Assistance.**

(1) An adoption assistance agreement for a monthly subsidy or state medical assistance shall be terminated if any of the following occur:

(a) The terms of the adoption assistance agreement are concluded.

(b) The adoptive parents request termination.

(c) The child reaches age 18, unless approval has been given by the adoption subsidy committee to continue until age 21 due to mental or physical disability.

(d) The child dies.

(e) The adoptive parents die.

(f) The adoptive parents' legal responsibility for the child ceases.

(g) The state determines that the child is no longer receiving financial support from the adoptive parents.

(h) The child enters the military.

(i) The child marries.

[~~(j) The adoptive parents fail to respond to a renewal request.~~ ](2) Termination of state medical assistance is subject to the policies of the Division of Health Care Financing.

(3) Supplemental adoption assistance shall terminate when an adoption assistance agreement for a monthly subsidy or state medical assistance is terminated, the terms of the agreement are concluded, the authorizing committee determines that the services funded with supplemental funds are no longer effective or appropriate based upon an independent review by a qualified provider, or if lack of availability of state funding prevents continuation. Written notice as described in R512-43-10(4) shall be provided at least 30 days before funding is discontinued due to lack of availability of state funding appropriated for adoption assistance or due to determination that services are no longer effective or appropriate.

(4) Adoption assistance shall not be terminated for an adoptive parent's failure to respond to a renewal request for the agreement unless [~~the Division of~~ ]Child and Family Services has given the adoptive parents adequate notice of the potential termination. Adequate notice means that a letter shall be sent to the adoptive parents notifying them of the need to renew the adoption assistance agreement, specifying a date by which the adoptive parents shall respond. If the adoptive parents do not respond to the original request, [~~the Division of~~ ]Child and Family Services shall send a certified letter to the family explaining the importance of renewing the adoption assistance agreement and the potential consequences of failing to renew the agreement. If the certified letter is returned unclaimed, additional efforts shall be pursued to locate the family such as a phone call or home visit before the assistance may be terminated. If the certified letter is returned undeliverable, the adoption assistance may be terminated.

**R512-43-11. Fair Hearings.**

(1) Fair Hearing Request.

A written request for a fair hearing may be submitted within 10 working days after receiving a Department of Human Services/[~~Division of~~ ]Child and Family Services decision to the Department of Human Services if:

(a) The adoption assistance application is denied;

(b) The adoption assistance application is not acted upon with reasonable promptness;

(c) Adoption assistance or supplemental adoption assistance is reduced, terminated, or changed without the concurrence of the adoptive parents;

(d) The amount of adoption assistance or supplemental adoption assistance approved was less than the amount requested by adoptive parents;

(e) Adoption assistance was not requested prior to finalization of the adoption and one of the criteria in R512-43-11(2)(a) applies.

(2) Post Finalization Request Fair Hearing.

(a) The fair hearig officer may approve appropriate state or federal adoption assistance for post finalization requests if one of the following is met:

(i) Relevant facts regarding the child, the biological family, or child's background were known but not presented to adoptive parents prior to finalization.

(ii) A denial of assistance was based upon a means test of the adoptive family.

(iii) An erroneous state determination was utilized to find a child ineligible for assistance.

(iv) The state or adoption agency failed to advise adoptive parents of the availability of assistance.

(b) The adoptive parents bear the burden of documenting that the child meets the definition of a child with a special need and that one of the criteria in R512-43-11(2)(a) applies. The state may provide corroborating facts to the family or the fair hearing officer.

**R512-43-12. Interstate Adoption Assistance.**

(1) [~~The Division of~~ ]Child and Family Services is responsible to determine if a child in Utah public foster care qualifies for adoption assistance when the child is placed in an adoptive home in another state. If the child qualifies, [~~the Division of~~ ]Child and Family Services provides adoption assistance regardless of the state of residence of the adoptive family and child.

(2) If a child with a previous IV-E adoption assistance agreement enters public foster care because the adoption was dissolved or ended due to the result of the death of the parents, the state in which the child is taken into custody in public foster care is responsible to provide adoption assistance in a subsequent adoption.

(3) If a child with a previous IV-E adoption assistance agreement does not enter public foster care when the adoption dissolved or ended due to the death of both parents, the new adoptive parent is responsible to apply for adoption assistance in the new adoptive parent's state of residence.

(4) A parent desiring to adopt an out-of-state child who is not in public foster care but is receiving SSI shall apply for adoption assistance in the parent's state of residence.

(5) An adoption assistance agreement remains in effect regardless of the state of residence of the adoptive parents as long as the child continues to qualify for adoption assistance.

(6) If a needed service specified in the agreement is not funded by the new state of residence, the state making the original adoption assistance payment remains financially responsible for paying for the specific service.

**KEY: adoption, child welfare, foster care**
**Date of Enactment or Last Substantive Amendment: [~~November 21, 2007~~]2008**
**Notice of Continuation: January 3, 2007**
**Authorizing, and Implemented or Interpreted Law: 62A-4a-102; 62A-4a-106; 62A-4a-901 through 62-4a-907**

♦ ♦

## Public Safety, Driver License
# R708-41-3
## Definitions

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31738
FILED: 07/18/2008, 15:57

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule change is to allow applicants for a Utah Driver License and/or Utah State Identification card who are homeless or in transition to use their "Sponsoring Agency's" business address as their Utah residence address.

SUMMARY OF THE RULE OR CHANGE: This rule will allow applicants who are homeless or in transition to use their "Sponsoring Agency's" business address as their Utah residence address. Proof of Utah residence address is required by Utah law.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 53-3-205(9)(a) and (b), 53-3-804(1), 53-3-102(24)(a), and 53-3-104(1)(b)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: There is no cost to the state budget because any monies collected for driver license or identification card fees are deposited in the "Department of Public Safety Restricted Account". The monies from this account are appropriated to the department to carry out the provisions of Title 53, Chapter 3.

❖ LOCAL GOVERNMENTS: There is no cost to local government because they are not involved with issuing Utah driver license or identification cards.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: There is no cost to small businesses because they are not involved with issuing Utah driver license or identification cards.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no additional compliance costs for individuals using a "Sponsoring Agency's" address instead of their own residence address. The fees for a Utah Driver License and a Utah State Identification card are set forth under Sections 53-3-105 and 53-3-808.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no fiscal impact on businesses because of this rule amendment. Scott Duncan, Commissioner

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

PUBLIC SAFETY
DRIVER LICENSE
CALVIN L RAMPTON COMPLEX
4501 S 2700 W 3RD FL
SALT LAKE CITY UT 84119-5595, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jill Laws at the above address, by phone at 801-964-4469, by FAX at 801-964-4482, or by Internet E-mail at jlaws@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Nannette Rolfe, Director

---

**R708. Public Safety, Driver License.**
**R708-41. Requirements for Acceptable Documentation.**
**R708-41-3. Definitions.**

(1) "Utah Residence address" means the place where an individual has a fixed permanent home and principal establishment in Utah and in which the individual voluntarily resides, that is not for a special or temporary purpose. Under unique situations that require an individual to be under temporary care, custody or treatment of a government, public or private business the Division may authorize the sponsoring agency to sign an affidavit verifying the residence of the applicant. Upon approval from the Division Director or designee, the Division will recognize the sponsoring agency's address as the Utah residence address for the individual.

(2) "Legal Presence" means that an individual's presence in the United States does not violate state or federal law.

**KEY: acceptable documentation**
**Date of Enactment or Last Substantive Amendment: [~~June 1, 2005~~]2008**
**Authorizing, and Implemented or Interpreted Law: 53-3-104**

♦ ♦

# Public Safety, Fire Marshal
# R710-9
## Rules Pursuant to the Utah Fire Prevention Law

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31787
FILED: 07/31/2008, 20:34

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: On 07/08/2008, the Utah Fire Prevention Board met in a regularly scheduled Board meeting and voted by unanimous vote to add an additional member to the Fire Advisory and Code Analysis Committee and make some statutory citation changes in Rule R710-9.

SUMMARY OF THE RULE OR CHANGE: The Board proposes to make the following rule changes: 1) in Subsection R710-9-7(7.2.7), the Board proposes to add an additional member to the Fire Advisory and Code Analysis Committee representing Forestry, Fire and State Lands; and 2) in Section R710-9-12, the Board proposes to change the code citations as a response to H.B. 63 in the 2008 Legislative Session to match the recodification of Title 63. (DAR NOTE: H.B. 63 (2008) is found at Chapter 382, Laws of Utah 2008, and was effective 05/05/2008.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53-7-204

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: There could be a very small aggregate fiscal impact noted to the Division of Forestry, Fire and State Lands with the addition of the new committee member to attend the committee meetings of the Fire Advisory and Code Analysis Committee. It would be approximately $500 per year for this addition.
❖ LOCAL GOVERNMENTS: There is no aggregate anticipated cost or savings to local government because these changes are for the addition of a state committee and changes to code citations. This has no effect on local governments in the State of Utah.
❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: There is no aggregate anticipated cost or savings to small businesses because this proposed change adds a committee member and makes code citation corrections and does not affect small businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There could be a small compliance cost of approximately $500 to the Division of Forestry, Fire and State Lands to have their new member of the Fire Advisory and Code Analysis Committee attend the committee meetings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact to businesses with the proposed changes in this rule. These proposed rule changes do not affect business in any way. Scott T. Duncan, Commissioner

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
PUBLIC SAFETY
FIRE MARSHAL
Room 302
5272 S COLLEGE DR
MURRAY UT 84123-2611, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Brent Halladay at the above address, by phone at 801-284-6352, by FAX at 801-284-6351, or by Internet E-mail at bhallada@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Ron L. Morris, Utah State Fire Marshal

---

**R710. Public Safety, Fire Marshal.**
**R710-9. Rules Pursuant to the Utah Fire Prevention Law.**
**R710-9-7. Fire Advisory and Code Analysis Committee.**

7.1 There is created by the Board a Fire Advisory and Code Analysis Committee whose duties are to provide direction to the Board in the matters of fire prevention and building codes.

7.2 The committee shall serve in an advisory position to the Board, members shall be appointed by the Board, shall serve for a term of three years, and shall consist of the following members:

7.2.1 A representative from the State Fire Marshal's Office.

7.2.2 The Code Committee Chairman of the Fire Marshal's Association of Utah.

7.2.3 A fire marshal or fire inspector from a local fire department or fire district.

7.2.4 A representative from the Department of Health.

7.2.5 The Chief Elevator Inspector from the Utah Labor Commission.

7.2.6 A representative from the Department of Human Services.

7.2.7 A representative from Forestry, Fire and State Lands.

7.3 This committee shall join together with the Uniform Building Code Commission Fire Protection Advisory Committee to form the Unified Code Analysis Council.

7.4 The Council shall meet as directed by the Board or as directed by the Building Codes Commission or as needed to review fire prevention and building code issues that require definitive and specific analysis.

7.5 The Council shall select one of it's members to act in the position of chair and another to act as vice chair. The chair and vice chair shall serve for one year terms on a calendar year basis. Elections for chair and vice chair shall occur at the meeting conducted in the last quarter of the calendar year.

7.6 The chair or vice chair of the council shall report to the Board or Building Codes Commission recommendations of the Council with regard to the review of fire and building codes.

**R710-9-12. Adjudicative Proceedings.**

12.1 All adjudicative proceedings performed by the agency shall proceed informally as set forth herein and as authorized by UCA, Sections [~~63-46b-4~~] 63G-4-202 and [~~63-46b-5~~]63G-4-203.

12.2 If a city, county, or fire protection district refuses to establish a method of appeal regarding a portion of the IFC, the appealing party may petition the Board to act as the board of appeals.

12.3 A person may request a hearing on a decision made by the SFM, his authorized deputies, or the LFA, by filing an appeal to the Board within 20 days after receiving final decision.

12.4 All adjudicative proceedings, other than criminal prosecution, taken by the SFM, his authorized deputies, or the LFA, to enforce the Utah Fire Prevention and Safety Act and these rules, shall commence in accordance with UCA, Section [~~63-46b-3~~]63G-4-201.

12.5 The Board shall act as the hearing authority, and shall convene as an appeals board after timely notice to all parties involved.

12.6 The Board shall direct the SFM to issue a signed order to the parties involved giving the decision of the Board within a reasonable time of the hearing pursuant to UCA, Section [~~63-46b-5(i)~~]63G-4-203.

12.7 Reconsideration of the Board's decision may be requested in writing within 20 days of the date of the decision pursuant to UCA, Section [~~63-46b-13~~]63G-4-302.

12.8 Judicial review of all final Board actions resulting from informal adjudicative proceedings is available pursuant to UCA, Section [~~63-46b-15~~]63G-4-402.

**KEY: fire prevention, law**
**Date of Enactment or Last Substantive Amendment: [~~March 10, 2008~~]September 22, 2008**
**Notice of Continuation: June 8, 2007**
**Authorizing, and Implemented or Interpreted Law: 53-7-204**

♦ ♦

# Public Safety, Highway Patrol
# R714-500
## Chemical Analysis Standards and Training

### NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 31754
FILED: 07/28/2008, 08:13

### RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule change is to update some of the information. Add in a definition portion and reorganize the rule to be easier to understand and separate the subtitles better. It also changes the time period for recertification from a two-year to three-year certification period.

SUMMARY OF THE RULE OR CHANGE: The rule amendment adds a definition section. It reorganizes the rule and adds in wording to make it more clear. It updates some statutory citations that have been changed during legislative sessions (H.B. 63). It refers to a program procedure that will be available to the public. It changes the certification period from two years to three years. It clears up the training requirements to become a certified technician.In response to H.B. 63 from the 2008 General Session, the agency is required to change the code citations to match the recodification of Title 63. (DAR NOTE: H.B. 63 (2008) is found at Chapter 382, Laws of Utah 2008, and was effective 05/05/2008.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 41-6a-515

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The changes to the rule do not affect the state budget. There will not be any cost savings or expenditures because of this rule amendment.

❖ LOCAL GOVERNMENTS: The changes to the rule may not affect the local government. Because of changing the certification period from two years to three years, that may mean the agencies can save four hours of training every two years. However for the required 40 hours of training required, this may not make a difference in the budgets.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: The amended changes to this rule will not affect small businesses. The changes are not of a fiscal nature.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There would not be cost compliance for affected persons with this amended rule changes.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There would be no negative impact to the Department of Public Safety or other governmental agencies and businesses. There would most likely be some cost savings to other governmental agencies as certification renewal is extended from two years to three years. Any savings to POST would be absorbed by other training programs at POST. Scott Duncan, Commissioner

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

PUBLIC SAFETY
HIGHWAY PATROL
CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY UT 84119-5994, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Winward at the above address, by phone at 801-256-2326, by FAX at 801-256-0600, or by Internet E-mail at swinward@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 10/02/2008

AUTHORIZED BY: Scott T Duncan, Commissioner

---

**R714. Public Safety, Highway Patrol.**
**R714-500. Chemical Analysis Standards and Training.**
**R714-500-[~~2~~]1. Authority.**

A. This rule is authorized by Section 41-6a-515 which requires the commissioner of the Department of Public Safety[~~, hereinafter "department",~~] to establish standards for the administration and interpretation of chemical analysis of a person's breath, including standards of training.

**R714-500-2. Definitions.**

A. Certification Report means document prepared by a technician detailing the results of a certification check.

B. Certification Check means analysis of instrument function and calibration performed by technician.

C. Instrument means breath alcohol concentration testing instruments employed by law enforcement officers for evidentiary purposes and approved by the department.

D. Operator means individual certified by the department to administer breath alcohol concentration tests.

E. Breath Alcohol Concentration Test Results means analytical results of a breath alcohol concentration test provided by an approved instrument. Results are deemed to be an exact representation of breath alcohol concentration at the time of test.

F. Program means all breath alcohol concentration testing techniques, methods, and programs.

G. Program Supervisor means authorized representative of the Commissioner of Public Safety for the breath alcohol concentration testing program and supervisor of said program.

H. Technician means individual certified by the department to operate, provide training on, and perform maintenance, repairs, and certification checks on breath alcohol concentration testing instruments.

I. Breath Test means test administered by an operator or technician on an instrument for the purpose of determining breath alcohol concentration.

**R714-500-[~~1~~]3. Purpose.**

A. It is the purpose of this rule to set forth:

(1) Procedures whereby the department may certify:

(a) [~~Breath~~]breath alcohol concentration testing [~~instruments~~]programs;

(b) [~~Breath~~]breath alcohol concentration testing [~~programs~~]instruments;

(c) Breath alcohol concentration analytical results.

([~~c~~]d) [~~Breath~~]breath alcohol concentration testing operators;

([~~d~~]e) [~~Breath~~]breath alcohol concentration testing technicians; and

([~~e~~]f) [~~Breath~~]breath alcohol concentration testing program supervisors.

(2) Adjudicative procedure concerning:

(a) [~~Application~~]application for and denial, suspension or revocation of the aforementioned certifications; and

(b) [~~Appeal~~]appeal of initial department action concerning the aforementioned certifications.

**R714-500-[~~3~~]4. Application for Certification.**

A. Application for [~~any~~ ]certification [~~herein~~ ]shall be [~~made~~ ]on forms provided by the department in accordance with Subsection [~~63-46b-3(3)(c)~~]63G-4-201(3)(c).

**R714-500-5. Program Certification.**

A. All programs must be certified by the department.

B. Prior to initiating a program, an agency or laboratory shall submit application to the department for certification. The application shall show the brand or model, or both, of the instrument to be used and contain a resume of the program followed. The department shall inspect to determine compliance with all applicable provisions under R714-500.

C. Certification of a program may be denied, suspended, or revoked by the department if, based on information obtained by the department, program supervisor, or technician, the agency or laboratory fails to meet the criteria as outlined by the department.

**R714-500-6. Instrument Certification.**

A. Criteria: To be approved, each manufacturer's brand or model of instrument shall meet the following criteria:

1. The instrument shall provide accurate and consistent analysis of breath specimen for the determination of breath alcohol concentration for law enforcement purposes;

2. Breath alcohol concentration analysis of an instrument shall be based on the principle of infra-red energy absorption or any other similarly effective procedure as specified by the Department;

3. Breath specimen analyzed shall be essentially alveolar or end expiratory in composition according to the analysis method utilized;

4. Measurement of breath alcohol concentration shall be reported in grams of alcohol per 210 liters of breath;

5. The instrument shall analyze a reference sample during certification checks, following procedures outlined in R714-500-6-D;

6. Other criteria, deemed necessary by the Department, may be required to correctly and adequately evaluate the instrument as practical and reliable for law enforcement purposes.

B. Acceptance: The Department shall approve all breath alcohol concentration testing instruments employed for law enforcement evidentiary purposes.

1. The Department shall maintain an approved list of accepted instruments. Law enforcement entities shall select instruments from this list, which list shall be available for public inspection upon request from the Department, Utah Highway Patrol Training Section, 410 West 9800 South, Sandy, UT 84070.

2. A manufacturer may apply for approval of an instrument by brand or model not on the list. The Department shall subsequently examine each instrument to determine if it meets criteria specified by R714-500 and applicable purchase requisitions.

3. Upon compliance with R714-500, an instrument may be approved by brand or model and placed on the list of accepted instruments.

4. Certification Reports verifying the certification of all instruments shall be kept on file by the program supervisor and made available upon request through the Department, Utah Highway Patrol Training Section, 410 West 9800 South, Sandy, UT 84070.

A. Initial Instrument Certification: All breath alcohol concentration testing instruments used for law enforcement evidentiary purposes shall be certified prior to being placed into service at a specific location.

1. The program supervisor shall determine that each individual instrument, by serial number, conforms to the brand or model that appears on the commissioner's accepted list.

2. Prior to an instrument being placed into service at a specific location, a technician shall perform a certification check, following the standardized operating procedure and requirements outlined in R714-500-6-D.

3. Upon successful completion of these requirements, the instrument shall be deemed to be operating correctly and may be placed into service.

A. Regular Instrument Certification Checks

1. Once an instrument has been placed into service at a specific location, it shall be certified by a technician on a routine basis, not to exceed 40 days between certification checks.

2. The program supervisor shall establish a standardized operating procedure for performing certification checks, following requirements set forth in R714-500 or by using such procedures as recommended by the manufacturer of the instrument to meet its performance specifications, as derived from:

a. electrical power check;

b. operating temperature check;

c. internal purge check;

d. invalid test procedures check;

e. diagnostic measurements check;

f. internal calibration check;

g. known reference sample check; and

h. measurements of breath alcohol concentration, displayed in grams of alcohol per 210 liters of breath.

A copy of these standard operating procedures may be made available upon request through the Department, Utah Highway Patrol Training Section, 410 West 9800 South, Sandy, UT 84070.

1. For known reference sample checks set forth in R714-500-6-D-2-g, the instrument shall analyze a reference sample, such as headspace gas from a mixture of water and a known weight or volume of ethanol held at a constant temperature or a compressed inert gas and alcohol mixture from a pressurized cylinder.

a. The result of the analysis shall agree with the reference sample's predicted value, within parameters of calibration set at plus or minus 5% or 0.005, whichever is greater, or such limits as set by the Department.

i. For example, if a known reference sample has a value of 0.100, the parameters of calibration set at plus or minus 5% would equal 0.005 (0.100 x 5 % = 0.005). Acceptable parameters of calibration using a known 0.100 reference sample would therefore range from 0.095 to 0.105.

b. Analytical results of the known reference sample check shall be reported to three decimal places.

1. Other checks, deemed necessary by the Department or program supervisor, may be required to correctly and adequately evaluate the instrument.

2. Technicians shall follow the standardized operating procedure as set forth by the program supervisor when performing certification checks.

3. If an instrument successfully passes all the certification checks, it shall be deemed to be operating properly.

4. A report of the certification results with the serial number of the certified instrument shall be recorded on the approved Certification Report form by the technician, sent to the program supervisor, and placed in the file for certified instruments.

5. Results of certification checks shall be kept in a permanent record retained by the technician or program supervisor.

A. Instrument Repair and Recertification

1. The Department may at any time determine if a specific instrument is unreliable or unserviceable. Upon such a finding, the instrument shall be removed from service and certification withdrawn.

2. A report of the certification results showing the certification has been withdrawn shall be recorded on the approved Certification Report form by the technician, sent to the program supervisor, and placed in the file for certified instruments.

3. Upon proper repair, the instrument may be recertified and again placed into service at a specific location.

a. Minimum requirements for recertification are identical to those outlined in R714-500-6-D, sub-sections 2, 3, and 4.

4. A report of the certification results with the serial number of the recertified instrument shall be recorded on the approved Certification Report form by the technician, sent to the program supervisor, and placed in the file for certified instruments.

**[R714-500-4. Instrument Certification.**

~~A. Acceptance: All breath alcohol testing instruments employed by Utah law enforcement officers, to be used for evidentiary purposes, shall be approved by the department.~~

~~(1) The department shall maintain an approved list of accepted instruments for use in the state. Law enforcement entities shall select breath alcohol instruments from this accepted list, which list shall be available for public inspection at the department during normal working hours.~~

~~(2) A manufacturer may make application for approval of an instrument by brand and/or model not on the list. The department shall subsequently examine and evaluate each instrument to determine if it meets criteria specified by this rule and applicable purchase requisitions.~~

~~B. Criteria: In order to be approved, each manufacturer's brand and/or model of breath testing instrument shall meet the following criteria.~~

~~(1) Breath alcohol analysis of an instrument shall be based on the principle of infra-red energy absorption, or any other similarly effective procedure specified by the department.~~

~~(2) Breath specimen collected for analysis shall be essentially alveolar and/or end expiratory in composition according to the analysis method utilized.~~

~~(3) The instrument shall analyze a reference sample, such as headspace gas from a mixture of water and a known weight or volume of ethanol, held at a constant temperature, or a compressed inert gas and alcohol mixture in a pressurized cylinder. The result of the analysis must agree with the reference sample's predicted value, within plus or minus 5%, or .005, whichever is greater, or such limits as set by the department. For example, if a known reference sample is .10, a plus or minus range of 5%=.005 (.10 x 5 %= .005). The test result, using a known .10 solution or compressed inert gas and alcohol solution, could range from .095-.105.~~

~~(4) The instrument shall provide an accurate and consistent analysis of breath specimen for the determination of alcohol concentration for law enforcement purposes. The instrument shall function within the manufacturer's specifications of:~~

~~(a) electrical power,~~

~~(b) operating temperature,~~

~~(c) internal purge,~~

~~(d) internal calibration,~~

~~(e) diagnostic measurements,~~

~~(f) invalid test procedures,~~

~~(g) known reference sample testing,~~

~~(h) measurements of breath alcohol, as displayed in grams of alcohol per 210 liters of breath.~~

~~(5) Any other tests, deemed necessary by the department, may be required in order to correctly and adequately evaluate the instrument, to give the most accurate and correct results in routine breath alcohol testing and be practical and reliable for law enforcement purposes.~~

~~C. List: Upon proof of compliance with this rule, an instrument may be approved by brand and/or model and placed on the list of accepted instruments. By inclusion on the department's list of accepted instruments, it will be deemed to have met the criteria listed above.~~

~~D. Certification: All breath alcohol instruments purchased for law enforcement evidentiary purposes, shall be certified before being placed into service.~~

~~(1) The breath alcohol testing program supervisor, hereinafter, "program supervisor", shall determine if each individual instrument, by serial number, conforms to the brand and/or model that appears on the commissioner's accepted list.~~

~~(2) Once an individual instrument has been purchased, found to be operating correctly and placed into service, the Certificate of Calibration with the serial number of that instrument, shall be placed in a file for certified instruments. Certificates of Calibration verifying the certification of any breath testing instrument shall be available during normal business hours through the Department of Public Safety, more specifically the Utah Highway Patrol Training Section, 5681 S. 320 West, Murray, UT 84107.~~

~~(3) The department may, at any time, determine if a specific instrument is unreliable and/or unserviceable. Pending such a finding, an instrument may be removed from service and certification may be withdrawn.~~

~~(4) Only certified breath alcohol testing technicians, hereinafter "technicians", as defined by Section 7 of this rule when required, shall be authorized to provide expert testimony concerning the certification and all other aspects of the breath testing instrument under his/her supervision.~~

**~~R714-500-5. Program Certification.~~**

~~A. All breath alcohol testing techniques, methods, and programs, hereinafter "program", must be certified by the department.~~

~~B. Prior to initiating a program, an agency or laboratory shall submit an application to the department for certification. The application shall show the brand and/or model of the instrument to be used and contain a resume of the program to be followed. An on-site inspection shall be made by the department to determine compliance with all applicable provisions in this rule.~~

~~C. Certification of a program may be denied, suspended, or revoked by the department if, based on information obtained by the department, program supervisor, or technician, the agency or laboratory fails to meet the criteria as outlined by the department.~~

~~D. All programs, in order to be certified, shall meet the following criteria:~~

~~(1) The results of tests to determine the concentration of alcohol on a person's breath shall be expressed as equivalent grams of alcohol per 210 liters of breath. The results of such tests shall be entered in a permanent record book for department use.~~

~~(2) Printed checklists, outlining the method of properly performing breath tests shall be available at each location where tests are given. Test record cards used in conjunction with breath testing shall be available at each location where tests are given. Both the checklist and test record card, after completion of a test should be retained by the operator.~~

~~(3) The instruments shall be certified on a routine basis, not to exceed 40 days between calibration tests, by a technician, depending on location of instruments and area of responsibility.~~

~~(4) Certification procedures to certify the breath testing instrument shall be performed by a technician as required in this rule, or by using such procedures as recommended by the manufacturer of the instrument to meet its performance specifications, as derived from:~~

~~(a) electrical power tests,~~

~~(b) operating temperature tests,~~

~~(c) internal purge tests,~~

~~(d) internal calibration tests,~~

~~(e) diagnostic tests,~~

~~(f) invalid function tests,~~

~~(g) known reference samples testing, and~~

~~(h) measurements displayed in grams of alcohol per 210 liters of breath.~~

~~(5) Results of tests for certification shall be kept in a permanent record book retained by the technician. A report of the certification procedure shall be recorded on the approved form Certificate of Calibration and sent to the program supervisor.~~

~~(6) Except as set forth in paragraph 7 in this section, all analytical results on a subject test shall be recorded, using terminology established by state statute and reported to three decimal places. For example, a result of 0.237g/210L shall be reported as 0.237.~~

~~(7) Internal standards on a subject test do not have to be recorded numerically.~~

~~(8) The instrument must be operated by either a certified operator or technician.~~]

**R714-500-7. Breath Alcohol Concentration Test Analytical Results.**

A. The instrument should be operated by either a certified operator or technician.

B. Breath specimen analyzed for breath alcohol concentration shall be essentially alveolar or end expiratory in composition according to the analysis method utilized.

1. The results of tests to determine breath alcohol concentration shall be expressed as equivalent grams of alcohol per 210 liters of breath.

2. Analytical results on a breath alcohol concentration test shall be recorded using terminology established by State statute and reported to three decimal places.

a. For example, a result of 0.237g/210L shall be reported as 0.237.

C. Results of breath alcohol concentration tests will be printed by the instrument.

D. Results are deemed to be an exact representation of breath alcohol concentration at the time of test.

E. The printed results of a breath alcohol concentration test will be retained by the operator or the operator's individual agencies' designated record or evidence custodian.

F. Instrument internal standards on a breath alcohol concentration test do not have to be recorded numerically.

**R714-500-[6]8. Operator Certification.**

A. All breath alcohol testing operators[~~, hereinafter "operators",~~] must be certified by the department.

B. All training for initial and renewal certification will be conducted by a program supervisor [~~and/~~]or technician.

C. Initial Certification

(1) In order to [~~apply for certification~~ ]be certified as a[~~n~~] breath alcohol concentration testing instrument operator[~~ of a breath testing instrument~~], an [~~applicant~~]individual must successfully complete a course of instruction approved by the department, which must consist of eight hours of training, [~~include~~]including as a minimum the following:

a. [~~One hour of instruction on the e~~]Effects of alcohol in the human body[~~.~~];

b. [~~Two hours of instruction on the o~~]Operational principles of breath testing[~~.~~];

c. [~~One hour of instruction on the ~~]D.U.I. Summons and Citation[~~/~~], D.U.I. Report Form, and courtroom testimony[~~.~~];

d. [~~One and one half hours of instruction on the l~~]Legal aspects of chemical testing, [~~driving under the influence~~]DUI[~~,~~] case law, and other alcohol related laws[~~.~~];

e. [~~One and one half hours of l~~]Laboratory participation performing simulated tests on the instruments, including demonstrations under the supervision of a class instructor[~~.~~];

f. [~~One hour for e~~]Examination and critique of course.

(2) After successful completion of the initial certification course a certificate will be issued that will be valid for [~~two~~]three years.

D. Renewal Certification

(1) The operator is required to renew certification prior to its expiration date. The minimum requirement for renewal of operator certification will consist of eight hours of training, including as a minimum the following[~~be~~]:

a. [~~Two hours of instruction on the e~~]Effects of alcohol in the human body[~~.~~];

b. [~~Two hours of instruction on the o~~]Operational principles of breath testing[~~.~~];

c. [~~One hour of instruction on the ~~]D.U.I. Summons and Citation[~~/~~], D.U.I. Report Form, and courtroom testimony[~~ of arresting officer.~~];

d. [~~Two hours of instruction on the l~~]Legal aspects of chemical testing DUI case law, and other alcohol related laws[~~ and detecting the drinking driver.~~];

e. [~~One hour for e~~]Examination and critique of course[~~.~~];

f. Or the operator must successfully complete the [~~Compact Disc Computer~~]web-based computer program including successful completion of exam. Results of exams must be forwarded to program supervisor and a certification certificate will be issued.

(2) After successful completion of the re-certification course a certificate will be issued that will be valid for three years.

[~~(2)~~](3) Any operator who allows their[~~his/her~~] certification to expire one year or longer must retake and successfully complete the initial certification course as outlined in [~~paragraph C~~]R714-500-8[~~ of this section~~].

**R714-500-[7]9. Technician Certification.**

A. All technicians, must be certified by the department.

B. The minimum qualifications for certification as a technician are:

(1) Satisfactory completion of the operator's initial certification course and/or renewal certification course[~~.~~];

(2) Satisfactory completion of the Breath Alcohol Testing Supervisor's course offered by Indiana University[~~,~~] or an equivalent course of instruction, as approved by the program supervisor[~~.~~];

(3) Satisfactory completion of the manufacturer's maintenance[~~/~~] and repair technician course[~~.~~];

(4) Maintainance of technician's status through a minimum of eight hours training each calendar year. This training must be directly related to the breath alcohol testing program[~~,~~] and must be approved by the program supervisor.

C. Any technician who fails to meet the requirements of [~~paragraph B, sub-paragraph (4) of this section ~~]R714-500-9-B and allows their[~~his/her~~] certification to expire for more than one year, must renew their[~~his/her~~] certification by meeting the minimum requirements as outlined in R714-500-9-B [~~paragraph B, sub-paragraphs (1), (2), and (3) of this section.~~]

D. Only certified breath alcohol testing technicians shall be authorized to provide expert testimony concerning the certification and all other aspects of the breath testing instrument under their supervision.

**R714-500-[8]10. Program Supervisor Certification.**

[~~A. ~~]The program supervisor will be required to meet the minimum certification standards set forth in [~~section 7 ~~]R714-500-9[~~ of this rule~~]. Certification should be within one year after initial appointment or other time as stated by the department.

**R714-500-[9]11. Previously Certified Personnel.**

A. This rule shall not be construed as invalidating the certification of personnel previously certified as operators under programs existing prior to the promulgation of this rule. Such personnel shall be deemed certified, provided they meet the training requirements as outlined in [~~section 6, paragraph D of this rule~~]R714-500-8.

B. This rule shall not be construed as invalidating the certification of personnel previously certified as a technician under programs existing prior to the promulgation of this rule. Such personnel shall be deemed certified, provided they meet the training requirements in R714-500-8[~~section 7, paragraph B, sub-paragraph (4) of this rule~~].

**R714-500-[~~10~~]12. Revocation or Suspension of Certification.**

A. The department may, on the recommendation of the program supervisor, revoke or suspend the certification of any operator or technician:

(1) Who fails to comply with or meet any of the criteria required in this rule[~~.~~]; or

(2) Who falsely or deceitfully obtained certification[~~.~~]; or

(3) Who fails to show proficiency in proper operation of the breath testing instrument[~~.~~]; or

(4) For other good cause.

**R714-500-[~~11~~]13. Adjudicative Proceedings.**

A. Purpose of section. It is the purpose of this section to set forth adjudicative proceedings in compliance with Title 63G Chapter[~~-46b~~] 4.

B. Designation. All adjudicative proceedings performed by the department shall proceed informally as set forth herein and as authorized by Sections [~~63-46b-4~~]63G-4-202 and [~~63-46b-5~~]63G-4-203.

C. Denial, suspension or revocation. A party who is denied certification or whose certification is suspended or revoked, will be informed within a period of 30 days by the department the reasons for denial, suspension, or revocation.

D. Appeal of denial, suspension, or revocation. A party who is denied certification or whose certification is suspended or revoked may appeal to the commissioner or designee on a form provided by the department in accordance with Subsection [~~63-46b-3(3)(c)~~]63G-4-201(3)(C). The appeal must be filed within ten days after receiving notice of the department action.

E. No hearing will be granted to the party. The commissioner or designee will merely review the appeal and issue a written decision to the party within ten days after receiving the appeal.

**KEY: alcohol, intoxilyzer, breath testing, operator certification**
**Date of Enactment or Last Substantive Amendment: [~~January 5, 2006~~]2008**
**Notice of Continuation: May 12, 2005**
**Authorizing, and Implemented or Interpreted Law: 41-6a-515; [~~63-46b~~]63G-4**

♦ ♦

# Public Safety, Peace Officer Standards and Training

# R728-409

## Refusal, Suspension, or Revocation of Peace Officer Certification

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31739
FILED: 07/21/2008, 09:48

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule amendment is to clean up some language and wording and to change statutory citations that have been changed in legislative sessions.

SUMMARY OF THE RULE OR CHANGE: This rule changes some of the statutory citations that were changed in legislative session (H.B. 63), particularly Title 63, Chapter 46b citations to Title 63G, Chapter 4. It also updates other outdated citations. The rule amendment cleans up some language to understand it better. It also changes lying under Garrity from a two-year suspension to a three-year suspension. The rule also changes the purpose and the authority and switches them in order.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53-6-105(1)(k) and Section 53-6-211

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The changes to this rule are not fiscal in nature so there will be no cost savings or expenditures to state government.

❖ LOCAL GOVERNMENTS: The changes to this rule are not fiscal in nature so there will be no cost savings or expenditures to local government.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: The changes to this rule are not fiscal in nature so there will be no cost savings or expenditures to small businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Because there are no fiscal changes to this rule, there will be no compliance costs to any affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There would be no fiscal impact to the Department of Public Safety or other governmental agencies and businesses with the administrative rule change for POST investigations. Scott Duncan, Commissioner

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

PUBLIC SAFETY
PEACE OFFICER STANDARDS AND TRAINING
410 W 9800 S
SANDY UT 84070, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Winward at the above address, by phone at 801-256-2326, by FAX at 801-256-0600, or by Internet E-mail at swinward@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/20/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/30/2008

AUTHORIZED BY: Scott T Duncan, Commissioner

**R728. Public Safety, Peace Officer Standards and Training.**
**R728-409. Refusal, Suspension, or Revocation of Peace Officer Certification.**
**[~~R728-409-1. Purpose.~~**

~~In recent decisions made in the area of civil litigation, agencies have had to address the problem of vicarious liability. It has been found that judgments have been rendered against employing agencies who have allowed individuals who do not possess peace officer authority or have not maintained the qualifications necessary for this type of work to be employed or continue employment. In some situations, liability has been partially shifted to Peace Officer Standards and Training, provided that agencies adhere to the laws and rules developed in this area. The purpose of a procedure for the refusal, suspension, or revocation of peace officer certification/authority is to further law enforcement professionalism and to provide protection to both employing agencies and law enforcement officers alike.~~

]**R728-409-[~~2~~]1. Authority.**

The authority for the refusal, suspension or revocation of peace officer certification is authorized under Section 53-6-105(K) [~~202 203, 205, 206,~~] and 53-6-211 which gives authority for the Director of Peace Officers Standards and Training to make rules for this chapter.

**R728-409-2. Purpose.**

The purpose of a procedure for the refusal, suspension, or revocation of peace officer certification/authority is to further law enforcement professionalism and to protect the public, employing agencies and law enforcement officers alike.

**R728-409-3. Cause to Evaluate Certification for the Refusal, Suspension, or Revocation of Peace Officer Certification or Authority.**

The division may initiate an investigation when it receives [~~an allegation~~]information that grounds for refusal, suspension, or revocation of certification exist. The initial [~~allegation~~]information may come from any responsible source, including those provisions of R728-409-5. Pursuant to the purpose and intent of 53-6-211, revocation is a permanent deprivation of peace officer certification or authority, and except as outlined in R728-409-28 does not allow for a person who has been revoked in the State of Utah to be readmitted into any peace officer training program conducted by or under the approval of the division, or to have peace officer certification or authority reinstated or restored by the division.

Any of the following provisions may constitute cause for refusal, suspension, or revocation of peace officer certification or authority:

A. Any willful falsification of any information provided to the division to obtain certified status. The information could be in the form of written application, supplementary documentation requested or required by the division, testimony or other oral communication to the division, or any other form of information which could be considered fraudulent or false for purposes of Subsection 53-6-211(1)(d)(i).

B. "Physical or mental disability" for purposes of Section 53-6-211(1)(d)(ii), shall be defined as set forth in Utah Administrative Code, Rule R728-403-9, Physical, Emotional, or Mental Condition Requirement, and division medical guidelines.

C. Conviction of any drug related offense including the provisions of Title 58 Chapter 37.

D. "Addiction to drug or narcotics" for purposes of Section 53-6-211(1)(d)(iii) means addiction to any drug or narcotic as defined in Title 58, Chapter 37.

1. Peace officers who, in the normal course of their peace officer duties and functions, possess, attempt to simulate, unintentionally use or are forced to use, narcotics, drugs, or drug paraphernalia, shall be exempt from the provisions of Section 53-6-211(1)(d)(iii) and (v), so long as their conduct:

a. is authorized by their law enforcement employer; and

b. does not jeopardize the public health, safety or welfare.

2. Addiction to drugs or narcotics as a direct result of the legitimate treatment of a physical, emotional or psychological disease, or injury which is currently being treated by a licensed physician or medical practitioner licensed in this state or any other state, and which has been reported, in writing, to the law enforcement employer and P.O.S.T., shall not be considered a violation of Section 53-6-211(1)(d)(iii) so long as the addiction does not jeopardize the public health, safety or welfare.

a. Addiction to unlawfully obtained drugs or narcotics arising from circumstances not involving (a) the legitimate treatment of a physical disease; (b) circumstances involving surgery or serious injury; (c) from psychological illness; and (d) which has not been treated by a licensed physician or medical practitioner, licensed in this state or any other state, shall be considered a violation of Section 53-6-211(1)(d)(iii).

b. No applicant shall be granted peace officer certification or authority if it is demonstrated that the applicant has a drug addiction which is not under control.

c. A peace officer may have peace officer certification or authority temporarily suspended for the duration of drug rehabilitation. If the peace officer has demonstrated control of the drug addiction as determined by a division medical consultant, peace officer certification or authority shall be restored.

d. Criminal conduct by a person asserting the conduct was the result of drug addiction or dependence shall be grounds for refusal, suspension or revocation of peace officer certification or authority despite the fact that rehabilitation has not occurred prior to the peace officer certification or authority being refused, suspended or revoked.

3. Notwithstanding anything contained in this administrative rule to the contrary, a peace officer may have peace officer certification or authority revoked for conduct in violation of Section 53-6-211(1)(d)(iii), if, prior to the conduct in question, the peace officer has had a previous suspension or revocation of peace officer certification or authority under Section 53-6-211(1)(d)(iii), or similar statute of another jurisdiction.

E. Conviction of a felony.

F. "Crimes involving dishonesty" for purposes of Section 53-6-211(1)(d)(iv) means conviction for criminal conduct, under the statutes of this state or any other jurisdiction, which under the rules of evidence can be used to impeach a witness or involving, but not limited to, any of the following:

1. theft;
2. fraud;
3. tax evasion;
4. issuing bad checks;
5. financial transaction credit card offenses;
6. deceptive business practices;
7. defrauding creditors;
8. robbery;
9. aggravated robbery;
10. bribery or receiving a bribe;
11. perjury;
12. extortion;

13. falsifying government records;

14. forgery;

15. receiving stolen property;

16. burglary or aggravated burglary.

G. "Crimes involving unlawful sexual conduct" for purposes of Section 53-6-211(1)(d)(iv) means any violation described in Title 76, Chapter 5, Part 4; Chapter 5a; Chapter 7, Part 1; Chapter 10, Part 13; or Chapter 9, Part 7, Section 702, [~~and~~]702.5[~~.~~]and 702.7.

H. "Crimes involving physical violence" for purposes of Section 53-6-211(1)(d)(iv) means any violation of Part 1, Assault and Related Offenses, and Part 2, Criminal Homicide, of Title 76, Chapter 5.

I. "Driving under the influence of alcohol or drugs" for purposes of Section 53-6-211(1)(d)(iv) means any violation of Section [~~41-6-44~~]41-6a-502.

Criminal conduct by an individual asserting the conduct was a result of drug addiction or dependence shall be grounds for refusal, suspension or revocation despite the fact that rehabilitation has not occurred prior to the refusal, suspension or revocation.

J. "Conduct or pattern of conduct" for purposes of Section 53-6-211(1)(d)(v) means an act or series of acts by a person which occur prior to or following the granting of peace officer certification or authority.

1. Conduct that shall be considered as grounds for violation of Section 53-6-211(1)(d)(v) shall include:

a. uncharged conduct which includes the conduct set forth in Rule R728-409-3, which could be considered criminal, although such conduct does not result in the filing of criminal charges against the person, but where the evidence shows that the criminal act did occur, that the person committed the act, and that the burden of proof by a preponderance of the evidence could be established by the division;

b. criminal conduct where a criminal charge is filed, a conviction is not obtained, but where the evidence shows that the criminal act did occur, that the person committed the act, and that the burden of proof by a preponderance of the evidence appears to exist;

c. criminal conduct as enumerated in Section 53-6-211(1)(d)(iv) and 53-6-203, where the filing of a criminal charge has resulted in a finding of guilt based on evidence presented to a judge or jury, a guilty plea, a plea of nolo contendere, a plea of guilty or nolo contendere which is held in abeyance pending the successful completion of probation, diversion agreements, or conviction which has been expunged, dismissed, or treated in a similar manner to either of these procedures;

d. violations of Section 53-6-211(1)(d)(i) or the refusal to respond, or the failure to respond truthfully, to the questions of POST investigators asked pursuant to R728-409-5;

e. violations of Section 53-6-211(1)(d)(iii) which involve criminal conduct or jeopardize the public health, safety or welfare;

f. sexual harassment which is:

(i) conduct which rises to the level of behavior of a criminal sexual nature which includes, but is not limited to, the unwelcomed touching of the breasts of a female, buttocks or genitals of another, and or taking of indecent liberties with another;

(ii) behavior by a supervisor which creates the perception in the mind of the subordinate that the granting or withholding of tangible job benefits shall be based on the granting of sexual favors.

g. sexual conduct which is:

(i) subject to criminal punishment; or

(ii) substantially diminishes or, if known, would tend to diminish public confidence and respect for law enforcement; or

(iii) damages or, if known, would tend to damage a law enforcement department's efficiency or morale; or

(iv) impairs or, if known, would tend to impair the ability of the peace officer to objectively and diligently perform the duties and functions of a peace officer;

h. sexual activity protected by the right of privacy, that does not hamper law enforcement, shall not be grounds for refusal, suspension or revocation of peace officer certification or authority.

i. Other conduct, whether charged or uncharged, which constitutes: malfeasance in office, non-feasance in office, violates the peace officer's oath of office, or a willful and deliberate violation of Title 53, Chapter 6, or the administrative rules contained in Utah Administrative Code, Agency R728.

(i) Malfeasance for purposes of subsection (h) shall include the commission of some act which is wholly wrongful or unlawful that affects, interrupts or interferes with the performance of official duties.

(ii) Non-feasance for purposes of subsection (h) shall include the omission of an act which a peace officer by virtue of his employment as such is charged to do.

(iii) oath of office for purposes of subsection (h) shall include the swearing of a person, upon employment as a peace officer defined in Title[~~77~~]53, Chapter [~~1a~~]13, to an oath to support, obey and defend the Constitution of the United States and the Constitution of the State of Utah and discharge the duties of the office with fidelity, or, a similar oath of a county, city or town.

j. arrest for driving under the influence of alcohol or drugs, where the elements of the offense could be established by a preponderance of the evidence.

k. Addiction to alcohol:

(i) if it is demonstrated that a peace officer or applicant for peace officer certification or authority has an alcohol addiction which is not under control;

(ii) a peace officer with an alcohol addiction may have peace officer certification or authority temporarily suspended for the duration of alcohol rehabilitation. If the peace officer has demonstrated control of the alcohol addiction as determined by a division medical consultant, peace officer certification or authority may be restored;

(iii) criminal conduct by an individual asserting the conduct was a result of alcohol addiction or dependence shall be grounds for refusal, suspension or revocation despite the fact that rehabilitation has not occurred prior to the refusal, suspension or revocation.

l. Acts of gross negligence or misconduct which is "clearly outrageous" or shock the conscience of a reasonable person;

(i) violations of the Law Enforcement Code of Ethics as adopted by the Council;

(ii) lying under the Garrity warning

m. A dismissal from military service under any of the following circumstances:

(i) Bad conduct discharge (BCD)

(ii) Dishonorable discharge (DD)

(iii) Administrative discharge of "General under honorable conditions" (GEN).

**R728-409-5. Investigative Procedure.**

A. All investigations initiated shall be commenced upon the reasonable belief that cause exists for the refusal, suspension or revocation of peace officer, correctional officer, reserve/auxiliary officer or special function officer certification as indicated in section 409-3 above.

B. The initiation of an investigation may occur upon any of the following circumstances:

1. A peace officer who has been charged with a criminal violation of law;

2. A peace officer who has committed conduct which is a criminal act under law, but which has not been criminally charged and/or where criminal prosecution is not anticipated;

3. A peace officer who has committed conduct in violation of section 409-3 above, where the department has conducted disciplinary action and notification of the conduct has been made to the division by the peace officer's department;

4. A department which has terminated a peace officer from employment for conduct which is in violation of section 409-3 above;

5. A department which has agreed to allow a peace officer to resign, rather than terminate the employment, for conduct which is in violation of section 409-3 above;

6. A complaint from a citizen which, on its face, appears to be a violation of section 409-3 above;

7. Media attention, confirmed by the employing agency, reporting peace officer misconduct which appears to be in violation of section 409-3 above;

8. Information from a peace officer, concerning another peace officer or law enforcement department, alleging improper, unethical, or unlawful conduct in violation of section 409-3 above;

9. Information against a peace officer received from any law enforcement agency, criminal justice related agency, or political subdivision alleging improper, unethical, or unlawful conduct in violation of section 409-3 above;

10. Administrative procedures instituted by the division to uncover or reveal past criminal conduct or the character of an individual requesting peace officer certification, or entrance into a certified peace officer training program which upon completion would create eligibility for peace officer certification; and/or

11. The peace officer may be directed to respond to questions pursuant to a "Garrity Warning." Refusal to respond to questions after being warned, or the failure to respond truthfully, may result in a suspension up to [~~two~~]three years depending on aggravating and mitigating circumstances.

C. All citizens requesting to file a complaint against a[~~complaining about~~] peace [~~officers~~]officer will be requested to sign a written statement detailing the incident, swear to the accuracy of the statement, be advised that complaints found to be malicious in nature may be prosecuted under Section 76-8-511, Falsification of Government Record, and may require that the citizen submit to a polygraph examination concerning the truth and veracity of the complaint.

D. Non-criminal complaints or information about a peace officer initiated by another peace officer will be submitted in writing detailing the incident or offer the division a tape recorded statement detailing the incident.

E. A staff member will be assigned to investigate the complaint or information and to make a recommendation to proceed or to discontinue action in the matter.

1. If a peace officer under investigation is employed by a law enforcement agency, POST shall notify the peace officer's employing agency concerning the complaint or information.

2. POST will refer any complaints made by officers or citizens of a criminal nature to the appropriate agency having jurisdiction.

3. Criminal complaints will be handled by the agency having jurisdiction.

4. [~~POST will wait until the case has been investigated by the responsible agency~~ ]If the responsible agency has an open and active case POST will wait until the agency has completed their investigation[~~and the adjudicative process has been completed~~] before taking action.

5. POST will use the investigation and may use the adjudicative findings to help determine its action with regard to an individual's certification. POST will do it's own investigation whenever it feels the necessity to do so.

6. POST will take action based on the actual conduct of the individual as determined by an investigative process, not necessarily on the punishment or finding of the court.

7. POST's primary concern is conduct that disrupts, diminishes or otherwise jeopardizes public trust and fidelity in law enforcement.

8. Complaints that are not criminal will be investigated by the agency having jurisdiction. If the employing agency chooses not to investigate, a POST staff investigator may be assigned to conduct the investigation.

9. Witnesses and other evidence may be subpoenaed for the investigation pursuant to Section 53-6-210.

10. If ordinary investigative procedures cannot resolve the facts at issue, the peace officer may be requested to submit to a polygraph examination. Refusal to do so could result in the immediate suspension of peace officer certification until such time as an administrative proceeding can be established or other factual information has been received which no longer requires the need for the polygraph examination.

11. If an officer is found to have lied under the Garrity warning, his certification may result in a suspension up to [~~two~~]three years depending on aggravating and mitigating circumstances.

F. Subsection (E) will be the method preferred for the investigation of alleged violations of Title 53, Chapter 6, unless special investigative procedures are determined to be more beneficial to the investigative process by the director and the council as per R728-409-7.

G. If the alleged conduct constitutes a public offense for which the individual involved has not been previously convicted, the division shall immediately notify the appropriate prosecutorial authority. If the conduct would also, if proven, constitute grounds for suspension or decertification under Section 53-6-211(1), the director in his discretion may immediately suspend the certification of the individual as provided in Section [~~63-46b-20~~]63G-4-502 and Rule R728-409-25.

H. If immediate suspension of a peace officer's certification is believed necessary to ensure the safety and welfare of the public, or for insuring the continued public trust or professionalism of law enforcement, the director shall immediately establish the procedures for investigation and adjudicative proceedings in order to fulfill the due process rights of the peace officer.

I. Whenever an investigation is initiated the officer(s) who is under investigation and his department will be notified as soon as reasonably possible, except in cases where the nature of the complaint would make such a course of action impractical. The date and time the department administrator and the officer are notified should be noted in the appropriate space on the complaint form.

J. In all cases, where possible, the investigation shall be conducted with the full knowledge and assistance of the department administrator or the administrator of the employing political subdivision.

K. If during the course of an investigation it appears that criminal action may be involved the information is to be turned over to appropriate local authorities for disposition. It is not the position of the division to be involved in investigating criminal cases against officers. If criminal charges are pending against an officer the division may wait until the case is adjudicated before deciding if any further action is warranted by the division (subject to subsection (5)(J) above).

L. Assigned investigators are to ensure that all investigative procedures are properly documented and recorded in the case file.

M. Final disposition of a case (i.e., close case, refer to department for follow-up action, refer for adjudicative proceeding, etc.) will be made by the deputy director with the approval of the director.

**R728-409-6. Special Investigative Proceedings - Procedures.**

A. The Director with the concurrence of the Council on Peace Officer Standards and Training, may initiate special investigative proceedings.

B. The purpose of the special investigative proceeding is to hear testimony and other evidence regarding violations of Chapter 6, Title 53.

C. Special investigative proceedings will be presided over by a panel of the Council on Peace Officer Standards and Training consisting of at least three Council members and any persons designated by the Council Chairman and Director of the division.

D. Direct examination of witnesses will be conducted by members of the panel.

E. The division and presiding officer may subpoena witnesses and other evidence for special investigative proceedings, as per Sections 53-6-210 and [~~63-46b-7(2).~~]63G-4-205(2).

F. The special investigative proceeding will be a proceeding of record by the use of tape recording and/or court reporter.

G. If an officer is found to have lied under the Garrity warning, his certification may result in a suspension up to [~~two~~]three years depending on aggravating and mitigating circumstances.

**R728-409-8. Commencement of Adjudicative Proceedings - Administrative Complaint.**

A. Except as otherwise permitted by Sections 53-6-211(6) and [~~63-46b-20~~]63G-4-502 and Rules R728-409-8(C) and R728-409-25, all adjudicative proceedings shall be commenced by notice of an Administrative Complaint accompanied by a Notice of Agency Action. The Administrative Complaint will set forth the allegations complained of by the division. A copy of the Administrative Complaint and Notice of Agency Action shall be sent to the individual named on the administrative complaint and notice of agency action or by certified mail.

B. The Administrative Complaint shall be filed and served according to the following requirements:

1. when adjudicative proceedings are commenced by the division, the Administrative Complaint shall be in writing, signed by the Council Chairman and shall include:

a. the name and mailing address of the respondent, and the name and address of the agency employee or attorney designated to represent the division;

b. the division's file number or other reference number;

c. the name of the adjudicative proceeding;

d. the date that the notice of the division's action was mailed;

e. a statement indicating that a formal hearing will be conducted according to the provisions of Sections [~~63-46b-6~~]63G-4-204 to [~~63-46b-11~~]63G-4-209, except as otherwise indicated by Rule R728-409 in reference to time of response, as allowed under Section [~~63-46b-3(2)(f)~~]63G-4-201(2)(vi);

f. a statement that the respondent shall file a responsive pleading within 30 days of the mailing date of the notice of agency action;

g. a statement of the time and place of the scheduled adjudicative proceeding, a statement indicating the purpose for which the adjudicative proceeding is to be held, and a statement indicating that a party who fails to attend or participate in the adjudicative proceeding may be held in default;

h. a statement of the legal authority and jurisdiction under which the administrative proceeding is to be maintained;

i. the name, title, mailing address, and telephone number of the presiding officer; and

j. a statement of the purpose of the adjudicative proceeding and, to the extent known by the presiding officer, the questions to be decided.

C. When the cause of action under Section 53-6-211 and Rule R728-409-3 is conviction of a felony, the following procedures shall apply:

1. The division shall send written notice to the peace officer stating that proceedings prior to revocation shall be limited to an information review of written documentation by the presiding officer, and that revocation is mandatory when the presiding officer determines that the peace officer has been convicted of a felony.

2. The notice shall state that within 15 days of the mailing date of the notice, the peace officer may request, in writing, an informal hearing before the presiding officer to present evidence that there was no felony conviction, or that the conviction has been overturned, reduced to a misdemeanor or expunged. This notice shall also state that if the peace officer does not so request, the presiding officer, and POST Council, will proceed on the documentation of conviction.

**R728-409-12. Discovery and Subpoenas.**

A. In formal adjudicative proceedings parties may conduct limited discovery. The respondent is entitled to a copy of all evidence the division intends to use in the adjudicative proceeding, and other relevant documents in the agency's possession which are necessary to support his or her claims or defenses subject, however, to the Government Records Access and Management Act, UCA [~~63-2-101~~]63G-2-101 et seq. Discovery does not extend to interrogatories, requests for admissions or depositions.

B. Subpoenas and other orders to secure the attendance of witnesses or the production of evidence for adjudicative proceedings shall be issued by the Division of Peace Officer Standards and Training pursuant to Section 53-6-210, or the presiding officer when requested by any party, or may be issued by the presiding officer on his own motion pursuant to Section [~~63-46b-7.~~]63G-4-205.

C. Discovery is prohibited in informal proceedings.

**R728-409-13. Procedures for Adjudicative Proceedings - Hearing Procedures.**

A. All formal adjudicative proceedings shall be conducted as follows:

1. The presiding officer shall regulate the course of the hearing to obtain full disclosure or relevant facts and to afford all the parties reasonable opportunity to present their positions.

2. On his own motion, or upon objection by a party, the presiding officer:

a. may exclude evidence that is irrelevant, immaterial, or unduly repetitious;

b. shall exclude evidence privileged in the courts of Utah;

c. may receive documentary evidence in the form of a copy or excerpt if the copy or excerpt contains all pertinent portions of the original document;

d. may take official notice of any facts that could be judicially noticed under the Utah Rules of Evidence, or the record of other proceedings before the agency, and of technical or scientific facts within the agency's specialized knowledge.

3. The presiding officer may not exclude evidence solely because it is hearsay.

4. The presiding officer shall afford to all parties the opportunity to present evidence, argue, respond, conduct cross-examination, and submit rebuttal evidence.

5. The presiding officer may give persons not a party to the adjudicative proceeding the opportunity to present oral or written statements at the hearing.

6. All testimony presented at the hearing, if offered as evidence, to be considered in reaching a decision on the merits, shall be given under oath.

7. The hearing shall be recorded at the division's expense.

8. Any party, at his own expense, may have a person approved by the division prepare a transcript of the hearing, subject to any restrictions that the division is permitted by statute to impose to protect confidential information disclosed at the hearing.

9. All hearings shall be open to all parties.

10. This rule does not preclude the presiding officer from taking appropriate measures necessary to preserve the integrity of the hearing.

11. The respondent has the right to counsel. Counsel will not be provided by the division and all costs for counsel will be the sole responsibility of the respondent.

12. Witnesses at adjudicative hearings may have counsel present. Counsel for witnesses will not have the right to cross-examine. Counsel will not be provided by the division and all costs for counsel will be the sole responsibility of the witness.

13. Witnesses before an adjudicative hearing may be excluded from adjudicative hearing while other witnesses are testifying.

14. The presiding officer may issue an order to admonish witnesses not to discuss their testimony with other witnesses appearing to testify or offer evidence to the presiding officer at the adjudicative hearing. This order shall remain in effect until all testimony and evidence has been presented at the hearing.

15. A person's failure to comply with the admonishment order may result in the refusal to consider testimony or evidence presented, if it is deemed that the testimony or evidence has been tainted through violation of the admonishment order.

B. When the cause for action is conviction of a felony and the peace officer requests an informal hearing, it shall be conducted, except as modified by these rules, pursuant to Section [~~63-46b-5.~~]63G-4-203.

C. If the presiding officer finds, by informal review or hearing, that the peace officer has been convicted of a felony, he shall recommend revocation of certification. If the presiding officer determines that there was not a conviction, he or she may recommend action other than revocation.

**R728-409-17. Notice of Presiding Officer's Recommendation.**

A. If the evidence against the individual does not support the conduct alleged in the administrative complaint with respect to Section 53-6-211(1), the presiding officer, hereafter referred to as Administrative Law Judge, will mail the parties a copy of the recommendation upon issuance of the recommendation.

B. If the Administrative Law Judge finds that the evidence against the individual does support the conduct alleged in the administrative complaint with respect to Section 53-6-211(1), the Administrative Law Judge will mail the parties a copy of the recommendation upon issuance of the recommendation.

C. The Administrative Law Judge may issue his/her recommendation to the parties by certified mail.

**R728-409-20. Director's Final Order.**

A. In adjudicative proceedings:

1. After a majority of the council recommends to refuse, suspend or revoke respondent's peace officer, correctional officer, reserve/auxiliary officer, or special function officer certification, or to take no action against respondent, the director shall prepare and issue a final order within 30 days outlining the council's decision.

2. The final order will include information on the appeal process as outlined in administrative rules R728-409-21, 22, 23.

3. The director shall, upon issuance, serve a copy of the final order on the respondent by certified mail and shall mail a copy to the employing agency.[~~ by certified mail.~~]

**R728-409-22. Judicial Review - Exhaustion of Administrative Remedies.**

A. A party aggrieved may obtain judicial review of final agency action only after exhausting all administrative remedies available, except that:

1. The court may relieve a party seeking judicial review of the requirement to exhaust any or all administrative remedies if:

a. the administrative remedies are inadequate; or

b. exhaustion of remedies would result in irreparable harm disproportionate to the public benefit derived from requiring exhaustion.

B.1. A party shall file a petition for judicial review of final agency action within 30 days after the date that the order constituting the final agency action is issued.

2. The petition shall name the agency and all other appropriate parties as respondents and shall meet the form requirements specified in Chapter [~~46b~~]4 of Title 63G.

**R728-409-23. Judicial Review - Adjudicative Proceedings.**

A. At the conclusion of formal adjudicative proceedings, the Utah Court of Appeals has jurisdiction to review the director's final order.

B. To seek judicial review of the director's final order, the petitioner shall file a petition for review of agency action in the form required by the Rules of the Utah Court of Appeals.

1. The Rules of the Utah Court of Appeals govern all additional filings and proceedings in the Utah Court of Appeals.

C. The contents, transmittal, and filing of the agency's record for judicial review of formal adjudicative proceedings are governed by the Rules of the Utah Court of Appeals, except that:

1. all parties to the review proceedings may stipulate to shorten, summarize, or organize the record;

2. the Utah Court of Appeals may tax the cost of preparing transcripts and copies for the record:

a. against a party who unreasonably refuses to stipulate to shorten, summarize, or organize the record; or

b. according to any other provision of law.

c. The scope of judicial review by the Utah Court of Appeals is controlled by Section [~~63-46b-16(4)~~]63G-4-16(4). Relief granted by the Utah Court of Appeals is controlled by Section [~~63-46b-17~~]63G-4-404.

D. If peace officer certification is revoked for conviction of a felony after an informal hearing, the district courts have jurisdiction to review the final order pursuant to Sections [~~63-46b-14~~]63G-4-401 and [~~63-46b-15~~]63G-4-402.

**KEY: law enforcement officers, certification, investigations, rules and procedures**
**Date of Enactment or Last Substantive Amendment: [~~June 26, 2003~~]2008**
**Notice of Continuation: February 27, 2007**
**Authorizing, and Implemented or Interpreted Law: 53-6-211**

# Tax Commission, Property Tax
# R884-24P-33
## 2008 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31764
FILED: 07/29/2008, 08:55

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The valuation schedules contained in this rule are reviewed and updated annually by the Property Tax Division. The personal property guides and schedules are used for local property tax valuation and assessment of business personal property and certain motor vehicles.

SUMMARY OF THE RULE OR CHANGE: Section 59-2-107 authorizes the State Tax Commission to promulgate rules that define classes of items considered to be personal property and provide valuation percent good schedules to value locally assessed personal property. H.B. 77, effective 01/01/2009, provides for a new schedule entitled "Class 4--Short Life Expensed Personal Property". In addition, H.B. 365, Section 59-2-404, regarding taxation of aircraft has been amended to replace the value-based uniform fee for aircraft registered with the state with a uniform fee of $25; thereby eliminating the schedule for "Class 23--Aircraft Not Listed in the Aircraft Bluebook Price Digest". (DAR NOTES: H.B. 77 (2008) is found at Chapter 61, Laws of Utah 2008, and will be effective 01/01/2009. H.B. 365 (2008) is found at Chapter 206, Laws of Utah 2008, and will be effective 01/01/2009.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 59-2-301

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The amount of savings or cost to state government is not affected by this rule. Tax revenue generated by taxing personal property is distributed to local governments to finance public services, programs, improvement districts, and school districts. No tax proceeds generated by taxation of personal property is retained by state government.

❖ LOCAL GOVERNMENTS: The amount of saving or cost to local government is undetermined. Local governmental entities receive tax revenue based on increased or decreased personal property value and the change in the annual tax rate. Increases or decreases in 2009 tax revenue cannot be determined, even if there were no changes in the percent good tables, because taxpayer acquisitions and deletions of property during 2009 is unknown. The proposed personal property schedules in Section R884-24P-33 are raised, lowered, or remain the same for 2009 based on the type and age of the property assessed. Schedules for Classes 1, 12, 15, 24, and 27 are proposed with very few changes for 2009 from 2008. Schedules used to value business personal property increase or decrease are based on calculation of economic trends from indexes published by the Marshall Valuation Service. In aggregate, for all personal property schedules, it is anticipated that the change in the annual tax rate will have a larger impact on revenue than will the proposed schedule changes amending Section R884-24P-33. H.B. 365, which amended Section 59-2-404, replaces the value-based uniform fee for aircraft registered with the state with a uniform fee of $25. The net result of this change will be a decrease in fee revenue for local governments. It is estimated that local governments could see revenue losses estimated to be about $761,000 in FY 2009 and $785,000 in FY 2010. On the other hand, it is estimated that the Aeronautics Restricted Account could increase by $501,000 in FY 2009 and $526,800 in FY 2010.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: In the aggregate, the amount of savings or cost to individuals and business is undetermined. Affected persons pay taxes based on increased or decreased personal property value and the change in the annual tax rate. The proposed personal property schedules in Section R884-24P-33 are raised, lowered, or remain the same for 2009 based on the type and age of the property. Since some schedules are increased and some decreased, it is not possible to determine the change to affected persons without knowing the 2009 property mix compared to the previous year. People registering aircraft will pay the approximately the same amount of money for taxes and registration fees, however, the revenue will be going into different accounts.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Local business owners and property tax practitioners will once again be required to be aware of new percent good figures. However, this is an annual occurrence; therefore the compliance cost in completing the assessment process will not change. The change in taxes charged for these businesses depends entirely on the owner's mix of property since some percent good schedules are increasing and others decreasing. For example, the owner of a commercial trailer, may see an increase or a decrease, compared to the previous rule, depending on the model year of the trailer.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: As indicated above, the fiscal impact to businesses from changes in the proposed personal property schedules due to changes in Section R884-24P-33 will not be as significant as changes in the annual tax rate. D'Arcy Dixon, Commissioner

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

TAX COMMISSION
PROPERTY TAX
210 N 1950 W
SALT LAKE CITY UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Cheryl Lee at the above address, by phone at 801-297-3900, by FAX at 801-297-3919, or by Internet E-mail at clee@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: D'Arcy Dixon, Commissioner

---

**R884. Tax Commission, Property Tax.**
**R884-24P. Property Tax.**
**R884-24P-33. [~~2008~~]2009 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301.**

(1) Definitions.

(a)(i) "Acquisition cost" [~~means all costs required to put an item into service, including purchase price, freight and shipping costs; installation, engineering, erection or assembly costs; and excise and sales taxes.~~

~~(i) Indirect~~]does not include indirect costs such as debugging, licensing fees and permits, insurance, or security[~~are not included in the acquisition cost~~].

(ii) Acquisition cost may correspond to the cost new for new property, or cost used for used property.

(b)(i) "Actual cost" includes the value of components necessary to complete the vehicle, such as tanks, mixers, special containers, passenger compartments, special axles, installation, engineering, erection, or assembly costs.

(ii) Actual cost does not include sales or excise taxes, maintenance contracts, registration and license fees, dealer charges, tire tax, freight, or shipping costs.

(c) "Cost new" means the actual cost of the property when purchased new.

(i) Except as otherwise provided in this rule, the Tax Commission and assessors shall rely on the following sources to determine cost new:

(A) documented actual cost of the new or used vehicle; or

(B) recognized publications that provide a method for approximating cost new for new or used vehicles.

(ii) For the following property purchased used, the taxing authority may determine cost new by dividing the property's actual cost by the percent good factor for that class:

(A) class 6 heavy and medium duty trucks;

(B) class 13 heavy equipment;

(C) class 14 motor homes;

(D) class 17 vessels equal to or greater than 31 feet in length; and

(E) class 21 commercial trailers[~~; and~~

~~(F) class 23 aircraft subject to the aircraft uniform fee and not listed in the aircraft bluebook price digest~~].

(d) For purposes of Sections 59-2-108 and 59-2-1115, "item of taxable tangible personal property" means a piece of equipment, machinery, furniture, or other piece of tangible personal property that is functioning at its highest and best use for the purpose it was designed and constructed and is generally capable of performing that function without being combined with other items of personal property. An item of taxable tangible personal property is not an individual component part of a piece of machinery or equipment, but the piece of machinery or equipment. For example, a fully functioning computer is an item of taxable tangible personal property, but the motherboard, hard drive, tower, or sound card are not. Similarly, an automobile is an item of taxable tangible personal property, but the transmission, tires, and battery are not.

[~~(d)~~](e) "Percent good" means an estimate of value, expressed as a percentage, based on a property's acquisition cost or cost new, adjusted for depreciation and appreciation of all kinds.

(i) The percent good factor is applied against the acquisition cost or the cost new to derive taxable value for the property.

(ii) Percent good schedules are derived from an analysis of the Internal Revenue Service Class Life, the Marshall and Swift Cost index, other data sources or research, and vehicle valuation guides such as Penton Price Digests.

(2) Each year the Property Tax Division shall update and publish percent good schedules for use in computing personal property valuation.

(a) Proposed schedules shall be transmitted to county assessors and interested parties for comment before adoption.

(b) A public comment period will be scheduled each year and a public hearing will be scheduled if requested by ten or more interested parties or at the discretion of the Commission.

(c) County assessors may deviate from the schedules when warranted by specific conditions affecting an item of personal property. When a deviation will affect an entire class or type of personal property, a written report, substantiating the changes with verifiable data, must be presented to the Commission. Alternative schedules may not be used without prior written approval of the Commission.

(d) A party may request a deviation from the value established by the schedule for a specific item of property if the use of the schedule does not result in the fair market value for the property at the retail level of trade on the lien date, including any relevant installation and assemblage value.

(3) The provisions of this rule do not apply to:

(a) a vehicle subject to the age-based uniform fee under Section 59-2-405.1;

(b) the following personal property subject to the age-based uniform fee under Section 59-2-405.2:

(i) an all-terrain vehicle;

(ii) a camper;

(iii) an other motorcycle;

(iv) an other trailer;

(v) a personal watercraft;

(vi) a small motor vehicle;

(vii) a snowmobile;

(viii) a street motorcycle;

(ix) a tent trailer;

(x) a travel trailer; and

(xi) a vessel, including an outboard motor of the vessel, that is less than 31 feet in length[~~.~~]and

(c) an aircraft subject to the uniform statewide fee under Section 59-2-404.

(4) Other taxable personal property that is not included in the listed classes includes:

(a) Supplies on hand as of January 1 at 12:00 noon, including office supplies, shipping supplies, maintenance supplies, replacement parts, lubricating oils, fuel and consumable items not held for sale in the ordinary course of business. Supplies are assessed at total cost, including freight-in.

(b) Equipment leased or rented from inventory is subject to ad valorem tax. Refer to the appropriate property class schedule to determine taxable value.

(c) Property held for rent or lease is taxable, and is not exempt as inventory. For entities primarily engaged in rent-to-own, inventory on hand at January 1 is exempt and property out on rent-to-own contracts is taxable.

(5) Personal property valuation schedules may not be appealed to, or amended by, county boards of equalization.

(6) All taxable personal property, other than personal property subject to an age-based uniform fee under Section 59-2-405.1 or 59-2-405.2, or a uniform statewide fee under Section 59-2-404, is classified by expected economic life as follows:

(a) Class 1 - Short Life Property. Property in this class has a typical life of more than one year and less than four years. It is fungible in that it is difficult to determine the age of an item retired from service.

(i) Examples of property in the class include:

(A) barricades/warning signs;

(B) library materials;

(C) patterns, jigs and dies;

(D) pots, pans, and utensils;

(E) canned computer software;

(F) hotel linen;

(G) wood and pallets;

(H) video tapes, compact discs, and DVDs; and

(I) uniforms.

(ii) With the exception of video tapes, compact discs, and DVDs, taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

(iii) A licensee of canned computer software shall use one of the following substitutes for acquisition cost of canned computer software if no acquisition cost for the canned computer software is stated:

(A) retail price of the canned computer software;

(B) if a retail price is unavailable, and the license is a nonrenewable single year license agreement, the total sum of expected payments during that 12-month period; or

(C) if the licensing agreement is a renewable agreement or is a multiple year agreement, the present value of all expected licensing fees paid pursuant to the agreement.

(iv) Video tapes, compact discs, and DVDs are valued at $15.00 per tape or disc for the first year and $3.00 per tape or disc thereafter.

TABLE 1

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 72% |
| [~~06~~]07 | [~~42%~~]43% |
| [~~05~~]06 and prior | 11% |

(b) Class 2 - Computer Integrated Machinery.

(i) Machinery shall be classified as computer integrated machinery if all of the following conditions are met:

(A) The equipment is sold as a single unit. If the invoice breaks out the computer separately from the machine, the computer must be valued as Class 12 property and the machine as Class 8 property.

(B) The machine cannot operate without the computer and the computer cannot perform functions outside the machine.

(C) The machine can perform multiple functions and is controlled by a programmable central processing unit.

(D) The total cost of the machine and computer combined is depreciated as a unit for income tax purposes.

(E) The capabilities of the machine cannot be expanded by substituting a more complex computer for the original.

(ii) Examples of property in this class include:

(A) CNC mills;

(B) CNC lathes;

(C) high-tech medical and dental equipment such as MRI equipment[~~;~~], [

~~(D)~~ ] CAT scanners[~~;~~], and[

~~(E)~~ ] mammography units.

(iii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 2

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 91% |
| [~~06~~]07 | [~~81%~~]83% |
| [~~05~~]06 | [~~71%~~]75% |
| [~~04~~]05 | [~~63%~~]66% |
| [~~03~~]04 | [~~52%~~]56% |
| [~~02~~]03 | [~~42%~~]43% |
| [~~01~~]02 | [~~28%~~]29% |
| [~~00~~]01 and prior | [~~14%~~]15% |

(c) Class 3 - Short Life Trade Fixtures. Property in this class generally consists of electronic types of equipment and includes property subject to rapid functional and economic obsolescence or severe wear and tear.

(i) Examples of property in this class include:

(A) office machines;

(B) alarm systems;

(C) shopping carts;

(D) ATM machines;

(E) small equipment rentals;

(F) rent-to-own merchandise;

(G) telephone equipment and systems;

(H) music systems;

(I) vending machines;

(J) video game machines; and

(K) cash registers and point of sale equipment.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 3

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 86% |
| [~~06~~]07 | [~~73%~~]71% |
| [~~05~~]06 | [~~57%~~]56% |
| [~~04~~]05 | [~~41%~~]39% |
| [~~03~~]04 and prior | 21% |

(d) Class 4 Short Life Expensed Property.

(i) Property shall be classified as short life expensed property if all of the following conditions are met:

(A) the property is an item of taxable tangible personal property with an acquisition cost of $1,000 or less;

(B) the property is the same type as the following personal property:

(I) short life property;

(II) short life trade fixtures; or

(III) computer hardware; and

(C) the owner of the property elects to have the property assessed as short life expensed property.

(ii) Examples of property in this class include:

(A) short life property defined in Class 1;

(B) short life trade fixtures defined in Class 3 ; and

(C) computer hardware defined in Class 12.

(iii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 4

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| 08 | 69% |
| 07 | 52% |
| 06 | 30% |
| 05 | 17% |
| 04 | 11% |

[~~(d)~~](e) Class 5 - Long Life Trade Fixtures. Class 5 property is subject to functional obsolescence in the form of style changes.

(i) Examples of property in this class include:

(A) furniture;

(B) bars and sinks:

(C) booths, tables and chairs;

(D) beauty and barber shop fixtures;

(E) cabinets and shelves;

(F) displays, cases and racks;

(G) office furniture;

(H) theater seats;

(I) water slides; and

(J) signs, mechanical and electrical.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 5

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | [~~92%~~]93% |
| [~~06~~]07 | [~~87%~~]85% |
| [~~05~~]06 | [~~80%~~]79% |
| [~~04~~]05 | [~~74%~~]71% |
| [~~03~~]04 | [~~62%~~]63% |
| [~~02~~]03 | [~~51%~~]52% |
| [~~01~~]02 | [~~38%~~]39% |
| [~~00~~]01 | 26% |
| [~~99~~]00 and prior | 13% |

[~~(e)~~](f) Class 6 - Heavy and Medium Duty Trucks.

(i) Examples of property in this class include:

(A) heavy duty trucks;

(B) medium duty trucks;

(C) crane trucks;

(D) concrete pump trucks; and

(E) trucks with well-boring rigs.

(ii) Taxable value is calculated by applying the percent good factor against the cost new.

(iii) Cost new of vehicles in this class is defined as follows:

(A) the documented actual cost of the vehicle for new vehicles; or

(B) 75 percent of the manufacturer's suggested retail price.

(iv) For state assessed vehicles, cost new shall include the value of attached equipment.

(v) The [~~2008~~]2009 percent good applies to [~~2008~~]2009 models purchased in [~~2007~~]2008.

(vi) Trucks weighing two tons or more have a residual taxable value of $1,750.

TABLE 6

| Model Year | Percent Good of Cost New |
|---|---|
| [~~08~~]09 | 90% |
| [~~07~~]08 | [~~82%~~]84% |
| [~~06~~]07 | [~~76%~~]77% |
| [~~05~~]06 | [~~69%~~]71% |
| [~~04~~]05 | [~~63%~~]65% |
| [~~03~~]04 | [~~56%~~]59% |
| [~~02~~]03 | [~~50%~~]52% |
| [~~01~~]02 | [~~44%~~]46% |
| [~~00~~]01 | [~~37%~~]40% |
| [~~99~~]00 | [~~31%~~]34% |
| [~~98~~]99 | [~~25%~~]27% |
| [~~97~~]98 | [~~18%~~]21% |
| [~~96~~]97 | [~~12%~~]15% |
| [~~95~~]96 and prior | [~~6%~~]8% |

[~~(f)~~](g) Class 7 - Medical and Dental Equipment. Class 7 property is subject to a high degree of technological development by the health industry.

(i) Examples of property in this class include:

(A) medical and dental equipment and instruments;

(B) exam tables and chairs;

[~~(C) high-tech hospital equipment;~~

~~(D)~~](C) microscopes; and

[~~(E)~~](D) optical equipment.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 7

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 94% |
| [~~06~~]07 | [~~91%~~]89% |
| [~~05~~]06 | [~~86%~~]85% |
| [~~04~~]05 | [~~82%~~]79% |
| [~~03~~]04 | [~~73%~~]74% |
| [~~02~~]03 | [~~63%~~]65% |
| [~~01~~]02 | [~~53%~~]55% |
| [~~00~~]01 | [~~43%~~]44% |
| [~~99~~]00 | 33% |
| [~~98~~]99 | [~~22%~~]23% |
| [~~97~~]98 and prior | 11% |

[~~(g)~~](h) Class 8 - Machinery and Equipment. Property in this class is subject to considerable functional and economic obsolescence created by competition as technologically advanced and more efficient equipment becomes available.

(i) Examples of property in this class include:

(A) manufacturing machinery;
(B) amusement rides;
(C) bakery equipment;
(D) distillery equipment;
(E) refrigeration equipment;
(F) laundry and dry cleaning equipment;
(G) machine shop equipment;
(H) processing equipment;
(I) auto service and repair equipment;
(J) mining equipment;
(K) ski lift machinery;
(L) printing equipment;
(M) bottling or cannery equipment;
(N) packaging equipment; and
(O) pollution control equipment.

(ii) Except as provided in Subsection (6)(g)(iii), taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

(iii)(A) Notwithstanding Subsection (6)(g)(ii), the taxable value of the following oil refinery pollution control equipment required by the federal Clean Air Act shall be calculated pursuant to Subsection (6)(g)(iii)(B):

(I) VGO (Vacuum Gas Oil) reactor;
(II) HDS (Diesel Hydrotreater) reactor;
(III) VGO compressor;
(IV) VGO furnace;
(V) VGO and HDS high pressure exchangers;
(VI) VGO, SRU (Sulfur Recovery Unit), SWS (Sour Water Stripper), and TGU; (Tail Gas Unit) low pressure exchangers;
(VII) VGO, amine, SWS, and HDS separators and drums;
(VIII) VGO and tank pumps;
(IX) TGU modules; and
(X) VGO tank and air coolers.

(B) The taxable value of the oil refinery pollution control equipment described in Subsection (6)(g)(iii)(A) shall be calculated by:

(I) applying the percent good factor in Table 8 against the acquisition cost of the property; and

(II) multiplying the product described in Subsection (6)(g)(iii)(B)(I) by 50%.

TABLE 8

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 94% |
| [~~06~~]07 | [~~91%~~]89% |
| [~~05~~]06 | [~~86%~~]85% |
| [~~04~~]05 | [~~82%~~]79% |
| [~~03~~]04 | [~~73%~~]74% |
| [~~02~~]03 | [~~63%~~]65% |
| [~~01~~]02 | [~~53%~~]55% |
| [~~00~~]01 | [~~43%~~]44% |
| [~~99~~]00 | 33% |
| [~~98~~]99 | [~~22%~~]23% |
| [~~97~~]98 and prior | 11% |

[~~(h)~~](i) Class 9 - Off-Highway Vehicles.

(i) Because Section 59-2-405.2 subjects off-highway vehicles to an age-based uniform fee, a percent good schedule is not necessary.

[~~(i)~~](j) Class 10 - Railroad Cars. The Class 10 schedule was developed to value the property of railroad car companies. Functional and economic obsolescence is recognized in the developing technology of the shipping industry. Heavy wear and tear is also a factor in valuing this class of property.

(i) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 10

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 96% |
| [~~06~~]07 | [~~94%~~]92% |
| [~~05~~]06 | [~~91%~~]90% |
| [~~04~~]05 | [~~90%~~]87% |
| [~~03~~]04 | [~~83%~~]85% |
| [~~02~~]03 | [~~76%~~]78% |
| [~~01~~]02 | [~~68%~~]70% |
| [~~00~~]01 | [~~60%~~]61% |
| [~~99~~]00 | [~~52%~~]54% |
| [~~98~~]99 | [~~44%~~]45% |
| [~~97~~]98 | [~~35%~~]36% |
| [~~96~~]97 | [~~27%~~]28% |
| [~~95~~]96 | [~~18%~~]19% |
| [~~94~~]95 and prior | 10% |

[~~(j)~~](k) Class 11 - Street Motorcycles.

(i) Because Section 59-2-405.2 subjects street motorcycles to an age-based uniform fee, a percent good schedule is not necessary.

[~~(k)~~](l) Class 12 - Computer Hardware.

(i) Examples of property in this class include:
(A) data processing equipment;
(B) personal computers;
(C) main frame computers;
(D) computer equipment peripherals;
(E) cad/cam systems; and
(F) copiers.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 12

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 62% |
| [~~06~~]07 | 46% |
| [~~05~~]06 | 21% |
| [~~04~~]05 | 9% |
| [~~03~~]04 and prior | 7% |

[~~(l)~~](m) Class 13 - Heavy Equipment.

(i) Examples of property in this class include:
(A) construction equipment;
(B) excavation equipment;
(C) loaders;
(D) batch plants;
(E) snow cats; and
(F) pavement sweepers.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

(iii) [~~2008~~]2009 model equipment purchased in [~~2007~~]2008 is valued at 100 percent of acquisition cost.

TABLE 13

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | [~~61%~~]63% |
| [~~06~~]07 | [~~57%~~]59% |
| [~~05~~]06 | [~~54%~~]56% |
| [~~04~~]05 | [~~51%~~]52% |
| [~~03~~]04 | [~~47%~~]49% |
| [~~02~~]03 | [~~44%~~]45% |
| [~~01~~]02 | 41% |
| [~~00~~]01 | [~~37%~~]38% |
| [~~99~~]00 | 34% |
| [~~98~~]99 | [~~30%~~]31% |
| [~~97~~]98 | 27% |
| [~~96~~]97 | 24% |
| [~~95~~]96 | 20% |
| [~~94~~]95 and prior | 17% |

[~~(m)~~](n) Class 14 - Motor Homes.

(i) Taxable value is calculated by applying the percent good against the cost new.

(ii) The [~~2008~~]2009 percent good applies to [~~2008~~]2009 models purchased in [~~2007~~]2008.

(iii) Motor homes have a residual taxable value of $1,000.

TABLE 14

| Model Year | Percent Good of Cost New |
|---|---|
| [~~08~~]09 | 90% |
| [~~07~~]08 | [~~64%~~]70% |
| [~~06~~]07 | [~~61%~~]67% |
| [~~05~~]06 | [~~58%~~]63% |
| [~~04~~]05 | [~~55%~~]59% |
| [~~03~~]04 | [~~51%~~]56% |
| [~~02~~]03 | [~~48%~~]52% |
| [~~01~~]02 | [~~45%~~]49% |
| [~~00~~]01 | [~~42%~~]45% |
| [~~99~~]00 | [~~39%~~]41% |
| [~~98~~]99 | [~~35%~~]38% |
| [~~97~~]98 | [~~32%~~]34% |
| [~~96~~]97 | [~~29%~~]30% |
| [~~95~~]96 | [~~26%~~]27% |
| [~~94~~]95 | 23% |
| [~~93~~]94 | 19% |
| [~~92~~]93 and prior | 16% |

[~~(n)~~](o) Class 15 - Semiconductor Manufacturing Equipment. Class 15 applies only to equipment used in the production of semiconductor products. Equipment used in the semiconductor manufacturing industry is subject to significant economic and functional obsolescence due to rapidly changing technology and economic conditions.

(i) Examples of property in this class include:

(A) crystal growing equipment;

(B) die assembly equipment;

(C) wire bonding equipment;

(D) encapsulation equipment;

(E) semiconductor test equipment;

(F) clean room equipment;

(G) chemical and gas systems related to semiconductor manufacturing;

(H) deionized water systems;

(I) electrical systems; and

(J) photo mask and wafer manufacturing dedicated to semiconductor production.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 15

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 47% |
| [~~06~~]07 | 34% |
| [~~05~~]06 | 24% |
| [~~04~~]05 | 15% |
| [~~03~~]04 and prior | 6% |

[~~(o)~~](p) Class 16 - Long-Life Property. Class 16 property has a long physical life with little obsolescence.

(i) Examples of property in this class include:

(A) billboards;

(B) sign towers;

(C) radio towers;

(D) ski lift and tram towers;

(E) non-farm grain elevators; and

(F) bulk storage tanks.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 16

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 98% |
| [~~06~~]07 | 96% |
| [~~05~~]06 | [~~95%~~]94% |
| [~~04~~]05 | [~~94%~~]93% |
| [~~03~~]04 | [~~92%~~]91% |
| [~~02~~]03 | [~~89%~~]90% |
| [~~01~~]02 | [~~83%~~]85% |
| [~~00~~]01 | [~~78%~~]79% |
| [~~99~~]00 | [~~72%~~]74% |
| [~~98~~]99 | [~~65%~~]68% |
| [~~97~~]98 | [~~60%~~]61% |
| [~~96~~]97 | [~~54%~~]55% |
| [~~95~~]96 | [~~48%~~]49% |
| [~~94~~]95 | 43% |
| [~~93~~]94 | 37% |
| [~~92~~]93 | 30% |
| [~~91~~]92 | [~~22%~~]23% |
| [~~90~~]91 | 15% |
| [~~89~~]90 and prior | 8% |

[~~(p)~~](q) Class 17 - Vessels Equal to or Greater Than 31 Feet in Length.

(i) Examples of property in this class include:

(A) houseboats equal to or greater than 31 feet in length;

(B) [~~sloops~~]sailboats equal to or greater than 31 feet in length; and

(C) yachts equal to or greater than 31 feet in length.

(ii) A vessel, including an outboard motor of the vessel, under 31 feet in length:

(A) is not included in Class 17;

(B) may not be valued using Table 17; and

(C) is subject to an age-based uniform fee under Section 59-2-405.2.

(iii) Taxable value is calculated by applying the percent good factor against the cost new of the property.

(iv) The Tax Commission and assessors shall rely on the following sources to determine cost new for property in this class:

(A) the following publications or valuation methods:

(I) the manufacturer's suggested retail price listed in the ABOS Marine Blue Book;

(II) for property not listed in the ABOS Marine Blue Book but listed in the NADA Marine Appraisal Guide, the NADA average value for the property divided by the percent good factor; or

(III) for property not listed in the ABOS Marine Blue Book or the NADA Appraisal Guide:

(aa) the manufacturer's suggested retail price for comparable property; or

(bb) the cost new established for that property by a documented valuation source; or

(B) the documented actual cost of new or used property in this class.

(v) The [~~2008~~]2009 percent good applies to [~~2008~~]2009 models purchased in [~~2007~~]2008.

(vi) Property in this class has a residual taxable value of $1,000.

TABLE 17

| Model Year | Percent Good of Cost New |
|---|---|
| [~~08~~]09 | 90% |
| [~~07~~]08 | [~~65%~~]64% |
| [~~06~~]07 | [~~63%~~]62% |
| [~~05~~]06 | 60% |
| [~~04~~]05 | 58% |
| [~~03~~]04 | 56% |
| [~~02~~]03 | 54% |
| [~~01~~]02 | 52% |
| [~~00~~]01 | 50% |
| [~~99~~]00 | 48% |
| [~~98~~]99 | 45% |
| [~~97~~]98 | 43% |
| [~~96~~]97 | 41% |
| [~~95~~]96 | 39% |
| [~~94~~]95 | 37% |
| [~~93~~]94 | 35% |
| [~~92~~]93 | 33% |
| [~~91~~]92 | [~~30%~~]31% |
| [~~90~~]91 | [~~28%~~]29% |
| [~~89~~]90 | [~~26%~~]27% |
| [~~88~~]89 | [~~24%~~]25% |
| [~~87~~]88 and prior | [~~22%~~]23% |

[~~(q)~~](r) Class 17a - Vessels Less Than 31 Feet in Length

(i) Because Section 59-2-405.2 subjects vessels less than 31 feet in length to an age-based uniform fee, a percent good schedule is not necessary.

[~~(r)~~](s) Class 18 - Travel Trailers and Class 18a - Tent Trailers/Truck Campers.

(i) Because Section 59-2-405.2 subjects travel trailers and tent trailers/truck campers to an age-based uniform fee, a percent good schedule is not necessary.

[~~(s)~~](t) Class 20 - Petroleum and Natural Gas Exploration and Production Equipment. Class 20 property is subject to significant functional and economic obsolescence due to the volatile nature of the petroleum industry.

(i) Examples of property in this class include:

(A) oil and gas exploration equipment;

(B) distillation equipment;

(C) wellhead assemblies;

(D) holding and storage facilities;

(E) drill rigs;

(F) reinjection equipment;

(G) metering devices;

(H) cracking equipment;

(I) well-site generators, transformers, and power lines;

(J) equipment sheds;

(K) pumps;

(L) radio telemetry units; and

(M) support and control equipment.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 20

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | [~~98%~~]96% |
| [~~06~~]07 | [~~97%~~]92% |
| [~~05~~]06 | [~~94%~~]91% |
| [~~04~~]05 | [~~93%~~]87% |
| [~~03~~]04 | 85% |
| [~~02~~]03 | 77% |
| [~~01~~]02 | 68% |
| [~~00~~]01 | 59% |
| [~~99~~]00 | 50% |
| [~~98~~]99 | [~~40%~~]41% |
| [~~97~~]98 | 31% |
| [~~96~~]97 | 21% |
| [~~95~~]96 and prior | [~~11%~~]10% |

[~~(t)~~](u) Class 21 - Commercial Trailers.

(i) Examples of property in this class include:

(A) dry freight van trailers;

(B) refrigerated van trailers;

(C) flat bed trailers;

(D) dump trailers;

(E) livestock trailers; and

(F) tank trailers.

(ii) Taxable value is calculated by applying the percent good factor against the cost new of the property. For state assessed vehicles, cost new shall include the value of attached equipment.

(iii) The [~~2008~~]2009 percent good applies to [~~2008~~]2009 models purchased in [~~2007~~]2008.

(iv) Commercial trailers have a residual taxable value of $1,000.

TABLE 21

| Model Year | Percent Good of Cost New |
|---|---|
| [~~08~~]09 | 95% |
| [~~07~~]08 | [~~89%~~]92% |
| [~~06~~]07 | [~~83%~~]86% |
| [~~05~~]06 | [~~78%~~]81% |
| [~~04~~]05 | [~~73%~~]75% |
| [~~03~~]04 | [~~67%~~]70% |
| [~~02~~]03 | [~~62%~~]64% |
| [~~01~~]02 | [~~57%~~]58% |
| [~~00~~]01 | [~~52%~~]53% |
| [~~99~~]00 | [~~46%~~]47% |
| [~~98~~]99 | [~~41%~~]42% |
| [~~97~~]98 | 36% |
| [~~96~~]97 | [~~30%~~]31% |
| [~~95~~]96 | 25% |
| [~~94~~]95 | 20% |
| [~~93~~]94 | 14% |
| [~~92~~]93 and prior | 9% |

[~~(u)~~](v) Class 21a - Other Trailers (Non-Commercial).

(i) Because Section 59-2-405.2 subjects this class of trailers to an age-based uniform fee, a percent good schedule is not necessary.

[~~(v)~~](w) Class 22 - Passenger Cars, Light Trucks/Utility Vehicles, and Vans.

(i) Class 22 vehicles fall within four subcategories: domestic passenger cars, foreign passenger cars, light trucks, including utility vehicles, and vans.

(ii) Because Section 59-2-405.1 subjects Class 22 property to an age-based uniform fee, a percent good schedule is not necessary.

[~~(w)~~](x) Class 22a - Small Motor Vehicles.

(i) Because Section 59-2-405.2 subjects small motor vehicles to an age-based uniform fee, a percent good schedule is not necessary.

[~~(x)~~](y) Class 23 - Aircraft [~~Subject to the Aircraft Uniform Fee and Not Listed in the Aircraft Bluebook Price Digest~~]Required to be Registered With the State.

(i) Because Section 59-2-404 subjects aircraft required to be registered with the state to a statewide uniform fee, a percent good schedule is not necessary.

~~[(i) Examples of property in this class include:~~

~~(A) kit-built aircraft;~~

~~(B) experimental aircraft;~~

~~(C) gliders;~~

~~(D) hot air balloons; and~~

~~(E) any other aircraft requiring FAA registration.~~

~~(ii) Aircraft subject to the aircraft uniform fee, but not listed in the Aircraft Bluebook Price Digest, are valued by applying the percent good factor against the acquisition cost of the aircraft.~~

~~(iii) Aircraft requiring Federal Aviation Agency registration and kept in Utah must be registered with the Motor Vehicle Division of the Tax Commission.~~

~~TABLE 23~~

| ~~Year of Acquisition~~ | ~~Percent Good of Acquisition Cost~~ |
|---|---|
| ~~07~~ | ~~75%~~ |
| ~~06~~ | ~~71%~~ |
| ~~05~~ | ~~67%~~ |
| ~~04~~ | ~~63%~~ |
| ~~03~~ | ~~59%~~ |
| ~~02~~ | ~~55%~~ |
| ~~01~~ | ~~51%~~ |
| ~~00~~ | ~~47%~~ |
| ~~99~~ | ~~43%~~ |
| ~~98~~ | ~~39%~~ |
| ~~97~~ | ~~35%~~ |
| ~~96 and prior~~ | ~~31%~~] |

[~~(y)~~](z) Class 24 - Leasehold Improvements.

(i) This class includes leasehold improvements to real property installed by a tenant. The Class 24 schedule is to be used only with leasehold improvements that are assessed to the lessee of the real property pursuant to Tax Commission rule R884-24P-32. Leasehold improvements include:

(A) walls and partitions;

(B) plumbing and roughed-in fixtures;

(C) floor coverings other than carpet;

(D) store fronts;

(E) decoration;

(F) wiring;

(G) suspended or acoustical ceilings;

(H) heating and cooling systems; and

(I) iron or millwork trim.

(ii) Taxable value is calculated by applying the percent good factor against the cost of acquisition, including installation.

(iii) The Class 3 schedule is used to value short life leasehold improvements.

TABLE 24

| Year of Installation | Percent of Installation Cost |
|---|---|
| [~~07~~]08 | 94% |
| [~~06~~]07 | 88% |
| [~~05~~]06 | 82% |
| [~~04~~]05 | 77% |
| [~~03~~]04 | 71% |
| [~~02~~]03 | 65% |
| [~~01~~]02 | 59% |
| [~~00~~]01 | 54% |
| [~~99~~]00 | 48% |
| [~~98~~]99 | 42% |
| [~~97~~]98 | 36% |
| [~~96~~]97 and prior | 30% |

[~~(z)~~](aa) Class 25 - Aircraft Parts Manufacturing Tools and Dies. Property in this class is generally subject to rapid physical, functional, and economic obsolescence due to rapid technological and economic shifts in the airline parts manufacturing industry. Heavy wear and tear is also a factor in valuing this class of property.

(i) Examples of property in this class include:

(A) aircraft parts manufacturing jigs and dies;

(B) aircraft parts manufacturing molds;

(C) aircraft parts manufacturing patterns;

(D) aircraft parts manufacturing taps and gauges;

(E) aircraft parts manufacturing test equipment; and

(F) aircraft parts manufacturing fixtures.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 25

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 86% |
| [~~06~~]07 | [~~73%~~]71% |
| [~~05~~]06 | [~~58%~~]57% |
| [~~04~~]05 | [~~42%~~]41% |
| [~~03~~]04 | [~~22%~~]23% |
| [~~02~~]03 and prior | 4% |

[~~(aa)~~](bb) Class 26 - Personal Watercraft.

(i) Because Section 59-2-405.2 subjects personal watercraft to an age-based uniform fee, a percent good schedule is not necessary.

[~~(bb)~~](cc) Class 27 - Electrical Power Generating Equipment and Fixtures

(i) Examples of property in this class include:

(A) electrical power generators; and

(B) control equipment.

(ii) Taxable value is calculated by applying the percent good factor against the acquisition cost of the property.

TABLE 27

| Year of Acquisition | Percent Good of Acquisition Cost |
|---|---|
| [~~07~~]08 | 97% |
| [~~06~~]07 | 95% |
| [~~05~~]06 | 92% |
| [~~04~~]05 | 90% |
| [~~03~~]04 | 87% |
| [~~02~~]03 | 84% |
| [~~01~~]02 | 82% |
| [~~00~~]01 | 79% |
| [~~99~~]00 | 77% |
| [~~98~~]99 | 74% |
| [~~97~~]98 | 71% |
| [~~96~~]97 | 69% |
| [~~95~~]96 | 66% |
| [~~94~~]95 | 64% |
| [~~93~~]94 | 61% |
| [~~92~~]93 | 58% |
| [~~91~~]92 | 56% |
| [~~90~~]91 | 53% |
| [~~89~~]90 | 51% |
| [~~88~~]89 | 48% |
| [~~87~~]88 | 45% |
| [~~86~~]87 | 43% |
| [~~85~~]86 | 40% |
| [~~84~~]85 | 38% |
| [~~83~~]84 | 35% |
| [~~82~~]83 | 32% |
| [~~81~~]82 | 30% |
| [~~80~~]81 | 27% |
| [~~79~~]80 | 25% |
| [~~78~~]79 | 22% |
| [~~77~~]78 | 19% |
| [~~76~~]77 | 17% |
| [~~75~~]76 | 14% |
| [~~74~~]75 | 12% |
| [~~73~~]74 and prior | 9% |

The provisions of this rule shall be implemented and become binding on taxpayers beginning January 1, [~~2008~~]2009.

**KEY: taxation, personal property, property tax, appraisals**
**Date of Enactment or Last Substantive Amendment: [~~March 28~~], 2008**
**Notice of Continuation: March 12, 2007**
**Authorizing, and Implemented or Interpreted Law: 59-2-301**

♦ ♦

# Workforce Services, Employment Development
# R986-500-505
## Time Limits for AA

**NOTICE OF PROPOSED RULE**
(Amendment)
DAR FILE NO.: 31776
FILED: 07/30/2008, 14:55

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to correct an error in the rule.

SUMMARY OF THE RULE OR CHANGE: Section 35A-3-308 provides that months of Adoption Assistance (AA) received after relinquishment do not count toward the 36-month time limit if the client is not otherwise eligible for the Family Employment Program (FEP) or the Family Employment Program - Two Parent (FEPTP) (there are no children in the home.) The Department has never counted those months. The current rule does not reflect the statute and this proposed amendment corrects that.

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

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: This will have no impact on the state budget as the Department has always followed the statute and not the rule. There will be no change as a result of this rule change.

❖ LOCAL GOVERNMENTS: This is a state program and will not represent any costs or savings to local governments.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: This change will not represent any costs or savings to small businesses or other persons as it is a state-funded program.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be compliance costs for any affected persons. There are no compliance costs associated with this program.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no compliance costs associated with this change. There are no fees associated with this change. There will be no cost to anyone to comply with these changes. There will be no fiscal impact on any business. Kristen Cox, Executive Director

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Suzan Pixton at the above address, by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Kristen Cox, Executive Director

---

**R986. Workforce Services, Employment Development.**
**R986-500. Adoption Assistance.**
**R986-500-505. Time Limits for AA.**

(1) Financial AA can be provided up to a maximum of 12 consecutive months from the date of relinquishment.

(2) Payment of financial assistance for part of a month counts as a whole month when calculating the 12 month time limit.

(3) No extensions or exceptions to the time limit will be allowed.

(4) A birth parent who is determined eligible for adoption assistance and becomes ineligible during the 12 month payment period may reestablish eligibility up to the twelfth month if the parent reapplies during the 12 month period.

(5) Months during which no payment of financial assistance was made due to ineligibility or disqualification count toward the 12 month time limit.

(6) There is no limit to the number of times a parent can apply for or be found eligible for AA, however months during which a client receives AA prior to relinquishment count toward the 36 month time limit for FEP and FEPTP found in R986-200-217. [~~This is true even if there were no other dependent children living in the household.~~]Months when a client receives AA after relinquishment count toward the 36 month time limit if the client is otherwise eligible to receive FEP or FEPTP because there are eligible children in the home.

**KEY: adoption assistance**
**Date of Enactment or Last Substantive Amendment: [~~July 31, 2007~~]2008**
**Notice of Continuation: September 14, 2005**
**Authorizing, and Implemented or Interpreted Law: 35A-3-114**

♦ ♦

**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 public comment that requires the PROPOSED RULE to be altered before it goes into effect. A CHANGE IN PROPOSED RULE allows an agency to respond to comments it receives.

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

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

While a CHANGE IN PROPOSED RULE does not have a formal comment period, there is a 30-day waiting period during which interested parties may submit comments. The 30-day waiting period for CHANGES IN PROPOSED RULES published in this issue of the *Utah State Bulletin* ends September 15, 2008. At its option, the agency may hold public hearings.

From the end of the waiting period through December 13, 2008, the agency may notify the Division of Administrative Rules that it wants to make the CHANGE IN PROPOSED RULE effective. When an agency submits a NOTICE OF EFFECTIVE DATE for a CHANGE IN PROPOSED RULE, the PROPOSED RULE as amended by the CHANGE IN PROPOSED RULE becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file another CHANGE IN PROPOSED RULE in response to additional comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or another CHANGE IN PROPOSED RULE, the CHANGE IN PROPOSED RULE filing, along with its associated PROPOSED RULE, lapses and the agency must start the process over.

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

---

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

# Commerce, Administration
# R151-46b
## Department of Commerce Administrative Procedures Act Rules

**NOTICE OF CHANGE IN PROPOSED RULE**
DAR File No.: 31138
Filed: 07/17/2008, 13:51

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This change to proposed rule further clarifies the procedures for prompt resolution of adjudicative proceedings and removes an unnecessary provision.

SUMMARY OF THE RULE OR CHANGE: The rule change clarifies discovery procedures for informal interviews and further clarifies hearing procedures, hearing time frames, service methods, rulings on motions, and numbering of agency cases. The rule change also deletes Section R151-46b-13 regarding reconsideration, because it was duplicative of Section 63-46b-13 (now Section 63G-4-302) and was sometimes inadvertently inconsistent with that statute. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was published in the May 1, 2008, issue of the Utah State Bulletin, on page 12. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 13-1-6 and Subsection 63G-4-102(6)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: These changes should not affect the state budget as they clarify administrative procedures and speed up the processing of adjudicative proceedings.

❖ LOCAL GOVERNMENTS: This rule does not apply to local governments, because local governments are rarely a party to the proceedings in this department.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: Regulated professionals and their small businesses could benefit from a speedier process in the department, but that cost savings is difficult to estimate.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The regulated professionals could benefit from a speedier process, but the cost savings is difficult to estimate.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact to business is foreseen from this change to proposed rule beyond those discussed above. Francine A. Giani, Executive Director

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Masuda Medcalf at the above address, by phone at 801-530-7663, by FAX at 801-530-6446, or by Internet E-mail at mmedcalf@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/15/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2008

AUTHORIZED BY: Francine Giani, Executive Director

---

**R151. Commerce, Administration.**
**R151-46b. Department of Commerce Administrative Procedures Act Rules.**
**R151-46b-2. Definitions.**

In addition to the definitions in Title 63G, Chapter 4[~~6b~~], Administrative Procedures Act, which apply to these rules:

(1) "Agency head" means the executive director of the department, the director of a division, or the committee's residential and small commercial representative, respectively, as used in context.

(2) "Applicant" means a person who submits an application.

(3) "Application" means a request for licensure, certification, registration, permit, or other right or authority granted by the department.

(4) "Committee" means the Committee of Consumer Services of the department.

(5) "Department" means the department, a division, or the committee, respectively or collectively, as used in context.

(6) "Division" means a division of the department.

(7) "Intervenor" means a person permitted to intervene in an adjudicative proceeding before the department.

(8) "Motion" means a request for any action or relief submitted to the presiding officer in an adjudicative proceeding.

(9) "Petition" means the charging document, typically incorporated by reference into a notice of agency action, setting forth a statement of jurisdiction, statement of allegations, statement of legal authority, and prayer for relief.

(10) "Pleadings" include the notice of agency action or request for agency action, any response filed thereto, the petition, motions, briefs or other documents filed by the parties to an adjudicative proceeding, any request for agency review or agency reconsideration, any response filed thereto, and any motions, briefs or other documents filed by the parties on agency review.

(11) "Record" means the record of a hearing in an adjudicative proceeding or the record of the entire adjudicative proceeding, as used in context.

**R151-46b-5. General Provisions.**

(1) Liberal Construction.

These rules shall be liberally construed to secure the just, speedy, and economical determination of all issues presented in adjudicative proceedings before the department.

(2) Deviation from Rules.

The presiding officer may permit or require a deviation from these rules upon a determination that compliance therewith is impractical or unnecessary.

(3) Utah Rules of Civil Procedure.

The Utah Rules of Civil Procedure and case law thereunder may be looked to as persuasive authority upon these rules, but shall not, except as otherwise provided by Title 63G, Chapter 4[~~6b~~], Administrative Procedures Act, or by these rules, be considered controlling authority.

(4) Computation of Time.

(a) Periods of time prescribed or allowed by these rules, by any applicable statute or by an order of a presiding officer shall be computed as to exclude the first day of the act, event, or default from which the designated period of time begins to run. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. Whenever a party has the right or is required to do some act or take some action within a prescribed period after the service of a notice or other paper upon him and service is by mail, three days shall be added to the prescribed period. No additional time is provided if service is accomplished by facsimile or other electronic means.

(b) Subject to the provisions of Subsections R151-46b -5(5)(b) and -9(9)(c)(ii), for good cause shown, the presiding officer may extend a time period under these rules on his own motion or upon written application from either party.

(5) Extension of Time; Continuance of Hearing.

(a) When a statute, or these rules, authorizes the presiding officer to extend a time period or grant a continuance of a hearing, the presiding officer shall consider the following factors, and such other factors as may be appropriate, in determining whether to grant such extension or continuance:

(i) whether there is good cause for granting the extension or continuance;

(ii) the number of extensions or continuances the requesting party has already received;

(iii) whether the extension or continuance will work a significant hardship upon the other party;

(iv) whether the extension or continuance will be prejudicial to the health, safety or welfare of the public; and

(v) whether the other party objects to the extension or continuance.

(b)(i) Notwithstanding the provisions of Subsection R151-46b-5(2) or any other provision of these rules, and except as provided in Subsection (5)(b)(ii), an extension of a time period or a continuance of a hearing may not result in the hearing being concluded more than 240 calendar days after the day on which:

(A) the notice of agency action was issued; or

(B) the initial decision with respect to a request for agency action was issued.

(ii) Notwithstanding the provisions of Subsection (5)(b)(i), an extension of a time period or a continuance may exceed the time restriction outlined in Subsection (5)(b)(i) only if:

(A)(I) a party provides an affidavit or certificate signed by a licensed physician verifying that [~~the party's~~]an illness of the party, the party's counsel, or a necessary witness precludes the [~~party's~~ ]presence of the party, the party's counsel, or a necessary witness at the hearing;[ ~~and~~]

(II) counsel for a party withdraws shortly before the final hearing, unless the presiding officer finds that the withdrawal was for the purpose of delaying the hearing; or

(III) a parallel criminal proceedings exists based on facts at issue in the administrative proceeding; and

(B) the presiding officer finds that injustice would result from failing to grant the extension or continuance.

(iii) The failure of the presiding officer to comply with the requirements of this Subsection (5)(b) is not a basis for dismissal of the matter.

(6) Conflict.

In the event of a conflict between these rules and any statutory provision, the statute shall govern.

(7) Necessity of Compliance with GRAMA.

To the extent that the Utah Government Records Access and Management Act ("GRAMA") would impose a restriction on the ability of a party to disclose any record which would otherwise have to be disclosed under these rules, such record shall not be disclosed except upon compliance with the requirements of that Act.

**R151-46b-7. Pleadings.**

(1) Docket Number and Title.

[~~The department~~]An agency shall assign a docket number to each notice of agency action and request for agency action. The docket number shall consist of a letter code identifying the [~~division or committee~~]agency in which the matter originated (CORP-Corporations; CP-Consumer Protection; CCS-Committee of Consumer Services; DOPL-Occupational and Professional Licensing; D-Diversion; NAFA-New Automobile Franchise Act; PVFA-Powersport Vehicle Franchise Act; RE-Real Estate, AP-Real Estate Appraisers; SD-Securities), a numerical code indicating the year the matter arose, and another number indicating chronological position among notices of agency action or requests for agency action filed during the year. The department shall give each adjudicative proceeding a title that shall be in substantially the following form:

TABLE I

| | |
|---|---|
| BEFORE THE (DIVISION/COMMITTEE) OF THE DEPARTMENT OF COMMERCE OF THE STATE OF UTAH | |
| In the Matter of (the application, petition or license of John Doe) | (Notice of Agency Action) (Request for Agency Action) No. AA-2000-001 |

(2) Content and Size of Pleadings.

Pleadings shall be double-spaced, typewritten and presented on standard 8 1/2 x 11 inch white paper. Pleadings shall contain a clear and concise statement of the allegations or facts relied upon as the basis for the pleading, together with an appropriate prayer for relief when relief is sought.

(3) Signing of Pleadings.

Pleadings shall be signed by the party or the party's representative and shall show the signer's address. The signature shall be deemed to be a certification that the signer has read the pleading and that, to the best of his knowledge and belief, there is good ground to support it.

(4) Amendments to Pleadings.

A party may amend a pleading once as a matter of course at any time before a responsive pleading is served. Otherwise, a party may amend a pleading only by leave of the presiding officer or by written consent of the adverse party. Leave shall be freely given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within ten days after service of the amended pleading, whichever period may be longer, unless the presiding officer otherwise orders. Defects in a pleading that do not affect substantial rights of a party need not be amended and shall be disregarded.

(5) Response to a Notice of Agency Action.

(a) Formal Adjudicative Proceedings.

In accordance with Subsection [~~63-46b-3~~]63G-4-201(2)(a)(vi), a respondent in a formal adjudicative proceeding shall file a response to the notice of agency action.

(b) Informal Adjudicative Proceedings.

(i) In accordance with Subsection [~~63-46b-5~~]63G-4-203(1)(a), a respondent in an informal adjudicative proceeding may file, but is not required to file except as provided in Subsection (ii), a response to a notice of agency action.

(ii) The presiding officer may, upon a determination of good cause, require a person against whom an informal adjudicative proceeding has been initiated to submit a response by so ordering in the notice of agency action or the notice of receipt of request for agency action.

(c) Time Period for Filing a Response.

Unless a different date is established by law, rule, or by the presiding officer, a response to a notice of agency action or a notice of receipt of request for agency action shall be filed within 30 days of the mailing date of the notice.

(6) Motions.

(a) General. Any motion that is relevant to an adjudicative proceeding and is timely may be filed. All motions shall be filed in writing, unless the necessity for a motion arises at a hearing and could not have been anticipated prior to the hearing. Subsection [~~63-46b-4~~]63G-4-102(4)(b) shall not be construed to prohibit a presiding officer from granting a timely motion to dismiss for failure to prosecute, failure to comply with these rules, failure to establish a claim upon which relief may be granted, or any other good cause basis.

(b) Time for Filing Motions to Dismiss.

Any motion to dismiss on a ground described in Rule 12(b)(1) through (7) of the Utah Rules of Civil Procedure shall be filed prior to filing a responsive pleading if such a pleading is permitted unless, subject to Subsections R151-46b-5(5)(b) and -9(9)(c)(ii), the presiding officer allows additional time upon a determination of good cause.

(c) Memoranda and Affidavits.

The presiding officer shall permit and may require memoranda and affidavits in support or contravention of a motion. Unless otherwise governed by a scheduling order issued by the presiding officer, any memorandum or affidavits in support of a motion shall be filed concurrently with the motion, any memorandum or affidavits in response to a motion shall be filed no later than ten days after service of the motion, and any final reply shall be filed no later than five days after service of the response.

(d) Oral Argument.

(i) The presiding officer may permit or require oral argument on a motion.

(ii) Any oral argument on a motion shall be scheduled to take place no more than [~~21~~]10 calendar days after the day on which the final submission on the motion is filed.

(e) Ruling on a motion.

(i) The presiding officer shall verbally rule on a motion at the conclusion of oral argument whenever possible.

(ii) When a presiding officer verbally rules on a motion, the presiding officer shall issue a written ruling within 30 calendar days after the day on which the presiding officer made the verbal ruling.

(iii) If the presiding officer does not verbally rule on a motion at the conclusion of oral argument, the presiding officer shall issue [~~an order~~]a written ruling on the motion no more than 30 calendar days after:

(A) oral argument; or

(B) if there was no oral argument, the final submission on the motion.

(iv[~~ii~~]) The failure of the presiding officer to comply with the requirements of this Subsection (6)(e) is not a basis for dismissal of the matter, and may not be considered an automatic denial or grant of the motion.

**R151-46b-8. Filing and Service.**

(1) Filing.

(a) Pleadings shall be filed with the agency in which the adjudicative proceeding is being conducted. If an administrative law judge is conducting part of the adjudicative proceeding, then the party shall cause a courtesy copy of such pleadings to be filed with the administrative law judge. The filing of discovery documents is governed by Subsection R151-46b-9(11)(a).

(b) Manner and time of filing.

(i) A filing may be accomplished by hand delivery or by mail to the agency in which the adjudicative proceeding is being conducted.

(ii)(A) A filing may also be accomplished by facsimile or other electronic means, so long as the original document is also mailed to the agency the same day, as evidenced by a postmark or mailing certificate.

(B) Filing by electronic means is complete upon transmission if transmission is completed during normal business hours at the place receiving the filing; otherwise, filing is complete on the next business day.

(C) A filing by electronic means is not effective unless the agency receives all pertinent pages of the document transmitted.

(D) The burden is on the party filing the document to ensure that a transmission is properly completed.

(2) Service.

Pleadings filed by the parties and documents issued by the presiding officer shall be served upon the parties to the adjudicative proceeding concurrently with the filing or issuance thereof. The party who files the pleading shall be responsible for service of the pleading. The presiding officer who issues a document shall be responsible for service of the document.

(a) Service may be made upon any person upon whom a summons may be served in accordance with the Utah Rules of Civil Procedure and may be made personally or upon the agent of the person being served. If a party is represented by an attorney, service may be made upon the attorney.

(b) Service may be accomplished by hand delivery or by mail to the last known address of the intended recipient. Service by mail is complete upon mailing. Service may also be accomplished by facsimile or other electronic means. Service by electronic means is complete on transmission if transmission is completed during normal business hours at the place receiving the service; otherwise, service is complete on the next business day.

(c) There shall appear on all documents required to be served a certificate of service in substantially the following form:

TABLE II

CERTIFICATE OF SERVICE
I hereby certify that I have this day served the foregoing document upon the parties of record in this proceeding set forth below (by delivering a copy thereof in person) (by mailing a copy thereof, properly addressed by first class mail with postage prepaid, to) (by facsimile/
electronic means and first class mail to):

(Name(s) of parties of record)
(Address(es))

Dated this (day) day of (month), (year).

(Signature)
(Title)

**R151-46b-9. Discovery - Formal Proceedings Only.**

This rule applies only to formal adjudicative proceedings. Discovery is prohibited in informal adjudicative proceedings.

(1) Scope of discovery.

(a) Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the proceeding, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party.

(b) Subject to the provisions of Subsections R151-46b-9(1)(c) and R151-46b-9(3)(a), a party may obtain discovery of documents and tangible things otherwise discoverable under Subsection R151-46b-9(1)(a) and prepared in anticipation of litigation or for hearing by or for another party or by or for that party's representative, including his attorney, consultant, insurer or other agent, only upon a showing that the party seeking discovery has substantial need of the materials in the preparation of his case and that he is unable without undue hardship to obtain the substantial equivalent of the materials by other means. In ordering discovery of such materials when the required showing has been made, the presiding officer shall protect against disclosure of the mental impressions, conclusions, opinions, or legal theories of an attorney or other representative of a party concerning the litigation.

(c) Discovery of facts known and opinions held by experts, otherwise discoverable under the provisions of Subsection R151-46b-9(1)(a) and acquired or developed in anticipation of litigation or for hearing, may be obtained only through the disclosures required by Subsection R151-46b-9(3)(a).

.....

(9) Initial Prehearing Conference.

(a) The party initiating the adjudicative proceeding shall file a written request for the scheduling of an initial prehearing conference and provide a copy to the presiding officer within 10 days after the filing of the response to the notice of agency action or within 10 days after the filing of the request for agency action in a case commenced by such a request. The presiding officer shall contact the parties upon receiving that request for the scheduling of the conference and arrange for that conference to be held at the earliest feasible time. Nothing in this rule shall limit the ability of the presiding officer to contact the parties and schedule the conference on his own initiative.

(b) The conference may be conducted either in person or telephonically. All parties, or their counsel, shall participate in the conference. The conference shall include discussion of discovery, prehearing motions and other matters pertaining to the orderly management of the proceeding.

(c) During the initial prehearing conference, the presiding officer shall issue a verbal order regarding the following matters, and shall issue a written order to the same effect after the conference is concluded:

(i) scheduling any additional prehearing conferences;

(ii) setting a deadline for the filing of all prehearing motions and cross-motions, including motions for summary judgment, which deadline shall allow for all motions to be submitted and ruled on prior to the hearing date;

(iii) modifying, if appropriate, any of the deadlines for disclosures under Subsection R151-46b-9(3);

(iv) resolving any discovery issues;

(v) establishing a schedule for briefing, discovery needs, expert witness reports, witness and exhibit lists, objections, and any other necessary or appropriate prehearing matters;

(vi) scheduling a [~~tentative~~ ]hearing date, which notwithstanding the provisions of Subsection R151-46b-5(2), shall provide for the hearing to be concluded not more than 180 calendar days after the day on which:

(A) the notice of agency action was issued; or

(B) the initial decision with respect to a request for agency action was issued; and

(vii) dealing with any other matters appropriate in the circumstances of the case.

(d) A party joined after the initial prehearing conference is bound by the order issued as a result of that conference, unless the presiding officer orders on stipulation or motion a modification of that order. Any such stipulation or motion shall be filed within a reasonable time after joinder.

(e) Notwithstanding Subsection R151-46b-9(7)(b) or any other provision of these rules that provides a maximum time frame for any prehearing matter, the presiding officer shall schedule all prehearing matters consistent with Subsection R151-46b-9(9)(c)(vi). The presiding officer may:

(i) adjust any time frames as necessary to accommodate Subsection R151-46b-9(9)(c)(vi); and/or

(ii) schedule any appropriate prehearing matters to occur concurrently.

(10) Signing of Disclosures, Discovery Requests, Responses, and Objections.

(a) Every disclosure made pursuant to Subsections R151-46b-9(2) and (3) shall be signed by at least one attorney of record or by the party if not represented, whose address shall be stated. The signature of the attorney or party constitutes a certification that to the best of the signer's knowledge, information, and belief, formed after a reasonable inquiry, the disclosure is complete and correct as of the time it was made.

(b) Every request for discovery or any response or objection thereto made by a party shall be signed by at least one attorney of record or by the party if not represented, whose address shall be stated. The signature of the attorney or party constitutes a certification that he has read the request, response, or objection, and that to the best of his knowledge, information, and belief formed after a reasonable inquiry it is:

(i) consistent with these rules and warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law;

(ii) not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation; and

(iii) not unreasonable or unduly burdensome or expensive, given the needs of the case, the discovery already had in the case, and the importance of the issues at stake in the proceeding.

(c) If a request, response, or objection is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the party making the request, response or objection and a party shall not be obligated to take any action with respect to it until it is signed.

(11) Filing of Discovery Requests or Disclosures.

(a) Unless otherwise ordered by the presiding officer, a party shall not file any request for or response to discovery, but shall file only the original certificate of service stating that the request or response has been served on the other parties and the date of service. Unless otherwise ordered by the presiding officer, a party shall not file any of the disclosures required by the initial prehearing order pursuant to Subsection R151-46b-9(2) or any of the disclosures required by Subsection R151-46b-9(3)(a), but shall file only the original certificate of service stating that the disclosures have been served on the other parties and the date of service. Except as provided in Subsection R151-46b-9(13)(f)(i) or unless otherwise ordered by the presiding officer, depositions shall not be filed. A party shall file the disclosures required by Subsection R151-46b-9(3)(b) unless otherwise ordered by the presiding officer.

(b) A party filing a motion for a protective order or a motion for an order compelling discovery shall attach to the motion a copy of the request for discovery or the response which is at issue.

(12) Subpoenas.

(a) Every subpoena shall be issued by the presiding officer under the seal of the department or applicable division, shall state the title of the action, and shall command every person to whom it is directed to attend and give testimony at a hearing or deposition at a time and place therein specified. A subpoena may also command the person to whom it is directed to produce books, papers, or tangible things designated therein, and in the case of a subpoena for a deposition, to also permit inspection and copying of such items. A subpoena for a deposition must limit its designation of such items to matters which properly fall within the scope of discoverable information as provided in Subsection R151-46b-9(1)(a). The presiding officer shall issue a subpoena, or a subpoena for the production of documentary evidence, signed and sealed but otherwise in blank, to a party requesting it, who shall fill it in before service.

(b) Service of a subpoena upon a person named therein shall be accompanied by a tender of fees for one day's attendance and the mileage allowed by law.

(c) A subpoena commanding a person to appear at a hearing or a deposition being held in this state may be served at any place within this state. A person who resides in this state may be required to appear at a deposition only in the county where the person resides, or is employed, or transacts business in person, or at such other place as the presiding officer may order. A person who does not reside in this state may be required to appear at a deposition only in the county of this state where the person is served with a subpoena, or at such other place as the presiding officer may order.

(d) A subpoena commanding a person to appear at a deposition or to produce or allow the inspection of documents, tangible things or premises located outside this state shall be served in accordance with the requirements of the jurisdiction in which such service is made.

(e) Upon motion made promptly, and in any event at or before the time specified in the subpoena for compliance therewith, the presiding officer may:

(i) quash or modify the subpoena, if it is shown to be unreasonable and oppressive; or

(ii) condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(f) In the case of subpoenas requiring the production of books, papers, or other tangible things at a deposition, the person to whom the subpoena is directed may, within 10 days after the service thereof or on or before the time specified in the subpoena for compliance if such time is less than 10 days after service, serve upon the attorney designated in the subpoena a written objection to production, inspection or copying of any or all of the designated materials. If such objection is made, the party serving the subpoena shall not be entitled to production, inspection or copying of the materials except pursuant to a further order of the presiding officer who issued the subpoena.

(13) Depositions Upon Oral Examination: General provision; Persons who may be deposed.

Under the limited circumstances prescribed in this Subsection, a party may with leave of the presiding officer take the testimony by deposition upon oral examination of certain persons, including parties, who have knowledge of facts relevant to the claims or defenses of any party in the proceeding. The attendance of witnesses may be compelled by subpoena as provided in Subsection R151-46b-9(12). Depositions of expert witnesses shall not be permitted.

(a)(i) Before a party may request leave to take a person's deposition, the party must first make diligent efforts to obtain discovery from that person by means of an informal interview. A party shall not be granted leave to take a deposition unless the party, upon motion, demonstrates to the satisfaction of the presiding officer that the person has knowledge of facts relevant to the claims or defenses of any party in the proceeding and:

([~~i~~]A) has refused a reasonable request by the moving party for an informal interview;

([~~ii~~]B) after having notice of at least two reasonable requests by that party for an informal interview, has failed to respond to those requests;

([~~iii~~]C) has refused to answer reasonable questions propounded to him by that party in an informal interview; or

([~~iv~~]D) will be unavailable to testify at the hearing.

In deciding whether to issue such an order, the presiding officer shall take into consideration the probative value which the testimony of that witness is likely to have in the proceeding. The burden of demonstrating the need for a deposition shall be upon the party requesting the deposition.

(ii) For an informal interview:

(A) a party or counsel has no obligation to notify the other party or counsel of an intention to hold an informal interview with a potential witness;

(B) a party or counsel does not have a right to be present during an informal interview with a potential witness conducted by another party or counsel; and

(C) there is no requirement to have a potential witness placed under oath before providing information in an informal interview.

(b) Notice of Examination: General Requirements; Notice; Non-Stenographic Recording; Production of Documents and Things; Deposition of Organization; Deposition by Telephone.

(i) A party permitted to take the deposition of any person upon oral examination shall give reasonable notice in writing to every other party to the action. The notice shall state the time and place for taking the deposition and the name and address of each person to be

examined, if known, and, if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. If a subpoena duces tecum is to be served on the person to be examined, the designation of the materials to be produced, as set forth in the subpoena, shall be attached to or included in the notice.

(ii) The parties may stipulate in writing or, upon motion, the presiding officer may order the testimony at a deposition be recorded by other than stenographic means. The stipulation or order shall designate the person before whom the deposition shall be taken, the manner of recording, preserving and filing the deposition, and may include other provisions to assure that the recorded testimony will be accurate and trustworthy. A party may arrange to have a stenographic transcription made at his own expense. Any objections under Subsection R151-46b-9(13)(c), any changes made by the witness, his signature identifying the deposition as his own or the statement of the officer that is required if the witness does not sign, as provided in this rule, and the certification of the officer required by Subsection R151-46b-9(13)(f), shall be set forth in a writing to accompany a deposition recorded by non-stenographic means.

(iii) The notice to a party deponent may be accompanied by a request made in compliance with Subsection R151-46b-9(14) for the production of documents and tangible things at the taking of the deposition.

(iv) A party may, in his notice and in a subpoena, name as the deponent a public or private corporation or a partnership or association or governmental agency and describe with reasonable particularity the matters on which examination is requested. In that event, the organization so named shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which he will testify. A subpoena shall advise a non-party organization of its duty to make such a designation. The persons so designated shall testify as to matters known or reasonably available to the organization. This subsection does not preclude taking a deposition by any other procedure authorized in these rules.

(v) The parties may stipulate in writing or, upon motion, the presiding officer may order a deposition be taken by telephone.

(c) Examination and Cross-Examination; Record of Examination; Oath; Objections.

Examination and cross-examination of witnesses may proceed as permitted at the hearing under the provisions of the Utah Administrative Procedures Act and the Utah Rules of Evidence. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means ordered in accordance with Subsection R151-46b-9(13)(b)(ii) of this rule. If requested by one of the parties, the testimony shall be transcribed. All objections made at the time of the examination to the qualifications of the officer taking the deposition, to the manner of taking it, to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and he shall transmit them to the officer, who shall propound them to the witness and record the answer verbatim.

(d) Motion to Terminate or Limit Examination.

At any time during the taking of the deposition, on motion of either a party or the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the presiding officer may order the officer conducting the examination to cease forthwith from taking the deposition or may limit the scope and manner of the taking of the deposition, as provided in Subsection R151-46b-9(6). If the order made terminates the examination, it shall be resumed thereafter only upon the order of the presiding officer. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefore. The deposition may then be used as though signed, unless a motion to suppress is filed pursuant to Subsection R151-46b-9(13)(i)(c)(v) and the presiding officer holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(f) Certification and Filing by Officer; Exhibits; Copies; Notice of Filing.

(i) The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. Unless otherwise ordered by the presiding officer, he shall then securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of (here insert name of witness)" and shall promptly send the sealed transcript of the deposition to the attorney who arranged for the transcript to be made. If the party taking the deposition is not represented by an attorney, the transcript of the deposition shall be filed with the division or committee before which the proceeding is being held unless otherwise ordered by the presiding officer. An attorney receiving the transcript of the deposition shall store it under conditions that will protect it against loss, destruction, tampering or deterioration. The officer shall file, and serve upon all parties, a certificate indicating to whom he delivered the transcript, and the date he did so.

Documents and things produced for inspection during the examination of the witness shall, upon the request of a party, be marked for identification and annexed to the deposition, and may be inspected and copied by any party, except that if the person producing the materials desires to retain them, he may either offer copies to be marked for identification and annexed to the deposition and to serve thereafter as originals, if he affords to all parties fair opportunity to verify the copies by comparison with the originals, or offer the originals to be marked for identification, after giving to each party an opportunity to inspect and copy them, in which event the materials may then be used in the same manner as if annexed to the deposition. Any party may move for an order that the original be annexed to the original transcript of the deposition pending final disposition of the case.

(ii) Upon payment of reasonable charges therefore, the officer shall furnish a copy of the deposition to any party or to the deponent.

(g) Failure to Attend or to Serve Subpoena; Expenses.

(i) If the party giving the notice of the taking of a deposition fails to attend and proceed therewith and another party attends in person or

by attorney pursuant to the notice, the presiding officer may order the party giving the notice to pay to such other party the reasonable expenses incurred by him and his attorney in attending, including reasonable attorney's fees.

(ii) If the party giving the notice of the taking of a deposition of a witness fails to serve a subpoena upon him and the witness because of such failure does not attend, and if another party attends in person or by attorney because he expects the deposition of that witness to be taken, the presiding officer may order the party giving the notice to pay to such other party the reasonable expenses incurred by him and his attorney in attending, including reasonable attorney's fees.

(h) Persons Before Whom Depositions May Be Taken.

(i) Within the United States or within a territory or insular possession subject to the jurisdiction of the United States, depositions shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held, or before a person appointed by the presiding officer in which the action is pending. A person so appointed has power to administer oaths and take testimony.

(ii) In a foreign country, depositions may be taken:

(A) on notice before a person authorized to administer oaths in the place in which the examination is held, either by the law thereof or by the law of the United States; or

(B) before a person commissioned by the presiding officer. The person so commissioned shall have the power, by virtue of his commission, to administer any necessary oath and take testimony. A commission shall be issued on application and notice and on terms that are just and appropriate. It is not requisite to the issuance of a commission that the taking of the deposition in any other manner in impracticable or inconvenient; and a commission may be issued in proper cases. A notice or commission may designate the person before whom the deposition is to be taken either by name or descriptive title.

(iii) No deposition shall be taken before a person who is a relative or employee or attorney or counsel of any of the parties, or is a relative or employee of such attorney or counsel, or is financially interested in the proceeding.

(i) Use of Depositions in Agency Adjudicative Proceedings.

(a) Use of Depositions.

At a hearing or upon argument of a motion or an interlocutory proceeding, any part or all of a deposition, so far as admissible under the rules of evidence applied as though the witness were then present and testifying, may be used against any party who was present or represented at the taking of the deposition or who had reasonable notice thereof, in accordance with any of the following provisions:

(i) Any deposition may be used by any party for the purpose of contradicting or impeaching the testimony of the deponent as a witness, or for any other purpose permitted by the Utah Rules of Evidence.

(ii) The deposition of either a party or anyone who, at the time of taking the deposition, was an officer, director, or managing agent, or a person designated under Subsection R151-46b-9(13)(b)(iv) to testify on behalf of a public or private corporation, partnership or association or governmental agency which is a party, may be used by an adverse party for any purpose.

(iii) The deposition of a witness, whether or not a party, may be used by any party for any purpose if the presiding officer finds that:

(A) the witness is dead;

(B) the witness is at a greater distance than 100 miles from the place of hearing, or is out of the United States, unless it appears that the absence of the witness was procured by the party offering the deposition;

(C) the witness is unable to attend or testify because of age, illness, infirmity, or imprisonment;

(D) the party offering the deposition has been unable to procure the attendance of the witness by subpoena; or

(E) upon application and notice, such exceptional circumstances exist as to make it desirable, in the interest of justice and with due regard to the importance of presenting the testimony of witnesses orally in open court, to allow the deposition to be used.

(iv) If only part of a deposition is offered in evidence by a party, an adverse party may require him to introduce any other part which ought, in fairness, to be considered with the part introduced, and any party may introduce any other parts.

All depositions lawfully taken and duly filed in any court or another agency of this state may be used as if originally taken in the pending proceeding. A deposition previously taken may also be used as permitted by the Utah Rules of Evidence.

(b) Objections to Admissibility.

Subject to the provisions of Subsection R151-46b-9(13)(i)(c), objection may be made at the hearing to receiving in evidence any deposition or part thereof for any reason which would require the exclusion of the evidence if the witness were then present and testifying.

(c) Effect of Errors and Irregularities in Depositions.

(i) All errors and irregularities in the notice for taking a deposition are waived unless written objection is promptly served upon the party giving the notice.

(ii) Objection to taking a deposition because of disqualification of the officer before whom it is to be taken is waived unless made before the taking of the deposition begins or as soon thereafter as the disqualification becomes known or could be discovered with reasonable diligence.

(iii) Objections to the competency of a witness or to the competency, relevancy, or materiality of testimony are not waived by failure to make them before or during the taking of the deposition, unless the ground of the objection is one which might have been obviated or removed if presented at that time.

(iv) Errors and irregularities occurring at the oral examination in the manner of taking the deposition, in the form of the questions or answers, in the oath or affirmation, or in the conduct of parties, and errors of any kind which might be obviated, removed, or cured if promptly presented, are waived unless seasonable objection thereto is made at the taking of the deposition.

(v) Errors and irregularities in the manner in which the testimony is transcribed or the deposition is prepared, signed, certified, sealed, indorsed, transmitted, filed, or otherwise dealt with are waived unless a motion to suppress the deposition or some part thereof is made with reasonable promptness after such defect is, or with due diligence might have been, ascertained.

. . . . . .

**R151-46b-10. Hearings.**

(1) Hearings Required or Permitted.

A hearing shall be held in all adjudicative proceedings in which a hearing is:

(a) required by statute or rule and not waived by the parties; or

(b) permitted by statute or rule and timely requested.

(2) Time to Request Permissive Hearing.

A request for a hearing permitted by statute or rule must be received no later than:

(a) the time period for filing a response to a notice of agency action if a response is required or permitted;

(b) twenty days following the issuance of a notice of agency action if a response is not required or permitted; or

(c) the filing of the request for agency action.

(3) Scheduling of Hearings.

(a)(i) The date, time, and place of a hearing shall be set forth in the notice of agency action or the notice of receipt of request for agency action, or, if not known at the time of the notice, in a separate notice of hearing.

(ii) Notwithstanding the provisions of Subsection R151-46b-5(2), the [~~date of a~~ ]hearing in any formal or informal adjudicative proceeding shall [~~provide for the hearing to~~ ]be concluded not more than 180 calendar days after the day on which:

(A) the notice of agency action was issued; or

(B) the initial decision with respect to a request for agency action was issued.

(b) Subject to the provisions of Subsection R151-46b-5(5)(b), the presiding officer may, upon a determination of good cause, issue an order modifying the date, time, or place of a hearing.

(4) Hearings Open to Public; Exceptions.

(a) Any hearing in an adjudicative proceeding is open to the public unless closed by the presiding officer conducting the hearing, pursuant to Title 63G, Chapter 4[~~6b~~], the Administrative Procedures Act, or by a presiding officer who is a public body, pursuant to Title 52, Chapter 4, the Open and Public Meetings Act.

(b) The deliberative process of an adjudicative proceeding is a quasi-judicial function exempt from the Open and Public Meetings Act. Deliberations are closed to the public.

(5) Bifurcation of Hearing.

The presiding officer, good cause appearing, may order a hearing bifurcated into a findings phase relative to the allegations set forth in the petition, and a sanctions phase, if required, based upon the findings.

(6) Order of Presentation in Hearings.

The order of presentation of evidence in hearings in formal adjudicative proceedings shall normally be as follows:

(a) opening statement of the party with the burden of proof;

(b) opening statement of the opposing party, unless the party reserves the opening statement until the presentation of its case-in-chief;

(c) case-in-chief of the party which has the burden of proof and cross examination of witnesses by opposing party;

(d) case-in-chief of the opposing party and cross examination of witnesses by the party with the burden of proof;

(e) rebuttal case by the party which has the burden of proof;

(f) surrebuttal case by the opposing party;

(g) further rebuttal or surrebuttal as permitted by the presiding officer;

(h) closing argument by the party which has the burden of proof;

(i) closing argument by the opposing party; and

(j) final argument by the party which has the burden of proof.

(7) Testimony Under Oath.

All testimony presented at a hearing, if offered as evidence to be considered in reaching a decision on the merits, shall be given under oath administered by the presiding officer.

(8) Telephonic Testimony.

(a) Telephonic testimony is only permissible in a formal adjudicative proceeding upon the consent of the parties or if warranted by exigent circumstances. Normally, expenses which would be incurred by a party to produce in-person testimony do not constitute an exigent circumstance as to justify telephonic testimony in a formal adjudicative proceeding. Telephonic testimony is generally permissible in an informal proceeding upon the request of any party.

(b) When telephonic testimony is to be presented, the presiding officer shall require that the identity of any witness so testifying be established. The presiding officer shall also provide safeguards to assure the witness does not refer to documents improperly and to reduce the possibility the witness may be coached or influenced during their testimony.

(9) Standard of Proof.

The standard of proof in all proceedings under these rules, whether initiated by a notice of agency action or request for agency action, shall be a preponderance of the evidence.

(10) Burden of Proof.

The department has the burden of proof in any proceeding initiated by a notice of agency action. The party who seeks action from the department has the burden of proof in any proceeding initiated by a request for agency action.

(11) Default Procedures.

(a) Order entering the default of a party.

(i) The presiding officer may enter the default of a party in accordance with Section [~~63-46b-11~~]63G-4-209, sua sponte or upon motion of a party.

(ii) A party filing a motion for entry of default shall also file an affidavit substantiating the grounds for the motion.

(iii) If the submissions establish a basis for entry of default, the presiding officer may enter the default without notice to the defaulting party or a hearing.

(b) Additional proceedings.

(i) Following the entry of default, the presiding officer may, sua sponte or upon motion of a party, conduct further proceedings and enter a final order based on the submissions filed without notice to or participation by the defaulting party when:

(A) the relief sought against the party is specifically set forth in the pleadings that were served upon that party;

(B) the factual allegations contained in those pleadings are supported by affidavit or by a verified petition; and

(C) those factual allegations, and applicable law, support the granting of the relief sought against that party.

(ii) In all other cases, the presiding officer shall not enter a final order without conducting a hearing in which the party seeking relief may submit proffers, evidence, or legal arguments in support of the relief it requests against the defaulting party. The hearing may be held without notice to or participation by the defaulting party if the pleadings served upon the defaulting party set forth the potential relief which could be obtained against such party.

(c) The order of default and the final order may be concurrently issued.

(12) Record of Hearing.

(a) Record Requirement.

The presiding officer shall cause a record to be made of all prehearing conferences and all hearings which are conducted.

(b) Record Methods.

(i) Formal Adjudicative Proceedings.

The presiding officer shall cause the record of a hearing in a formal adjudicative proceeding to be made by means of a certified court reporter pursuant to Title 58, Chapter 74, Certified Court Reporters Licensing Act, unless the presiding officer determines it to be unnecessary or impracticable, in which case he shall cause the record to be made by means of an audio or video cassette recorder or other recording device.

(ii) Informal Adjudicative Proceedings.

The presiding officer may cause a record of a hearing in an informal adjudicative proceeding to be made by a method set forth in Subsection (i) or by minutes prepared or adopted by the presiding officer.

(c) Record Expense.

The hearing in an adjudicative proceeding shall be recorded at the expense of the agency.

(d) Transcription of Record.

(i) If a party is required by Subsection R151-46b-12(3)(d) regarding agency review proceedings to obtain a transcript of a hearing, the party must ensure that the record is transcribed:

(A) in a formal adjudicative proceeding, by the certified court reporter who reported the hearing; or

(B) in an informal adjudicative proceeding, by any certified court reporter or by a person who is not a party in interest. For purposes of this Subsection, "a party in interest" is defined to include a party or a relative of the party. Neither a party's counsel nor an employee of a party's counsel is considered "a party in interest" for purposes of this Subsection.

(ii) Where a transcript is prepared by someone other than a certified court reporter, a party shall file an affidavit of the transcriber stating under penalty of perjury that the transcript is a correct and accurate transcription of the hearing record.

(iii) Pages and lines in a transcript shall be numbered for referencing purposes.

(iv) The party requesting the transcript shall bear the cost of the transcription.

(v) The original transcript of a record of a hearing shall be filed with the presiding officer.

(13) Fees.

(a) Witness Fees.

Witnesses appearing upon the demand or at the request of a party shall be entitled to receive payment from that party in the amount of $18.50 for each day in attendance and, if traveling more than 50 miles to attend and return from the hearing, shall be entitled to receive 25 cents per mile for each mile thus actually and necessarily traveled. Any witness subpoenaed by a party other than the department may, at the time of service of the subpoena, demand one day's witness fee and mileage in advance and unless such fee is tendered, the witness shall not be required to appear.

(b) Interpreter and Translator Fees.

Interpreters and translators, including those skilled in foreign languages and communication with the deaf, shall be allowed such compensation for their services as the presiding officer may allow.

(c) Officers and Employees not Entitled to Fees - Exception.

No officer or employee of the United States, or of the State of Utah, or of any county, incorporated city or town within the State of Utah, shall receive any witness fee when testifying in an adjudicative proceeding unless the officer or employee is required to testify at a time other than during his normal working hours.

(d) Only One Fee Per Day Allowed.

No witness shall receive fees in more than one adjudicative proceeding on the same day.

**R151-46b-11. Orders.**

(1) Requirements.

(a) All orders issued by a presiding officer shall comply with the requirements of Subsection [~~63-46b-5~~]63G-4-203(1)(i) or Section [~~63-46b-10~~]63G-4-208, respectively. In the case of default orders and orders issued subsequent to a default order, the requirements of Subsections [~~63-46b-5~~]63G-4-203(1)(i)(iii) and (iv) and [~~63-46b-10~~]63G-4-208(1)(e),(f) and (g) are satisfied if the order includes a notice of the right to seek to set aside the order as provided in Subsection [~~63-46b-11~~]63G-4-209(3).

(b) The presiding officer shall issue an order within [~~30~~]45 calendar days after the day on which the hearing concludes.

(c) If the presiding officer permits the filing of any post-hearing documents, that filing shall be scheduled in a way that allows the presiding officer to issue an order within [~~30~~]45 calendar days after the day on which the hearing concludes.

(d) The failure of the presiding officer to comply with the requirements of this Subsection (1) is not a basis for dismissal of the matter, and may not be considered an automatic denial or grant of any motion.

(2) Effective Date.

The effective date of the final order in an adjudicative proceeding shall be 30 days after the issuance thereof unless otherwise provided in the order.

(3) Clerical Mistakes.

Clerical mistakes in orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the department on its own initiative or on the motion of any party and after such notice, if any, as the department orders. Such mistakes may be so corrected at any time prior to the docketing of a petition for judicial review or as governed by Rule 11(h) of the Utah Rules of Appellate Procedure.

**R151-46b-12. Agency Review.**

(1) Availability of Agency Review.

Except as otherwise provided in Subsection 63G-4[~~6b-11~~]-209(3)(c), an aggrieved party may obtain agency review of a final order issued in an adjudicative proceeding by filing a request with the executive director of the department within thirty days following the issuance of the order.

(2) When Agency Review Is Not Available.

(a) Agency review is not available as to any order or decision entered by the following agencies:

(i) the Real Estate Appraiser Licensing and Certification Board;

(ii) the Utah Motor Vehicle Franchise Advisory Board; and

(iii) the Utah Powersport Vehicle Franchise Advisory Board.

(b) Agency review is not available for any decisions or orders entered by the Division of Occupational and Professional Licensing as to the following matters:

(i) Prelitigation proceedings conducted pursuant to Title 78B, Chapter 3, the Utah Health Care Malpractice Act;

(ii) Requests for modification to disciplinary orders issued by the Division of Occupational and Professional Licensing; and

(iii) Requests for entry into the Diversion Program pursuant to Section 58-1-404(4).

(c) Agency review is not available for any decisions or orders entered by the Division of Corporations and Commercial Code as to the following matters:

(i) refusal to file a document under the Utah Revised Business Corporations Act pursuant to Section 16-10a-126;

(ii) revocation of a foreign corporation's authority to transact business pursuant to Section 16-10a-1532;

(iii) refusal to file a document under the Utah Revised Limited Liability Company Act pursuant to Section 48-2c-211; and

(iv) revocation of a foreign limited liability company's authority to transact business pursuant to Section 48-2c-1614.

(d)(i) Agency reconsideration [~~is available~~]may be requested for orders or decisions exempt from agency review under Subsections R151-46b-12(2)(a), (b)(ii), and (c) pursuant to [~~R151-46b-13~~]Section 63G-4-302.

(ii) Agency reconsideration is not available for orders or decisions exempt from agency review under Subsections (b)(i) and (b)(iii), pursuant to Subsections 58-1-404(4)(d) and 78B-3-416(1)(c).

(3) Content of a Request for Agency Review - Transcript of Hearing - Service.

(a) The content of a request for agency review shall be in accordance with Subsection [~~63-46b-12~~]63G-4-301(1)(b) and as provided in this Subsection. The request for agency review shall include a copy of the order that is the subject of the request.

(b) A party requesting agency review shall set forth any factual or legal basis in support of that request, including adequate supporting arguments and citation to appropriate legal authority and to the relevant portions of the record developed during the adjudicative proceeding.

(c) If a party challenges a finding of fact in the order subject to review, the party must demonstrate, based on the entire record, that the finding is not supported by substantial evidence. A party challenging the facts bears the burden to marshal or gather all of the evidence in support of a finding and to show that despite such evidence, the finding is not supported by substantial evidence. The failure to so marshal the evidence permits the executive director to accept a division's findings of fact as conclusive. A party challenging a legal conclusion must support the argument with citation to any relevant authority and also cite to those portions of the record that are relevant to that issue.

(d) If the grounds for agency review include any challenge to a determination of fact or conclusion of law as unsupported by or contrary to the evidence, the party seeking agency review shall order and cause a transcript of the record relevant to such finding or conclusion to be prepared. When a request for agency review is filed under such circumstances, the party seeking review shall certify that a transcript has been ordered and shall notify the department when the transcript will be available for filing with the department. The party seeking agency review shall bear the cost of the transcript.

(e) A party seeking agency review shall, in the manner described in R151-46b-8, file and serve upon all other parties copies of correspondence, pleadings, and other submissions. If an attorney enters an appearance on behalf of a party, service shall thereafter be made upon that attorney, instead of directly to the party.

(f) Failure to comply with this rule may result in dismissal of the request for agency review.

(4) Stay Pending Agency Review.

(a) Upon the timely filing of a request for agency review, the party seeking review may request that the effective date of the order subject to review be stayed pending the completion of review. If a stay is not timely requested and subsequently granted, the order subject to review shall take effect according to its terms.

(b) The division or committee that issued the order subject to review may oppose the request for a stay in writing within ten days from the date the stay is requested. Failure to oppose a timely request for a stay shall result in an order granting the stay unless the department determines that a stay would not be in the best interest of the public. The department may also enter an interim order granting a stay pending a decision on the motion for a stay.

(c) In determining whether to grant a request for a stay or a motion opposing that request, the department shall review the division's or committee's findings of fact, conclusions of law and order to determine whether granting a stay would, or might reasonably be expected to, pose a significant threat to the public health, safety and welfare. The department may also issue a conditional stay by imposing terms, conditions or restrictions on a party pending agency review.

(5) Memoranda.

(a) The department may order or permit the parties to file memoranda to assist in conducting agency review. Any memoranda shall be filed consistent with these rules or as otherwise governed by any scheduling order entered by the department.

(b) When no transcript is necessary to conduct agency review, any memoranda supporting a request for such review shall be concurrently filed with the request. If a transcript is necessary to conduct agency review, any supporting memoranda shall be filed no later than 15 days after the filing of the transcript with the department.

(c) Any response to a request for agency review and any memoranda supporting that response shall be filed no later than 15 days from the filing of the request for agency review or no later than 15 days from the service of any subsequent memoranda supporting that request. Any final reply memoranda shall be filed no later than five days after the service of a response to the request for agency review.

(6) Oral Argument.

The request for agency review or the response thereto shall state whether oral argument is sought in conjunction with agency review. The department may order or permit oral argument if the department determines such argument is warranted to assist in conducting agency review.

(7) Standard of Review.

The standards for agency review correspond to the standards for judicial review of formal adjudicative proceedings, as set forth in Subsection [~~63-46b-16~~]63G-4-403(4).

(8) Type of Relief.

The type of relief available on agency review shall be the same as the type of relief available on judicial review, as set forth in Subsection [~~63-46b-17~~]63G-4-404(1)(b).

(9) Order on Review.

The order on review shall comply with the requirements of Subsection [~~63-46b-12~~]63G-4-301(6).

[

~~**R151-46b-13. Agency Reconsideration - When Agency Review Is Not Available.**~~

~~(1) When agency review is not available, and agency reconsideration is provided for under Subsection R151-46b-12(2)(c)(i), the following requirements shall apply:~~

~~(a) Before seeking judicial review of any order or decision, an aggrieved party may file a petition for reconsideration by the relevant agency pursuant to Section 63-46b-13.~~

~~(b) The request shall be signed by the party seeking reconsideration. Any response to the request for reconsideration shall be filed within ten days of the filing of the request for reconsideration. Responses relating to matters before the Real Estate Appraiser Licensing and Certification Board shall be filed with the Division of Real Estate. All other responses shall be filed with the executive director of the Department.~~

~~(2) Stay Pending Reconsideration.~~

~~Upon the timely filing of a request for reconsideration by the board, the effective date of the previously issued order or decision shall be suspended pending the completion of reconsideration.~~

~~(3) Order on reconsideration.~~

~~Any order on reconsideration constitutes final agency action for purposes of Section 63-46b-14. The order shall provide notice to any aggrieved party of any right to judicial review.~~]

**KEY: administrative procedures, adjudicative proceedings, government hearings**
**Date of Enactment or Last Substantive Amendment: 2008**
**Notice of Continuation: May 3, 2006**

**Authorizing, and Implemented or Interpreted Law: 13-1-6; [~~63-46b-1~~]63G-4-102(6)**

♦ ♦

**End of the Notices of Changes in Proposed Rules Section**

# NOTICES OF
# 120-DAY (EMERGENCY) RULES

An agency may file a 120-DAY (EMERGENCY) RULE when it finds that the regular rulemaking procedures would:

(a) cause an imminent peril to the public health, safety, or welfare;
(b) cause an imminent budget reduction because of budget restraints or federal requirements; or
(c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a PROPOSED RULE, a 120-DAY RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the 120-DAY RULE including the name of a contact person, justification for filing a 120-DAY RULE, anticipated cost impact of the rule, and legal cross-references. A row of dots in the text (· · · · ·) indicates that unaffected text was removed to conserve space.

A 120-DAY RULE is effective at the moment the Division of Administrative Rules receives the filing, or on a later date designated by the agency. A 120-DAY RULE is effective for 120 days or until it is superseded by a permanent rule.

Because 120-DAY RULES are effective immediately, the law does not require a public comment period. However, when an agency files a 120-DAY RULE, it usually files a PROPOSED RULE at the same time, to make the requirements permanent. Comment may be made on the proposed rule. Emergency or 120-DAY RULES are governed by Section 63G-3-304; and Section R15-4-8.

## Labor Commission, Administration
## R600-2-1
## Business Hours

**NOTICE OF 120-DAY (EMERGENCY) RULE**
DAR FILE NO.: 31778
FILED: 07/30/2008, 15:27

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This emergency rule changes the Labor Commission's hours of operation to Monday through Thursday from 7 a.m. to 6 p.m. in conformity with Governor Huntsman's "Working 4 Utah" initiative.

SUMMARY OF THE RULE OR CHANGE: Effective 08/04/2008, this rule establishes the Commission's business hours as 7 a.m. to 6 p.m., Monday through Thursday. The rule provides that the Commission will be closed Friday through Sunday and on state-approved holidays. The proposed rule also provides that documents, including fax transmissions, received after business hours will be deemed to have been filed on the next business day.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 34A-1-104

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: As part of the Governor's "Working 4 Utah" initiative, the Commission's adoption of a four-day work week will reduce heating and cooling costs by approximately 10%. This will result in a corresponding reduction of such costs to the state budget.

❖ LOCAL GOVERNMENTS: The rule does not affect local government operations and will not result in costs or savings with respect to those operations. As local governments status as employers, and their dealing with the Commission in that capacity, the effect of this rule will be the same as with employers generally, i.e., while the rule shortens the work week from five to four days, it lengthens the work day from 9 hours to 11 hours. This trade-off is not anticipated to result in any costs or savings.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: While the proposed rule shortens the work week from five to four days, it lengthens the work day from 9 hours to 11 hours. This trade-off is not anticipated to result in any costs or savings for small businesses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The modification of hours of operation will affect most Commission employees and some Commission customers. The degree of impact will vary from person to person, depending on individual circumstances, but the substitution of longer hours of operation for fewer days of operation should not result in any net increase in compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: While businesses will no longer be able to conduct business at the Commission office on Fridays, businesses will enjoy longer hours of service Monday through Thursday. These longer hours of service should mitigate any fiscal impact that this change might otherwise have on businesses, as will the availability of Commission information and services through the internet and other electronic media. On balance, this change is not expected to have any appreciable net fiscal impact on businesses. Sherrie Hayashi, Commissioner

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD place the agency in violation of federal or state law.
The Labor Commission adjudicates disputes arising under Utah's Workers' Compensation Act, Occupational Safety and Health Act, Employment Discrimination Act, Fair Housing Act, and Payment of Wages Act. The Commission's adjudicative functions are generally subject to the Utah Administrative Procedures Act and specific procedural requirements contained within the foregoing statutes. Also, with respect to the Commission's adjudication of complaints of occupational safety and health, employment discrimination, and housing discrimination, the Commission has entered into cooperative agreements with the federal Department of Labor, Department of Housing and Urban Development and E.E.O.C. that also require the Commission to follow adjudicative standards that include a right of appeal. Under both state and (as applicable) federal law, the Commission is required to accept appeals of its adjudicative decisions within a specified time period - usually 30 days. However, if the last day of the filing period falls on a weekend or holiday, the filing period is extended until the next business day. Under existing regulations, Friday is not considered part of the weekend. Consequently, if the 30th day of a party's appeal period falls on Friday, the party must file the appeal with the Commission on that day or be foreclosed from pursuing the appeal. Effective 08/04/2008, the Labor Commission will no longer be open to accept the filing of appeals on Fridays. Unless the Commission immediately changes its existing regulation so as to designate Friday as a non-business day, parties will be deprived of their full 30-day appeal period, in violation of the above-listed statutes.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
LABOR COMMISSION
ADMINISTRATION
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY UT 84111-2316, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Alan Hennebold at the above address, by phone at 801-530-6937, by FAX at 801-530-6390, or by Internet E-mail at ahennebold@utah.gov

THIS RULE IS EFFECTIVE ON: 08/04/2008

AUTHORIZED BY: Sherrie Hayashi, Commissioner

---

**R600. Labor Commission, Administration.**
**R600-2. Operations.**
**R600-2-1. Business Hours.**

The offices of the Commission shall be open for receipt of official documents [~~during regular business days~~ ]between the hours of [~~8~~]7:00 a.m. to [~~5~~]6:00 p.m. Monday through Thursday. Commission offices shall not be open for business Friday through Sunday and on state-recognized holidays. Any official document, including fax transmissions, received when the Commission is not open, including fax transmissions after [~~5~~]6:00 p.m. shall be considered received on the next working day.

**KEY: labor commission, hours of business**
**Date of Enactment or Last Substantive Amendment: August 4, 2008**
**Notice of Continuation: August 15, 2007**
**Authorizing, and Implemented or Interpreted Law: 34A-1-104**

♦ ♦

**End of the Notices of 120-Day (Emergency) Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the responsible agency is required to review the rule. This review is designed to remove obsolete rules from the *Utah Administrative Code*.

Upon reviewing a rule, an agency may: repeal the rule by filing a PROPOSED RULE; continue the rule as it is by filing a NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (NOTICE); or amend the rule by filing a PROPOSED RULE and by filing a NOTICE. By filing a NOTICE, the agency indicates that the rule is still necessary.

NOTICES are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the *Utah Administrative Code*. The rule text may also be inspected at the agency or the Division of Administrative Rules. NOTICES are effective when filed. NOTICES are governed by Section 63G-3-305.

## Alcoholic Beverage Control, Administration
## R81-4C
## Limited Restaurant Licenses

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31780
FILED: 07/31/2008, 10:36

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

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

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

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule regulates operations at establishments holding limited-service restaurant liquor licenses. It establishes licensing requirements including requirements for applications, bonds, and insurance; sets procedures for licensees to order from and/or return wine and heavy beer items to the Department of Alcohol Beverage Control (DABC); establishes restaurant operating hours; sets regulations on the sale of alcoholic beverages on the restaurant premises including service and consumption at a patron's table; establishes guidelines for the use of alcoholic product flavorings; establishes requirements for menus and price lists; and sets rules for employee identification badges. All of the regulations set forth in this rule remain important and applicable to the operations of a limited-service restaurant. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

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

AUTHORIZED BY: Dennis R. Kellen, Director

EFFECTIVE: 07/31/2008

♦ ——— ♦

## Alcoholic Beverage Control, Administration
## R81-4D
## On-Premise Banquet License

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31785
FILED: 07/31/2008, 16:40

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

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

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

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule regulates operations at establishments holding an on-premise banquet license. It defines what type of businesses qualify for an on-premise banquet license; establishes application requirements including bond and insurance requirements; sets guidelines for the licensee to purchase from and/or return alcoholic beverage products to the Department of Alcohol Beverage Control (DABC); sets hours of operation; sets requirements for liquor dispensing, liquor storage, and the use of alcoholic product flavoring; establishes requirements for menus and price lists; sets requirements for employee identification badges; permits on-premise banquet facilities to purchase and utilize mini-bottles; and establishes guidelines for reporting required information to DABC. All of the regulations set forth in this rule remain important and applicable to the operations of an on-premise banquet facility. Therefore, this rule should be continued.

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

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

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

AUTHORIZED BY: Dennis R. Kellen, Director

EFFECTIVE: 07/31/2008

♦ ♦

## Alcoholic Beverage Control, Administration

# R81-10B

## Temporary Special Event Beer Permits

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31786
FILED: 07/31/2008, 17:25

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

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

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

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule regulates operations at events holding a temporary special event beer permit. It sets application guidelines and guidelines for issuing permits for outdoor or large-scale public events; and establishes price list requirements. All of the regulations set forth in this rule remain important and applicable to the operations at an event holding a temporary special event beer permit. Therefore, this rule should be continued.

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

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

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

AUTHORIZED BY: Dennis R. Kellen, Director

EFFECTIVE: 07/31/2008

♦ ♦

## Health, Community and Family Health Services, Immunization

# R396-100

## Immunization Rule for Students

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31753
FILED: 07/25/2008, 11:17

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is required by Section 53A-11-303 and authorized by Section 53A-11-306.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Within the last five-year period, comments were received to amend the rule on three occasions. The Utah Immunization Program received requests for the addition of vaccine requirements upon entry into 7th grade to support adolescents improved vaccine coverage as they transition to adulthood and especially that from 2005 to 2011 there will be a cohort of teens who will be at risk of making it to their adult years with no immunity to Varicella. Three comments were received during the open comment period regarding the 7th grade requirement. All comments were in support of the proposed rule change. Two of the comments requested the addition of other vaccines to the requirements. Based on additional comments received, the Utah Immunization Program amended the rule in 2006/2007 to further strengthen the requirement for Tetanus/Pertussis and Measles, Mumps, and Rubella vaccine in order to align and reflect current CDC recommendations. Finally, the Utah Immunization Program received an informal legislative request to include four additional vaccines for children in Early Childhood Programs. This last amendment was completed in 2008 with no additional comments. Input was sought through provision of information and discussion with the Utah Scientific Vaccine Advisory Committee, Utah's Every Child by Two Coalition and its subcommittee, Local/Regional Immunization Coalitions and its target populations. These committees have representatives from the Utah chapters of the Academy of Pediatrics and the Academy of Family Physicians, local health departments, and other key partners.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The Centers for Disease Control and Prevention encourages all states to maintain their school immunization laws to conform to national recommendations of the Public Health Service's Advisory Committee on Immunization Practices (ACIP). The American Academy of Pediatrics and the American Academy of Family Physicians recommends following ACIP guidelines. The majority of Utah's health care providers follow ACIP recommendations. The Utah Vaccine Scientific Advisory Committee also recommends providers follow ACIP recommendations. Utah currently ranks 26th in the U.S. for vaccine coverage. Continuation of this rule is important to prevent vaccine preventable diseases in our schools and communities.

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

HEALTH
COMMUNITY AND FAMILY HEALTH SERVICES,
IMMUNIZATION
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Linda Abel or Lyle Odendahl at the above address, by phone at 801-538-9450 or 801-538-6878, by FAX at 801-538-9440 or 801-538-6306, or by Internet E-mail at label@utah.gov or lyleodendahl@utah.gov

AUTHORIZED BY: David N. Sundwall, Executive Director

EFFECTIVE: 07/25/2008

♦ ——— ♦

# Health, Community and Family Health Services, Children with Special Health Care Needs

# R398-20

## Early Intervention

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31783
FILED: 07/31/2008, 13:39

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule implements the early intervention program under Part C of the Individuals with Disabilities Education Act (IDEA) and implementing regulations found at 34 CFR 303.500 for children with disabilities under three years of age, and their families. It is authorized by Section 26-10-2. The Utah Department of Health is designated as the lead agency responsible for the administration of the program.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments were received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule must be continued to continue providing early intervention services in the state.

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

HEALTH
COMMUNITY AND FAMILY HEALTH SERVICES,
CHILDREN WITH SPECIAL HEALTH CARE NEEDS
44 N MARIO CAPECCHI DR
SALT LAKE CITY UT 84113, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Brent W. Baum at the above address, by phone at 801-584-8285, by FAX at 801-584-8496, or by Internet E-mail at bbaum@utah.gov

AUTHORIZED BY: David N. Sundwall, Executive Director

EFFECTIVE: 07/31/2008

♦ ——— ♦

## Health, Health Care Financing, Coverage and Reimbursement Policy

# R414-55

## Medicaid Policy for Hospital Emergency Department Copayment Procedures

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31737
FILED: 07/18/2008, 13:09

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 26-1-5 grants the Department of Health the power to adopt, amend, or rescind rules that shall have the force and effect of law. In addition, 42 CFR 447.55 authorizes the Department to create copayment procedures for Medicaid clients. Section 26-18-2.3 directs the Department of Health to implement programs to safeguard against unnecessary or inappropriate use of Medicaid services. Section 26-18-10 directs the Department of Health to establish methods of payment for medical services provided to Medicaid recipients.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Department did not receive any written or oral comments regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued because it establishes Medicaid copayment policy for non-emergency use of outpatient hospital emergency departments by Medicaid clients. This helps the Department of Health to safeguard against unnecessary or inappropriate use of Medicaid services.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Kimi McNutt at the above address, by phone at 801-538-6381, by FAX at 801-538-6099, or by Internet E-mail at KMCNUTT@utah.gov

AUTHORIZED BY: David N. Sundwall, Executive Director

EFFECTIVE: 07/18/2008

♦ ——— ♦

## Health, Epidemiology and Laboratory Services, Laboratory Services

# R438-13

## Rules for the Certification of Institutions to Obtain Impounded Animals in the State of Utah

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31717
FILED: 07/16/2008, 12:15

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 26-26-1 to 26-26-7 charges the Department of Health to enable the proper execution of Title 26, Chapter 26, for controlling the humane use of animals obtained from impound establishments for the diagnosis and treatment of human and animal diseases; the advancement of veterinary, dental, medical, and biological sciences; and the testing, improvement, and standardization of laboratory specimens, biologic products, pharmaceuticals, and drugs.

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

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule establishes requirements for institutions seeking certification to obtain animals from establishments maintained for impounding animals seized by lawful authority. The rule allows makes available to institutions a source of animals that may be used in research, for the good of public health, at a reasonable cost. Therefore, this rule should be continued.

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

HEALTH
EPIDEMIOLOGY AND LABORATORY SERVICES,
LABORATORY SERVICES
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
David Mendenhall at the above address, by phone at 801-584-8470, by FAX at 801-584-8501, or by Internet E-mail at davidmendenhall@utah.gov

AUTHORIZED BY: David N. Sundwall, Executive Director

EFFECTIVE: 07/16/2008

♦ ♦

## Insurance, Administration
# R590-186
## Bail Bond Surety Business

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31767
FILED: 07/29/2008, 14:48

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 31A-35-104 requires the commissioner to adopt by rule specific licensure and certification guidelines and standards of conduct for the bail bond business; Subsection 31A-35-301(1) authorizes the commissioner to adopt rules necessary to administer Chapter 35 of Title 31A; Subsection 31A-35-401(1)(c) allows the commissioner to adopt rules governing the granting of licenses for bail bond surety companies; Subsection 31A-35-401(2) allows the commissioner to require by rule additional information from bail bond applicants applying for licensure; and Subsection 31A-35-406(1)(b) allows the commissioner to establish by rule the annual renewal date for the renewal of a license as a bail bond surety company.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: This rule is in the process of being changed. The changes would create a minimum bond fee for bail bonds and allow 12 discounted bonds a year. So far, the division has received two written comments. One of the comments is in support of the changes and the other asks the department if the setting of a minimum bond fee violates the Sherman Antitrust Act.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is required by Section 31A-35-104, which requires the commissioner to adopt by rule specific licensure and certification guidelines and standards of conduct for the business of bail bond surety insurance. This rule provides specific licensure guidelines and sets standards of unprofessional conduct for bail bond licensees. Therefore, this rule should be continued. The department's position regarding the antitrust concerns with the proposed changes to this rule are now being considered by the Attorney General's office.

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

INSURANCE
ADMINISTRATION
Room 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

AUTHORIZED BY: Jilene Whitby, Information Specialist

EFFECTIVE: 07/29/2008

♦ ♦

## Insurance, Administration
# R590-187
## Assessment of Title Insurance Agencies and Title Insurers for Costs Related to Regulation of Title Insurance

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31769
FILED: 07/29/2008, 15:17

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsection 31A-2-201(3) allows the commissioner to write rules to implement the provisions of Title 31A. Subsection 31A-23a-415(2)(d) requires the Title and Escrow Commission to establish the amount of costs and expenses of administering, investigating, and enforcing the marketing and auditing of title insurance.

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

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule needs to remain in force until the Title and Escrow Commission can adopt a replacement rule to determine the required annual assessment on insurers and agencies licensed to conduct the business of title insurance. The rule provides a methodology for determining the annual assessment. The funds generated from this assessment fund the expenses incurred by a market conduct examiner dedicated to the administration, investigation, and enforcement of statutes and rules pertaining to the marketing of title insurance and the auditing of title agencies. Therefore, this rule should be continued.

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

INSURANCE
ADMINISTRATION
Room 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

AUTHORIZED BY: Jilene Whitby, Information Specialist

EFFECTIVE: 07/29/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Administration
# R642-200
## Applicability

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31755
FILED: 07/28/2008, 08:54

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule concerning applicability of Title R642 rules is authorized under the rulemaking authority granted in Sections 40-6-5, 40-8-6, and 40-10-6, and is specifically authorized by the Government Records and Management Act (GRAMA) at Subsection 63G-2-201(6) which addresses applicability of other laws or regulations on disclosure of records.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Two letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is necessary to reflect the applicability of Title R642 rules, Records of the Division and Board, when federal laws or regulations are also established for disclosure of records and are a condition for participation in a federal program. This rule should be continued so Utah's Coal Program continues to retain primacy under the federal Surface Mining Control and Reclamation Act.

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

NATURAL RESOURCES
OIL, GAS AND MINING; ADMINISTRATION
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Coal
# R645-101
## Restrictions on State Employees

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31756
FILED: 07/28/2008, 08:54

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 40-10-6 and 40-10-6.5 provide for rulemaking authority to the Board of Oil, Gas and Mining as necessary for the regulation of coal mining operations and reclamation operations. Section 40-10-17 specifically provides that no employee of the division

performing any function under Title 40, Chapter 10 shall have a direct or indirect financial interest in a coal mining operation.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Three letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is necessary to restrict financial interest in coal mining operations by Division staff involved in coal regulation. This rule should be continued so Utah's Coal Program continues to retain primacy under the federal Surface Mining Control and Reclamation Act.

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

NATURAL RESOURCES
OIL, GAS AND MINING; COAL
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Coal
# R645-104
## Protection of Employees

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31757
FILED: 07/28/2008, 08:54

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 40-10-6 and 40-10-6.5 provide for rulemaking authority to the Board of Oil, Gas and Mining as necessary for the regulation of coal mining operations and reclamation operations. Section 40-10-6.7 specifically provides the authority for administrative procedures for proceedings conducted under Title 40, Chapter 10 and guarantees the parties' due process rights.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Three letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is necessary to identify the processes for protection of employees in the performance of their coal mining regulation work. This rule should be continued so Utah's Coal Program continues to retain primacy under the federal Surface Mining Control and Reclamation Act.

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

NATURAL RESOURCES
OIL, GAS AND MINING; COAL
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Coal
# R645-401
## Inspection and Enforcement: Civil Penalties

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31758
FILED: 07/28/2008, 08:54

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 40-10-6 and 40-10-6.5 provide for rulemaking authority to the Board of Oil, Gas and Mining as necessary for the regulation of coal mining operations and reclamation operations. Section 40-10-20 specifically authorizes civil penalties for violation of Title 40, Chapter 10.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Three letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is implemented to deter violations of the Coal Program regulations via the assessment of civil penalties. This rule should be continued so Utah's Coal Program continues to retain primacy under the federal Surface Mining Control and Reclamation Act.

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

NATURAL RESOURCES
OIL, GAS AND MINING; COAL
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Non-Coal
# R647-6
## Inspection and Enforcement: Division Authority and Procedures

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31759
FILED: 07/28/2008, 08:55

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 40-8-6 provides authority to the Board of Oil, Gas and Mining to enact rules that are reasonably necessary to carry out the purposes of the Utah Mined Land Reclamation Act. Section 40-8-9 specifically provides authority for inspections and the issuance of cessation orders or notices of violations for noncompliance.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Two letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule establishes the authority for conducting inspections of mineral mined land activities and establishes the procedures for enforcement including cessations orders, notice of violations, and compliance conferences. This rule should be continued to ensure adequate inspection and enforcement provisions are in place to enable a fair and consistent process for issuance and resolution of such matters in the minerals industry.

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

NATURAL RESOURCES
OIL, GAS AND MINING; NON-COAL
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Non-Coal
# R647-7
## Inspection and Enforcement: Civil Penalties

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31760
FILED: 07/28/2008, 08:55

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 40-8-6 provides authority to the Board of Oil, Gas and Mining to enact rules that are reasonably necessary to carry out the purposes of the Utah Mined Land Reclamation Act. Specifically, Section 40-8-9.1 provides authority for civil penalties to be assessed by the division for violation of Title 40, Chapter 8.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Two letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule establishes provisions for civil penalties for violation of the Mined Land Reclamation Act and should be continued to ensure that minerals development in Utah occurs with compliance of the rules for exploration, operation, and reclamation.

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

NATURAL RESOURCES
OIL, GAS AND MINING; NON-COAL
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Non-Coal

# R647-8

## Inspection and Enforcement: Individual Civil Penalties

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31761
FILED: 07/28/2008, 08:55

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 40-8-6 provides authority to the Board of Oil, Gas and Mining to enact rules that are reasonably necessary to carry out the purposes of the Utah Mined Land Reclamation Act. Subsection 40-8-9.1(6) specifically provides authority for individual civil penalties to be assessed by the division for violation of Title 40, Chapter 8.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Two letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule establishes provisions for individual civil penalties for violation of the Mined Land Reclamation Act and should be continued to ensure that minerals development in Utah occurs with compliance of the rules for exploration, operation, and reclamation.

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

NATURAL RESOURCES
OIL, GAS AND MINING; NON-COAL
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Natural Resources; Oil, Gas and Mining; Oil and Gas

# R649-6

## Gas Processing and Waste Crude Oil Treatment

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31762
FILED: 07/28/2008, 08:55

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 40-6-5 provides the rulemaking authority to the Board of Oil, Gas and Mining for regulation of the oil and gas industry in Utah. Subsections 40-6-5(2)(c) and 40-6-5(2)(h) specifically provide for regulation of gas processing plants and waste crude oil treatment, respectively.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Two letters were recently received which support renewal of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule establishes regulatory requirements for gas processing plants and waste crude oil treatment and should be continued to ensure adequate regulation of these facilities in the oil and gas industry in order to provide public information and to protect the environment. There is no opposition to this rule.

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

NATURAL RESOURCES
OIL, GAS AND MINING; OIL AND GAS
Room 1210
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steve Schneider at the above address, by phone at 801-538-5328, by FAX at 801-359-3940, or by Internet E-mail at steveschneider@utah.gov

AUTHORIZED BY: John Baza, Director

EFFECTIVE: 07/28/2008

♦ ♦

## Public Safety, Driver License
# R708-30
## Motorcycle Rider Training Schools

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31790
FILED: 08/01/2008, 16:11

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized by Section 53-3-903 which states the division shall develop standards for and administer the Motorcycle Rider Education Program and the division shall make rules to implement the Motorcycle Rider Education Act.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The division has not received any written comments during and since the last five-year review from interested persons supporting or opposing the rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is still needed because there are several businesses that offer Motorcycle Rider Education, and with the increasing costs of gasoline, more people are choosing to ride motorcycles and are taking the opportunity to complete a motorcycle rider education program. Therefore, this rule should be continued.

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

PUBLIC SAFETY
DRIVER LICENSE
CALVIN L RAMPTON COMPLEX
4501 S 2700 W 3RD FL
SALT LAKE CITY UT 84119-5595, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jill Laws at the above address, by phone at 801-964-4469, by FAX at 801-964-4482, or by Internet E-mail at jlaws@utah.gov

AUTHORIZED BY: Nannette Rolfe, Director

EFFECTIVE: 08/01/2008

♦ ♦

## Regents (Board Of), University of Utah, Administration
# R805-2
## Government Records Access and Management Act Procedures

**FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**
DAR FILE NO.: 31718
FILED: 07/17/2008, 09:29

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized by several provisions of the Utah Code, specifically Subsections 63A-12-104(2) and 63G-2-204(2)(d), and Section 63G-3-201. These provisions authorize the promulgation of rules related to various aspects of managing and processing requests made pursuant to the Government Records Access and Management Act (GRAMA).

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments have been received during and/or since the last five-year review.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule provides valuable information to the public on required procedures associated with a request made under GRAMA and facilitates a streamlined process for receipt and processing of such requests. Therefore, this rule should be continued.

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

REGENTS (BOARD OF)
UNIVERSITY OF UTAH, ADMINISTRATION
Room 309 PARK BLDG
201 S PRESIDENTS CIR
SALT LAKE CITY UT 84112-9009, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Robert W. Payne at the above address, by phone at 801-585-7002, by FAX at 801-585-7007, or by Internet E-mail at robert.payne@legal.utah.edu

AUTHORIZED BY: Robert W. Payne, Associate General Counsel

EFFECTIVE: 07/17/2008

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

# NOTICES OF RULE EFFECTIVE DATES

These are the effective dates of PROPOSED RULES or CHANGES IN PROPOSED RULES published in earlier editions of the *Utah State Bulletin*. Statute permits an agency to make a rule effective "on any date specified by the agency that is no fewer than seven calendar days after the close of the public comment period . . . , nor more than 120 days after the publication date." Subsection 63G-3-301(9).

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

Administrative Services
Purchasing and General Services
No. 31475 (AMD): R33-3-4. Sole Source Procurement.
Published: June 15, 2008
Effective: August 1, 2008

No. 31476 (AMD): R33-5-250. Design-Build or Turnkey: Use.
Published: June 15, 2008
Effective: August 1, 2008

Agriculture and Food
Administration
No. 31471 (REP): R51-5. Grazing Advisory Boards.
Published: June 15, 2008
Effective: July 22, 2008

Plant Industry
No. 31491 (AMD): R68-3-2. Registration of Products.
Published: June 15, 2008
Effective: July 25, 2008

Regulatory Services
No. 31430 (AMD): R70-560. Cottage Food Production Operations.
Published: June 1, 2008
Effective: July 25, 2008

Alcoholic Beverage Control
Administration
No. 31336 (AMD): R81-4D-1. Licensing.
Published: May 15, 2008
Effective: July 30, 2008

No. 31338 (AMD): R81-4D-2. Application.
Published: May 15, 2008
Effective: July 30, 2008

Commerce
Occupational and Professional Licensing
No. 31516 (AMD): R156-74. Certified Court Reporters Licensing Act Rules.
Published: June 15, 2008
Effective: July 22, 2008

Real Estate
No. 31456 (AMD): R162-3. License Status Change.
Published: June 15, 2008
Effective: July 30, 2008

No. 31457 (AMD): R162-207. License Renewal.
Published: June 15, 2008
Effective: July 30, 2008

Crime Victim Reparations
Administration
No. 31504 (AMD): R270-1-23. Loss of Support Awards.
Published: June 15, 2008
Effective: July 28, 2008

Health
Epidemiology and Laboratory Services, Environmental Services
No. 31446 (AMD): R392-100-2. Incorporation by Reference.
Published: June 1, 2008
Effective: July 17, 2008

No. 31494 (AMD): R392-502. Hotel, Motel and Resort Sanitation.
Published: June 15, 2008
Effective: July 22, 2008

Community and Family Health Services, Immunization
No. 31100 (AMD): R396-100-3. Required Immunizations.
Published: April 15, 2008
Effective: July 29, 2008

Health Care Financing, Coverage and Reimbursement Policy
No. 31493 (AMD): R414-6. Reduction in Certain Targeted Case Management Services.
Published: June 15, 2008
Effective: July 22, 2008

Health Systems Improvement, Emergency Medical Services
No. 31069 (AMD): R426-7-3. Prehospital Data Set.
Published: April 15, 2008
Effective: July 31, 2008

Human Services
Administration
No. 31485 (AMD): R495-881. Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule Implementation.
Published: June 15, 2008
Effective: July 23, 2008

Public Safety
Fire Marshal
No. 31472 (AMD): R710-10. Rules Pursuant to Fire Service Training, Education, and Certification.
Published: June 15, 2008
Effective: July 23, 2008

**End of the Notices of Rule Effective Dates Section**

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

The *Rules Index* is a cumulative index that reflects all effective changes to Utah's administrative rules. The current *Index* lists changes made effective from January 2, 2008, including notices of effective date received through August 1, 2008, the effective dates of which are no later than August 15, 2008. The *Rules Index* is published in the *Utah State Bulletin* and in the annual *Index of Changes*. Nonsubstantive changes, while not published in the *Bulletin*, do become part of the *Utah Administrative Code (Code)* and are included in this *Index*, as well as 120-Day (Emergency) rules that do not become part of the *Code*. The rules are indexed by Agency (Code Number) and Keyword (Subject).

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

A copy of the *Rules Index* is available for public inspection at the Division of Administrative Rules (4120 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (http://www.rules.utah.gov/).

## RULES INDEX - BY AGENCY (CODE NUMBER)

**ABBREVIATIONS**

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
5YR = Five-Year Review

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **Administrative Services** | | | | | |
| Administration | | | | | |
| R13-1 | Public Petitions for Declaratory Orders | 31342 | NSC | 05/05/2008 | Not Printed |
| R13-2 | Access to Records | 31343 | NSC | 05/05/2008 | Not Printed |
| Administrative Rules | | | | | |
| R15-1 | Administrative Rule Hearings | 31143 | NSC | 05/05/2008 | Not Printed |
| R15-2 | Public Petitioning for Rulemaking | 31144 | NSC | 05/05/2008 | Not Printed |
| R15-3 | Definitional Clarification of Administrative Rule | 31145 | NSC | 05/05/2008 | Not Printed |
| R15-4 | Administrative Rulemaking Procedures | 31146 | NSC | 05/05/2008 | Not Printed |
| R15-5 | Administrative Rules Adjudicative Proceedings | 31147 | NSC | 05/05/2008 | Not Printed |
| Facilities Construction and Management | | | | | |
| R23-2 | Procurement of Architect-Engineer Services | 31098 | AMD | 07/14/2008 | 2008-8/2 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R23-13 | State of Utah Parking Rules for Facilities Managed by the Division of Facilities Construction and Management | 31063 | 5YR | 03/17/2008 | 2008-8/50 |
| R23-14 | Management of Roofs on State Buildings | 31064 | 5YR | 03/17/2008 | 2008-8/50 |
| R23-22 | General Procedures For Acquisition and Selling of Real Property | 31607 | EMR | 06/25/2008 | 2008-14/120 |
| Finance | | | | | |
| R25-2 | Finance Adjudicative Proceedings | 31318 | NSC | 05/05/2008 | Not Printed |
| R25-5 | Payment of Per Diem to Boards | 31317 | 5YR | 04/29/2008 | 2008-10/143 |
| R25-6 | Relocation Reimbursement | 31316 | 5YR | 04/29/2008 | 2008-10/143 |
| R25-7 | Travel-Related Reimbursements for State Employees | 31319 | 5YR | 04/29/2008 | 2008-10/144 |
| R25-7 | Travel-Related Reimbursements for State Employees | 31320 | AMD | 07/01/2008 | 2008-10/4 |
| R25-8 | Meal Allowance | 31321 | AMD | 07/01/2008 | 2008-10/7 |
| R25-14 | Payment of Attorneys' Fees in Death Penalty Cases | 31363 | EMR | 05/05/2008 | 2008-10/140 |
| Fleet Operations | | | | | |
| R27-3 | Vehicle Use Standards | 31137 | AMD | 06/17/2008 | 2008-9/3 |
| R27-4 | Vehicle Replacement and Expansion of State Fleet | 30618 | AMD | 03/06/2008 | 2007-22/9 |
| Fleet Operations, Surplus Property | | | | | |
| R28-3 | Utah State Agency for Surplus Property Adjudicative Proceedings | 31117 | 5YR | 04/04/2008 | 2008-9/52 |
| Purchasing and General Services | | | | | |
| R33-1 | Utah State Procurement Rules Definitions | 31477 | NSC | 06/18/2008 | Not Printed |
| R33-2-101 | Delegation of Authority of the Chief Procurement Officer | 31478 | NSC | 06/18/2008 | Not Printed |
| R33-3 | Source Selection and Contract Formation | 31479 | NSC | 06/18/2008 | Not Printed |
| R33-3-4 | Sole Source Procurement | 31475 | AMD | 08/01/2008 | 2008-12/3 |
| R33-4 | Specifications | 31480 | NSC | 06/18/2008 | Not Printed |
| R33-5 | Construction and Architect-Engineer Selection | 31481 | NSC | 06/18/2008 | Not Printed |
| R33-5-250 | Design-Build or Turnkey: Use | 31476 | AMD | 08/01/2008 | 2008-12/4 |
| R33-7 | Cost Principles | 31482 | NSC | 06/18/2008 | Not Printed |
| R33-8-101 | Quality Assurance, Inspection, and Testing | 31483 | NSC | 06/18/2008 | Not Printed |
| Risk Management | | | | | |
| R37-2 | Risk Management State Workers' Compensation Insurance Administration | 31347 | AMD | 06/23/2008 | 2008-10/8 |
| R37-4 | Adjusted Utah Governmental Immunity Act Limitations on Judgments | 31150 | R&R | 07/01/2008 | 2008-9/5 |
| **Agriculture and Food** | | | | | |
| Administration | | | | | |
| R51-5 | Grazing Advisory Boards | 31471 | REP | 07/22/2008 | 2008-12/5 |
| Conservation and Resource Management | | | | | |
| R64-2 | Utah Conservation Commission Electronic Meetings | 31079 | NEW | 06/03/2008 | 2008-8/4 |
| Marketing and Development | | | | | |
| R65-2 | Utah Cherry Marketing Order | 31007 | 5YR | 02/15/2008 | 2008-5/38 |
| R65-5 | Utah Red Tart and Sour Cherry Marketing Order | 31008 | 5YR | 02/15/2008 | 2008-5/38 |
| Plant Industry | | | | | |
| R68-3-2 | Registration of Products | 31491 | AMD | 07/25/2008 | 2008-12/6 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R68-5 | Grain Inspection | 31006 | 5YR | 02/15/2008 | 2008-5/39 |
| R68-7 | Utah Pesticide Control Act | 30611 | AMD | 01/07/2008 | 2007-22/11 |
| R68-8-2 | Noxious Weed Seeds and Weed Seed Restrictions | 31127 | AMD | 07/02/2008 | 2008-9/7 |
| R68-9 | Utah Noxious Weed Act | 31544 | 5YR | 06/09/2008 | 2008-13/147 |
| R68-9 | Utah Noxious Weed Act | 31128 | AMD | 07/02/2008 | 2008-9/8 |
| R68-14 | Quarantine Pertaining to Gypsy Moth - Lymantria Dispar | 31125 | 5YR | 04/04/2008 | 2008-9/52 |
| R68-16 | Utah Quarantine Pertaining to Pine Shoot Beetle, Tomicus Piniperda | 31543 | 5YR | 06/09/2008 | 2008-13/147 |
| R68-16 | Quarantine Pertaining to Pine Shoot Beetle, Tomicus piniperda | 31126 | AMD | 07/02/2008 | 2008-9/11 |
| R68-17 | Quarantine Pertaining to Necrotic Strain of the Potato Virus Y | 31009 | REP | 04/11/2008 | 2008-5/4 |
| Regulatory Services | | | | | |
| R70-560 | Cottage Food Production Operations | 31430 | AMD | 07/25/2008 | 2008-11/47 |
| **Alcoholic Beverage Control** | | | | | |
| Administration | | | | | |
| R81-1-2 | Definitions | 31254 | AMD | 06/27/2008 | 2008-10/10 |
| R81-1-9 | Liquor Dispensing Systems | 31273 | AMD | 06/27/2008 | 2008-10/11 |
| R81-1-10 | Wine Dispensing | 31275 | AMD | 06/27/2008 | 2008-10/13 |
| R81-1-11 | Multiple-Licensed Facility Storage and Service | 31279 | AMD | 06/27/2008 | 2008-10/14 |
| R81-1-26 | Criminal History Background Checks | 31289 | AMD | 06/27/2008 | 2008-10/16 |
| R81-3-1 | Definitions | 31291 | AMD | 06/27/2008 | 2008-10/18 |
| R81-3-9 | Promotion and Listing of Products | 31328 | AMD | 06/27/2008 | 2008-10/19 |
| R81-3-13 | Operational Restrictions | 31329 | AMD | 06/27/2008 | 2008-10/20 |
| R81-3-14 | Type 5 Package Agencies | 31330 | AMD | 06/27/2008 | 2008-10/21 |
| R81-4C | Limited Restaurant Licenses | 31154 | NSC | 05/01/2008 | Not Printed |
| R81-4C | Limited Restaurant Licenses | 31780 | 5YR | 07/31/2008 | 2008-16/66 |
| R81-4D | On-Premise Banquet License | 31155 | NSC | 05/01/2008 | Not Printed |
| R81-4D | On-Premise Banquet License | 31785 | 5YR | 07/31/2008 | 2008-16/66 |
| R81-4D-1 | Licensing | 31336 | AMD | 07/30/2008 | 2008-10/22 |
| R81-4D-2 | Application | 31338 | AMD | 07/30/2008 | 2008-10/24 |
| R81-5-11 | Price Lists | 31287 | AMD | 06/27/2008 | 2008-10/25 |
| R81-7-1 | Application Guidelines | 31332 | AMD | 06/27/2008 | 2008-10/26 |
| R81-10 | Off-Premise Beer Retailers | 31334 | NEW | 06/27/2008 | 2008-10/27 |
| R81-10B | Temporary Special Event Beer Permits | 31786 | 5YR | 07/31/2008 | 2008-16/67 |
| **Auditor** | | | | | |
| Administration | | | | | |
| R123-3-1 | Definitions | 31257 | NSC | 05/05/2008 | Not Printed |
| R123-3-2 | Designation | 31260 | NSC | 05/05/2008 | Not Printed |
| R123-3-3 | Adjudicative Proceedings | 31261 | NSC | 05/05/2008 | Not Printed |
| R123-4-1 | Authority | 31262 | NSC | 05/05/2008 | Not Printed |
| R123-4-2 | Definitions | 31263 | NSC | 05/05/2008 | Not Printed |
| R123-4-5 | Intervention | 31265 | NSC | 05/05/2008 | Not Printed |
| R123-4-6 | Petition Review and Disposition | 31266 | NSC | 05/05/2008 | Not Printed |
| R123-4-7 | Administrative Review | 31267 | NSC | 05/05/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **Capitol Preservation Board (State)** | | | | | |
| Administration | | | | | |
| R131-1 | Procurement of Architectural and Engineering Services | 30591 | AMD | 02/29/2008 | 2007-21/11 |
| R131-4 | Procurement of Construction | 30590 | R&R | 02/29/2008 | 2007-21/13 |
| **Career Service Review Board** | | | | | |
| Administration | | | | | |
| R137-2 | Government Records Access and Management Act | 31473 | 5YR | 05/21/2008 | 2008-12/50 |
| **Commerce** | | | | | |
| Administration | | | | | |
| R151-2 | Government Records Access and Management Act Rule | 31345 | NSC | 05/05/2008 | Not Printed |
| R151-2-4 | Forms | 31385 | AMD | 07/08/2008 | 2008-11/49 |
| R151-3-1 | Authority and Purpose | 31346 | NSC | 05/05/2008 | Not Printed |
| R151-14-3 | Adjudicative Proceedings | 31354 | NSC | 05/05/2008 | Not Printed |
| R151-35-3 | Adjudicative Proceedings | 31355 | NSC | 05/05/2008 | Not Printed |
| Consumer Protection | | | | | |
| R152-1 | Utah Division of Consumer Protection: "Buyer Beware List" | 31184 | NSC | 05/05/2008 | Not Printed |
| R152-11 | Utah Consumer Sales Practices Act Rules | 31213 | NSC | 05/05/2008 | Not Printed |
| R152-15-2 | Filing Requirements. Filing Fees | 31214 | NSC | 05/05/2008 | Not Printed |
| R152-20 | New Motor Vehicle Warranties Rules | 31215 | NSC | 05/05/2008 | Not Printed |
| R152-22-9 | Grounds for Denial, Suspension or Revocation Procedure | 31216 | NSC | 05/05/2008 | Not Printed |
| R152-23-1 | Authority | 31217 | NSC | 05/05/2008 | Not Printed |
| R152-34-10 | Rules Relating to Suspension, Termination or Refusal to Register under Section 13-34-111 | 31218 | NSC | 05/05/2008 | Not Printed |
| Corporations and Commercial Code | | | | | |
| R154-10 | Utah Digital Signatures Act Rules | 30642 | REP | 03/03/2008 | 2007-22/16 |
| Occupational and Professional Licensing | | | | | |
| R156-1 | General Rules of the Division of Occupational and Professional Licensing | 31288 | AMD | 06/23/2008 | 2008-10/30 |
| R156-1-102a | Global Definitions of Levels of Supervision | 30655 | AMD | 01/08/2008 | 2007-23/3 |
| R156-3a-303 | Qualifications for Licensure - Examination Requirements | 30935 | AMD | 03/27/2008 | 2008-4/5 |
| R156-11a | Barber, Cosmetologist/Barber, Esthetician, Electrology, and Nail Technician Licensing Act Rule | 30953 | AMD | 04/10/2008 | 2008-5/5 |
| R156-11a-601 | Standards for Accreditation | 31174 | NSC | 05/05/2008 | Not Printed |
| R156-22-305 | Inactive Status | 31175 | NSC | 05/05/2008 | Not Printed |
| R156-26a | Certified Public Accountant Licensing Act Rules | 30715 | AMD | 03/31/2008 | 2007-23/4 |
| R156-26a | Certified Public Accountant Licensing Act Rules | 30715 | CPR | 03/31/2008 | 2008-4/35 |
| R156-28 | Veterinary Practice Act Rules | 31396 | AMD | 07/10/2008 | 2008-11/56 |
| R156-31b | Nurse Practice Act Rules | 31094 | 5YR | 04/01/2008 | 2008-8/51 |
| R156-31b | Nurse Practice Act Rules | 31156 | AMD | 06/23/2008 | 2008-10/34 |
| R156-38a | Residence Lien Restriction and Lien Recovery Fund Rules | 30654 | AMD | 01/07/2008 | 2007-23/14 |
| R156-38a-105a | Adjudicative Proceedings | 31176 | NSC | 05/05/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R156-38b-703 | SCR Record Classification | 31177 | NSC | 05/05/2008 | Not Printed |
| R156-40-302e | Qualifications for Temporary License as a TRS - Supervision Required | 31178 | NSC | 05/05/2008 | Not Printed |
| R156-41 | Speech-Language Pathology and Audiology Licensing Act Rules | 31397 | AMD | 07/14/2008 | 2008-11/65 |
| R156-46b | Division Utah Administrative Procedures Act Rules | 31179 | NSC | 05/05/2008 | Not Printed |
| R156-47b | Massage Therapy Practice Act Rules | 30853 | AMD | 02/21/2008 | 2008-2/4 |
| R156-49 | Dietitian Certification Act Rules | 31073 | 5YR | 03/24/2008 | 2008-8/52 |
| R156-49 | Dietitian Certification Act Rules | 31180 | NSC | 05/05/2008 | Not Printed |
| R156-53 | Landscape Architect Licensing Act Rules | 31074 | 5YR | 03/24/2008 | 2008-8/52 |
| R156-55a | Utah Construction Trades Licensing Act Rule | 30892 | AMD | 03/11/2008 | 2008-3/3 |
| R156-55a | Utah Construction Trades Licensing Act Rule | 31292 | AMD | 06/24/2008 | 2008-10/42 |
| R156-55d | Utah Construction Trades Licensing Act Burglar Alarm Licensing Rules | 31181 | NSC | 05/05/2008 | Not Printed |
| R156-56 | Utah Uniform Building Standard Act Rules | 30574 | AMD | 01/01/2008 | 2007-21/38 |
| R156-56 | Utah Uniform Building Standard Act Rules | 31139 | AMD | 07/01/2008 | 2008-9/23 |
| R156-56-420 | Administration of Building Code Training Fund | 30573 | AMD | 01/01/2008 | 2007-21/57 |
| R156-56-701 | Specific Editions of Uniform Building Standards | 31142 | AMD | 07/01/2008 | 2008-9/30 |
| R156-56-801 | Statewide Amendments to the IBC | 31626 | NSC | 07/01/2008 | Not Printed |
| R156-61 | Psychologist Licensing Act Rules | 30915 | CPR | 05/08/2008 | 2008-7/55 |
| R156-61 | Psychologist Licensing Act Rules | 30915 | AMD | 05/08/2008 | 2008-3/6 |
| R156-63 | Security Personnel Licensing Act Rule | 31182 | NSC | 05/05/2008 | Not Printed |
| R156-67 | Utah Medical Practice Act Rules | 31183 | NSC | 05/05/2008 | Not Printed |
| R156-68 | Utah Osteopathic Medical Practice Act Rules | 31083 | 5YR | 03/27/2008 | 2008-8/53 |
| R156-68 | Utah Osteopathic Medical Practice Act Rules | 31185 | NSC | 05/05/2008 | Not Printed |
| R156-69 | Dentist and Dental Hygienist Practice Act Rules | 31136 | AMD | 06/09/2008 | 2008-9/35 |
| R156-71 | Naturopathic Physician Practice Act Rules | 30854 | AMD | 07/08/2008 | 2008-2/6 |
| R156-71 | Naturopathic Physician Practice Act Rules | 30854 | CPR | 07/08/2008 | 2008-11/121 |
| R156-74 | Certified Court Reporters Licensing Act Rules | 31516 | AMD | 07/22/2008 | 2008-12/7 |
| R156-76 | Professional Geologist Licensing Act Rules | 30694 | AMD | 01/08/2008 | 2007-23/17 |
| R156-78A | Prelitigation Panel Review Rules | 31055 | NSC | 03/26/2008 | Not Printed |
| Real Estate | | | | | |
| R162-2-2 | Licensing Procedure | 31003 | AMD | 04/07/2008 | 2008-5/7 |
| R162-3 | License Status Change | 31456 | AMD | 07/30/2008 | 2008-12/8 |
| R162-8-4 | School Conduct and Standards of Practice | 31001 | AMD | 04/07/2008 | 2008-5/10 |
| R162-9 | Continuing Education | 31277 | AMD | 06/23/2008 | 2008-10/48 |
| R162-12 | Utah Housing Opportunity Restricted Account | 31000 | NEW | 04/07/2008 | 2008-5/11 |
| R162-207 | License Renewal | 31457 | AMD | 07/30/2008 | 2008-12/10 |
| R162-207-6 | Determining Fitness for Renewal | 31002 | AMD | 04/07/2008 | 2008-5/12 |
| R162-208 | Continuing Education | 31278 | AMD | 06/23/2008 | 2008-10/50 |
| R162-210-4 | Rules of Conduct for Certified Schools | 31004 | AMD | 04/07/2008 | 2008-5/13 |
| **Community and Culture** | | | | | |
| Home Energy Assistance Target (HEAT) | | | | | |
| R195-1 | Energy Assistance: General Provisions | 31331 | NSC | 05/05/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Housing and Community Development | | | | | |
| R199-8 | Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance | 30451 | AMD | 01/01/2008 | 2007-19/6 |
| History | | | | | |
| R212-4 | Archaeological Permits | 31290 | R&R | 06/25/2008 | 2008-10/52 |
| Indian Affairs | | | | | |
| R230-1 | Native American Grave Protection and Repatriation | 30912 | AMD | 07/16/2008 | 2008-3/12 |
| R230-1 | Native American Grave Protection and Repatriation | 30912 | CPR | 07/16/2008 | 2008-11/122 |
| **Corrections** | | | | | |
| Administration | | | | | |
| R251-112 | Americans With Disabilities Act Implementation and Complaint Process | 30713 | AMD | 03/11/2008 | 2007-23/19 |
| R251-114 | Offender Long-Term Health Care - Notice | 30803 | NEW | 03/11/2008 | 2008-1/6 |
| R251-304 | Contract Procedures | 30952 | 5YR | 02/05/2008 | 2008-5/39 |
| R251-304 | Contract Procedures | 30980 | AMD | 05/20/2008 | 2008-5/15 |
| **Crime Victim Reparations** | | | | | |
| Administration | | | | | |
| R270-1 | Award and Reparation Standards | 31322 | NSC | 05/05/2008 | Not Printed |
| R270-1-11 | Collateral Source | 30593 | AMD | 01/02/2008 | 2007-22/33 |
| R270-1-22 | Sexual Assault Forensic Examinations | 31013 | AMD | 05/19/2008 | 2008-6/3 |
| R270-1-23 | Loss of Support Awards | 31504 | AMD | 07/28/2008 | 2008-12/12 |
| R270-1-24 | Rent Awards | 31529 | AMD | 08/11/2008 | 2008-13/8 |
| R270-2 | Crime Victim Reparations Adjudicative Proceedings | 31323 | NSC | 05/05/2008 | Not Printed |
| R270-4 | Government Records Access and Management Act | 31324 | NSC | 05/05/2008 | Not Printed |
| **Education** | | | | | |
| Administration | | | | | |
| R277-104 | USOE ADA Compliant Procedure | 31517 | 5YR | 06/02/2008 | 2008-12/50 |
| R277-109 | One-time Signing Bonuses | 31439 | NEW | 07/08/2008 | 2008-11/67 |
| R277-110 | Legislative Supplemental Salary Adjustment | 31572 | AMD | 08/07/2008 | 2008-13/9 |
| R277-113 | One-time Performance-based Compensation Program | 31440 | NEW | 07/08/2008 | 2008-11/69 |
| R277-116-1 | USOE Internal Audit Procedure | 31573 | AMD | 08/07/2008 | 2008-13/11 |
| R277-419 | Pupil Accounting | 31574 | AMD | 08/07/2008 | 2008-13/12 |
| R277-423 | Delivery of Flow Through Money | 30845 | AMD | 02/07/2008 | 2008-1/8 |
| R277-436 | Gang Prevention and Intervention Programs in the Schools | 31518 | 5YR | 06/02/2008 | 2008-12/51 |
| R277-437 | Student Enrollment Options | 31575 | R&R | 08/07/2008 | 2008-13/16 |
| R277-451 | The State School Building Program | 31576 | REP | 08/07/2008 | 2008-13/19 |
| R277-460 | Distribution of Substance Abuse Prevention Account | 31519 | 5YR | 06/02/2008 | 2008-12/51 |
| R277-469 | Instructional Materials Commission Operating Procedures | 30781 | AMD | 01/22/2008 | 2007-24/4 |
| R277-469 | Instructional Materials Commission Operating Procedures | 31035 | 5YR | 03/03/2008 | 2008-7/62 |
| R277-469 | Instructional Materials Commission Operating Procedures | 31577 | AMD | 08/07/2008 | 2008-13/21 |
| R277-470-7 | Timelines - Charter School Starting Date | 30846 | AMD | 02/07/2008 | 2008-1/9 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R277-471 | Oversight of School Inspections | 31441 | AMD | 07/08/2008 | 2008-11/70 |
| R277-483 | Persistently Dangerous Schools | 31036 | 5YR | 03/03/2008 | 2008-7/62 |
| R277-484 | Data Standards | 31005 | AMD | 04/11/2008 | 2008-5/17 |
| R277-484 | Data Standards | 31520 | 5YR | 06/02/2008 | 2008-12/52 |
| R277-485 | Loss of Enrollment | 31037 | 5YR | 03/03/2008 | 2008-7/63 |
| R277-488 | Critical Languages Pilot Program | 31442 | AMD | 07/08/2008 | 2008-11/72 |
| R277-490 | Beverley Taylor Sorenson Elementary Arts Learning Program | 31443 | NEW | 07/08/2008 | 2008-11/74 |
| R277-492 | Utah Science Technology and Research Initiative (USTAR) Centers Program | 31578 | NEW | 08/07/2008 | 2008-13/25 |
| R277-502 | Educator Licensing and Data Retention | 30944 | AMD | 03/24/2008 | 2008-4/6 |
| R277-502-6 | Educator Licensing and Data Retention | 31579 | AMD | 08/07/2008 | 2008-13/27 |
| R277-504 | Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, Speech-Language Pathologist and Speech-Language Technician, and Special Education (Birth-Age 5) Certification | 31444 | AMD | 07/08/2008 | 2008-11/77 |
| R277-508 | Employment of Substitute Teachers | 31038 | 5YR | 03/03/2008 | 2008-7/63 |
| R277-515-3 | Educator as a Role Model of Civic and Societal Responsibility | 30976 | NSC | 02/27/2008 | Not Printed |
| R277-515-4 | Educator Responsibility for Maintaining a Safe Learning Environment and Educational Standards | 31580 | AMD | 08/07/2008 | 2008-13/28 |
| R277-518 | Applied Technology Education Licenses | 30878 | 5YR | 01/08/2008 | 2008-3/72 |
| R277-525 | Special Educator Stipends | 31445 | NEW | 07/08/2008 | 2008-11/82 |
| R277-526 | Paraeducator to Teacher Scholarship Program | 31581 | NEW | 08/07/2008 | 2008-13/29 |
| R277-600 | Student Transportation Standards and Procedures | 30879 | 5YR | 01/08/2008 | 2008-3/72 |
| R277-605 | Coaching Standards and Athletic Clinics | 30880 | 5YR | 01/08/2008 | 2008-3/73 |
| R277-606 | Grants to Purchase or Retrofit Clean School Buses | 31582 | NEW | 08/07/2008 | 2008-13/31 |
| R277-609 | Standards for School District Discipline Plans | 30847 | AMD | 02/07/2008 | 2008-1/10 |
| R277-609-5 | Parent/Guardian Notification and Court Referral | 30958 | NSC | 02/29/2008 | Not Printed |
| R277-610 | Released-Time Classes for Religious Instruction | 30881 | 5YR | 01/08/2008 | 2008-3/73 |
| R277-700 | The Elementary and Secondary School Core Curriculum | 30882 | 5YR | 01/08/2008 | 2008-3/74 |
| R277-702 | Procedures for the Utah General Educational Development Certificate | 30883 | 5YR | 01/08/2008 | 2008-3/74 |
| R277-703-6 | Funding Provisions | 30977 | NSC | 02/27/2008 | Not Printed |
| R277-709 | Education Programs Serving Youth in Custody | 30884 | 5YR | 01/08/2008 | 2008-3/75 |
| R277-710 | International Baccalaureate Programs | 31583 | NEW | 08/07/2008 | 2008-13/32 |
| R277-718 | Utah Career Teaching Scholarship Program | 30885 | 5YR | 01/08/2008 | 2008-3/75 |
| R277-719 | Standards for Selling Foods Outside of the Reimbursable Meal in Schools | 30848 | NEW | 02/07/2008 | 2008-1/12 |
| R277-721 | Deadline for CACFP Sponsor Participation in Food Distribution Program | 30886 | 5YR | 01/08/2008 | 2008-3/76 |
| R277-721 | Deadline for CACFP Sponsor Participation in Food Distribution Program | 31014 | REP | 04/21/2008 | 2008-6/5 |
| R277-722 | Withholding Payments and Commodities in the CACFP | 30887 | 5YR | 01/08/2008 | 2008-3/76 |
| R277-722 | Withholding Payments and Commodities in the CACFP | 31015 | REP | 04/21/2008 | 2008-6/6 |
| R277-730 | Alternative High School Curriculum | 30888 | 5YR | 01/08/2008 | 2008-3/77 |
| R277-746 | Driver Education Programs for Utah Schools | 31039 | 5YR | 03/03/2008 | 2008-7/64 |
| R277-747 | Private School Student Driver Education | 31040 | 5YR | 03/03/2008 | 2008-7/64 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R277-751 | Special Education Extended School Year | 31041 | 5YR | 03/03/2008 | 2008-7/65 |
| Rehabilitation | | | | | |
| R280-200 | Rehabilitation | 31042 | 5YR | 03/03/2008 | 2008-7/65 |
| **Environmental Quality** | | | | | |
| Administration | | | | | |
| R305-3 | Emergency Meetings | 30766 | REP | 02/15/2008 | 2007-24/6 |
| R305-3 | Emergency Meeting (5YR EXTENSION) | 30506 | NSC | 02/15/2008 | Not Printed |
| Air Quality | | | | | |
| R307-101 | General Requirements | 30697 | AMD | 02/08/2008 | 2007-23/21 |
| R307-101 | General Requirements | 30959 | 5YR | 02/08/2008 | 2008-5/40 |
| R307-102 | General Requirements: Broadly Applicable Requirements | 30960 | 5YR | 02/08/2008 | 2008-5/40 |
| R307-102 | General Requirements: Broadly Applicable Requirements | 31462 | NSC | 06/18/2008 | Not Printed |
| R307-103 | Administrative Procedures | 31461 | NSC | 06/18/2008 | Not Printed |
| R307-115 | General Conformity | 30698 | AMD | 02/08/2008 | 2007-23/28 |
| R307-115 | General Conformity | 30961 | 5YR | 02/08/2008 | 2008-5/41 |
| R307-121 | General Requirements: Clean Fuel Vehicle Tax Credits | 31389 | AMD | 08/07/2008 | 2008-11/87 |
| R307-121-3 | Procedures for OEM Vehicles | 30889 | NSC | 01/30/2008 | Not Printed |
| R307-170 | Continuous Emission Monitoring Program | 30962 | 5YR | 02/08/2008 | 2008-5/41 |
| R307-170-7 | Performance Specification Audits | 30699 | AMD | 02/08/2008 | 2007-23/29 |
| R307-202 | Emission Standards: General Burning | 30963 | 5YR | 02/08/2008 | 2008-5/42 |
| R307-203 | Emission Standards: Sulfur Content of Fuels | 30964 | 5YR | 02/08/2008 | 2008-5/43 |
| R307-214 | National Emission Standards for Hazardous Air Pollutants | 30895 | 5YR | 01/11/2008 | 2008-3/77 |
| R307-214 | National Emission Standards for Hazardous Air Pollutants | 30430 | AMD | 01/11/2008 | 2007-19/12 |
| R307-215 | Acid Rain Requirements | 30700 | REP | 02/08/2008 | 2007-23/31 |
| R307-220 | Emission Standards: Plan for Designated Facilities | 30965 | 5YR | 02/08/2008 | 2008-5/43 |
| R307-221 | Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills | 30701 | AMD | 02/08/2008 | 2007-23/32 |
| R307-221 | Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills | 30966 | 5YR | 02/08/2008 | 2008-5/44 |
| R307-221-2 | Definitions and References | 30832 | NSC | 02/08/2008 | Not Printed |
| R307-222 | Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste | 30967 | 5YR | 02/08/2008 | 2008-5/44 |
| R307-222 | Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste | 30702 | AMD | 02/08/2008 | 2007-23/36 |
| R307-222-1 | Purpose and Applicability | 30833 | NSC | 02/08/2008 | Not Printed |
| R307-223 | Existing Incinerators for Hospital, Medical, Infectious Waste | 30703 | AMD | 02/08/2008 | 2007-23/38 |
| R307-223 | Emission Standards: Existing Small Municipal Waste Combustion Units | 30968 | 5YR | 02/08/2008 | 2008-5/45 |
| R307-224 | Mercury Emission Standards: Coal-Fired Electric Generating Units | 30969 | 5YR | 02/08/2008 | 2008-5/45 |
| R307-224-2 | Emission Guidelines and Compliance Times for Coal-Fired Electric Generating Units | 30704 | AMD | 02/08/2008 | 2007-23/39 |
| R307-250 | Western Backstop Sulfur Dioxide Trading Program | 30970 | 5YR | 02/08/2008 | 2008-5/46 |
| R307-302-3 | No-Burn Periods for Fine Particulate | 31388 | AMD | 08/07/2008 | 2008-11/91 |
| R307-310 | Salt Lake County: Trading of Emission Budgets for Transportation Conformity | 30971 | 5YR | 02/08/2008 | 2008-5/46 |
| R307-310-2 | Definitions | 30705 | AMD | 02/08/2008 | 2007-23/40 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R307-401-14 | Used Oil Fuel Burned for Energy Recovery | 30709 | AMD | 02/08/2008 | 2007-23/42 |
| R307-405 | Permits: Major Sources in Attainment or Unclassified Areas (PSD) | 30431 | AMD | 01/11/2008 | 2007-19/15 |
| R307-417 | Acid Rain Sources | 30706 | AMD | 02/08/2008 | 2007-23/43 |
| R307-801 | Asbestos | 30707 | AMD | 02/08/2008 | 2007-23/45 |
| R307-801 | Asbestos | 30972 | 5YR | 02/08/2008 | 2008-5/47 |
| R307-840 | Lead-Based Paint Accreditation, Certification and Work Practice Standards | 30708 | AMD | 02/08/2008 | 2007-23/48 |
| R307-840 | Lead-Based Paint Accreditation, Certification and Work Practice Standards | 30973 | 5YR | 02/08/2008 | 2008-5/47 |
| Drinking Water | | | | | |
| R309-352 | Capacity Development Program | 31157 | 5YR | 04/18/2008 | 2008-10/144 |
| Environmental Response and Remediation | | | | | |
| R311-200 | Underground Storage Tanks: Definitions | 31486 | NSC | 06/18/2008 | Not Printed |
| R311-201 | Underground Storage Tanks: Certification Programs | 31487 | NSC | 06/18/2008 | Not Printed |
| R311-210 | Administrative Procedures for Underground Storage Tank Act Adjudicative Proceedings | 31488 | NSC | 06/18/2008 | Not Printed |
| R311-401-2 | Utah Hazardous Substances Priority List | 30567 | AMD | 01/02/2008 | 2007-21/59 |
| Radiation Control | | | | | |
| R313-12-1 | Authority | 31170 | NSC | 05/05/2008 | Not Printed |
| R313-12-111 | Submission of Electronic Copies | 30774 | AMD | 04/11/2008 | 2007-24/8 |
| R313-12-111 | Submission of Electronic Copies | 30774 | CPR | 04/11/2008 | 2008-5/34 |
| R313-15 | Standards for Protection Against Radiation | 30865 | AMD | 03/17/2008 | 2008-2/10 |
| R313-17 | Administrative Procedures | 31171 | NSC | 05/05/2008 | Not Printed |
| Solid and Hazardous Waste | | | | | |
| R315-2 | General Requirements - Identification and Listing of Hazardous Waste | 31377 | NSC | 05/05/2008 | Not Printed |
| R315-3 | Application and Permit Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities | 31065 | NSC | 04/11/2008 | Not Printed |
| R315-12 | Administrative Procedures | 31376 | NSC | 05/05/2008 | Not Printed |
| R315-15-1 | Applicability, Prohibitions, and Definitions | 30907 | AMD | 03/13/2008 | 2008-3/16 |
| R315-15-10 | Liability/Financial Requirements | 30908 | AMD | 03/13/2008 | 2008-3/19 |
| R315-15-11 | Closure | 30909 | AMD | 03/13/2008 | 2008-3/21 |
| R315-15-12 | Reclamation Surety | 30910 | AMD | 03/13/2008 | 2008-3/23 |
| R315-15-17 | Wording of Financial Assurance Mechanisms | 30911 | AMD | 03/13/2008 | 2008-3/29 |
| R315-301 | Solid Waste Authority, Definitions, and General Requirements | 30990 | 5YR | 02/14/2008 | 2008-5/48 |
| R315-302 | Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements | 30986 | 5YR | 02/14/2008 | 2008-5/49 |
| R315-303 | Landfilling Standards | 30992 | 5YR | 02/14/2008 | 2008-5/49 |
| R315-305 | Class IV and VI Landfill Requirements | 30991 | 5YR | 02/14/2008 | 2008-5/50 |
| R315-306 | Incinerator Standards | 30985 | 5YR | 02/14/2008 | 2008-5/51 |
| R315-307 | Landtreatment Disposal Standards | 30993 | 5YR | 02/14/2008 | 2008-5/51 |
| R315-308 | Ground Water Monitoring Requirements | 30995 | 5YR | 02/14/2008 | 2008-5/52 |
| R315-309 | Financial Assurance | 30994 | 5YR | 02/14/2008 | 2008-5/52 |
| R315-310 | Permit Requirements for Solid Waste Facilities | 30996 | 5YR | 02/14/2008 | 2008-5/53 |
| R315-311 | Permit Approval For Solid Waste Disposal, Waste Tire Storage, Energy Recovery, And Incinerator Facilities | 30983 | 5YR | 02/14/2008 | 2008-5/53 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R315-312 | Recycling and Composting Facility Standards | 30997 | 5YR | 02/14/2008 | 2008-5/54 |
| R315-313 | Transfer Stations and Drop Box Facilities | 30998 | 5YR | 02/14/2008 | 2008-5/54 |
| R315-314 | Facility Standards for Piles Used for Storage and Treatment | 30999 | 5YR | 02/14/2008 | 2008-5/55 |
| R315-315 | Special Waste Requirements | 30989 | 5YR | 02/14/2008 | 2008-5/55 |
| R315-316 | Infectious Waste Requirements | 30988 | 5YR | 02/14/2008 | 2008-5/56 |
| R315-317 | Other Processes, Variances, Violations, and Petition for Rule Change | 30984 | 5YR | 02/14/2008 | 2008-5/57 |
| R315-318 | Permit by Rule | 30987 | 5YR | 02/14/2008 | 2008-5/57 |
| Water Quality | | | | | |
| R317-1-4 | Utilization and Isolation of Domestic Wastewater Treatment Works Effluent | 30639 | AMD | 02/04/2008 | 2007-22/52 |
| R317-3-11 | Land Application of Wastewater Effluents | 30638 | AMD | 02/04/2008 | 2007-22/57 |
| R317-9 | Administrative Procedures | 30948 | 5YR | 02/01/2008 | 2008-4/42 |
| R317-13 | Approvals and Permits for a Water Reuse Project | 30637 | NEW | 02/04/2008 | 2007-22/61 |
| R317-14 | Approval in Change in Point of Discharge of POTW | 30636 | NEW | 02/04/2008 | 2007-22/62 |
| R317-101 | Utah Wastewater Project Assistance Program | 31103 | 5YR | 04/02/2008 | 2008-9/53 |
| **Financial Institutions** | | | | | |
| Administration | | | | | |
| R331-20 | Designation of Adjudicative Proceedings as Informal | 31256 | NSC | 05/05/2008 | Not Printed |
| R331-22-1 | Authority, Scope, and Purpose | 31315 | NSC | 05/05/2008 | Not Printed |
| **Governor** | | | | | |
| Economic Development | | | | | |
| R357-2 | Rural Broadband Service Fund | 30788 | NEW | 01/30/2008 | 2007-24/9 |
| R357-2-7 | Ranking and Approval of Applications | 30859 | NSC | 01/30/2008 | Not Printed |
| R357-3 | Refundable Economic Development Tax Credit | 31153 | NEW | 06/18/2008 | 2008-9/37 |
| **Health** | | | | | |
| Administration | | | | | |
| R380-1 | Petitions for Department Declaratory Orders | 31281 | NSC | 05/05/2008 | Not Printed |
| R380-5 | Petitions for Declaratory Orders on Orders Issued by Committees | 31282 | NSC | 05/05/2008 | Not Printed |
| R380-10 | Informal Adjudicative Proceedings | 31283 | NSC | 05/05/2008 | Not Printed |
| R380-20 | Government Records Access and Management | 31284 | NSC | 05/05/2008 | Not Printed |
| R380-100 | Americans with Disabilities Act Grievance Procedures | 31285 | NSC | 05/05/2008 | Not Printed |
| R380-200 | Patient Safety Sentinel Event Reporting | 31286 | NSC | 05/05/2008 | Not Printed |
| R380-210-6 | Penalties | 31280 | NSC | 05/05/2008 | Not Printed |
| R380-250 | HIPAA Privacy Rule Implementation | 31455 | 5YR | 05/19/2008 | 2008-12/52 |
| Children's Health Insurance Program | | | | | |
| R382-1 | Benefits and Administration | 31503 | 5YR | 05/30/2008 | 2008-12/53 |
| R382-10 | Eligibility | 31454 | 5YR | 05/19/2008 | 2008-12/53 |
| R382-10 | Eligibility | 31357 | AMD | 07/01/2008 | 2008-10/55 |
| Epidemiology and Laboratory Services, Epidemiology | | | | | |
| R386-702-12 | Official References | 31099 | AMD | 06/11/2008 | 2008-8/5 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Epidemiology and Laboratory Services, Environmental Services | | | | | |
| R392-100-2 | Incorporation by Reference | 31446 | AMD | 07/17/2008 | 2008-11/95 |
| R392-302 | Design, Construction, and Operation of Public Pools | 31097 | AMD | 05/22/2008 | 2008-8/6 |
| R392-502 | Hotel, Motel and Resort Sanitation | 31494 | AMD | 07/22/2008 | 2008-12/20 |
| R392-700 | Indoor Tanning Bed Sanitation | 30612 | NEW | 05/16/2008 | 2007-22/65 |
| R392-700 | Indoor Tanning Bed Sanitation | 30612 | CPR | 05/16/2008 | 2008-7/58 |
| Community and Family Health Services, Immunization | | | | | |
| R396-100 | Immunization Rule for Students (5YR EXTENSION) | 31173 | NSC | 07/25/2008 | Not Printed |
| R396-100 | Immunization Rule for Students | 31753 | 5YR | 07/25/2008 | 2008-16/68 |
| R396-100-3 | Required Immunizations | 31100 | AMD | 07/29/2008 | 2008-8/14 |
| Community and Family Health Services, Children with Special Health Care Needs | | | | | |
| R398-1 | Newborn Screening | 31350 | AMD | 06/25/2008 | 2008-10/60 |
| R398-2 | Newborn Hearing Screening | 31651 | 5YR | 07/02/2008 | 2008-15/86 |
| R398-5 | Birth Defects Reporting | 31070 | AMD | 07/03/2008 | 2008-8/16 |
| R398-20 | Early Intervention | 31783 | 5YR | 07/31/2008 | 2008-16/68 |
| Health Care Financing | | | | | |
| R410-14-17 | Agency Review | 30981 | EMR | 02/15/2008 | 2008-5/36 |
| R410-14-17 | Agency Review | 31129 | AMD | 06/09/2008 | 2008-9/38 |
| Health Care Financing, Coverage and Reimbursement Policy | | | | | |
| R414-1-5 | State Plan | 31359 | AMD | 07/01/2008 | 2008-10/64 |
| R414-1-5 | State Plan | 31506 | AMD | 08/04/2008 | 2008-12/22 |
| R414-5 | Reduction in Hospital Payments | 31424 | 5YR | 05/13/2008 | 2008-11/125 |
| R414-6 | Reduction in Certain Targeted Case Management Services | 31169 | 5YR | 04/21/2008 | 2008-10/145 |
| R414-6 | Reduction in Certain Targeted Case Management Services | 31493 | AMD | 07/22/2008 | 2008-12/23 |
| R414-21 | Physical and Occupational Therapy | 30653 | R&R | 01/10/2008 | 2007-23/50 |
| R414-27 | Medicare Nursing Home Certification | 30920 | 5YR | 01/17/2008 | 2008-4/42 |
| R414-27 | Medicare Nursing Home Certification | 31046 | NSC | 03/25/2008 | Not Printed |
| R414-27 | Medicare Nursing Home Certification | 31360 | AMD | 07/01/2008 | 2008-10/65 |
| R414-40 | Nursing Service | 31135 | R&R | 06/23/2008 | 2008-9/39 |
| R414-51 | Dental, Orthodontia | 31452 | 5YR | 05/19/2008 | 2008-12/53 |
| R414-52 | Optometry Services | 30775 | AMD | 02/01/2008 | 2007-24/12 |
| R414-52 | Optometry Services | 31453 | 5YR | 05/19/2008 | 2008-12/54 |
| R414-53 | Eyeglasses Services | 30776 | AMD | 02/01/2008 | 2007-24/13 |
| R414-53 | Eyeglasses Services | 31528 | 5YR | 06/05/2008 | 2008-13/148 |
| R414-55 | Medicaid Policy for Hospital Emergency Department Copayment Procedures | 31737 | 5YR | 07/18/2008 | 2008-16/69 |
| R414-70 | Medical Supplies, Durable Medical Equipment, and Prosthetic Devices | 31505 | R&R | 08/04/2008 | 2008-12/24 |
| R414-71 | Medical Supplies -- Parenteral, Enteral, and IV Therapy | 30378 | AMD | 03/31/2008 | 2007-18/40 |
| R414-71 | Medical Supplies - Parenteral, Enteral, and IV Therapy | 30378 | CPR | 03/31/2008 | 2008-3/66 |
| R414-71 | Medical Supplies - Parenteral, Enteral, and IV Therapy | 31507 | REP | 08/04/2008 | 2008-12/28 |
| R414-301 | Medicaid General Provisions | 30936 | 5YR | 01/31/2008 | 2008-4/43 |
| R414-302 | Eligibility Requirements | 30921 | 5YR | 01/25/2008 | 2008-4/43 |
| R414-303 | Coverage Groups | 30925 | 5YR | 01/25/2008 | 2008-4/44 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R414-304 | Income and Budgeting | 30924 | 5YR | 01/25/2008 | 2008-4/44 |
| R414-304 | Income and Budgeting | 30652 | AMD | 01/28/2008 | 2007-23/54 |
| R414-305 | Resources | 30937 | 5YR | 01/31/2008 | 2008-4/45 |
| R414-305 | Resources | 30945 | AMD | 04/01/2008 | 2008-4/9 |
| R414-306 | Program Benefits | 30922 | 5YR | 01/25/2008 | 2008-4/45 |
| R414-308 | Application, Eligibility Determinations and Improper Medical Assistance | 30938 | 5YR | 01/31/2008 | 2008-4/46 |
| R414-308-7 | Change Reporting and Benefit Changes | 30927 | AMD | 04/01/2008 | 2008-4/16 |
| R414-310 | Medicaid Primary Care Network Demonstration Waiver | 31356 | AMD | 07/01/2008 | 2008-10/66 |
| R414-320 | Medicaid Health Insurance Flexibility and Accountability Demonstration Waiver | 31358 | AMD | 07/01/2008 | 2008-10/68 |
| R414-504 | Nursing Facility Payments | 31362 | AMD | 07/01/2008 | 2008-10/71 |
| R414-508 | Requirements for Transfer of Bed Licenses | 31361 | NEW | 07/01/2008 | 2008-10/78 |
| R414-510 | Intermediate Care Facility for Individuals with Mental Retardation Transition Program | 30917 | AMD | 03/10/2008 | 2008-3/30 |
| Health Systems Improvement, Emergency Medical Services | | | | | |
| R426-5-3 | Trauma Center Categorization Guidelines | 31068 | AMD | 06/04/2008 | 2008-8/17 |
| R426-6 | Emergency Medical Services Competitive Grants Program Rules | 30758 | AMD | 02/07/2008 | 2007-24/14 |
| R426-7-3 | Prehospital Data Set | 31069 | AMD | 07/31/2008 | 2008-8/18 |
| R426-8-4 | Application and Award Formula | 31096 | AMD | 06/05/2008 | 2008-8/22 |
| R426-15-203 | Vehicle Supply Requirements | 30954 | AMD | 06/24/2008 | 2008-5/19 |
| Center for Health Data, Health Care Statistics | | | | | |
| R428-11 | Health Data Authority Ambulatory Surgical Data Reporting Rule | 31167 | 5YR | 04/21/2008 | 2008-10/146 |
| R428-11 | Health Data Authority Ambulatory Surgical Data Reporting Rule (5YR EXTENSION) | 31021 | NSC | 04/21/2008 | Not Printed |
| R428-13 | Health Data Authority, Audit and Reporting of HMO Performance Measures | 31168 | 5YR | 04/21/2008 | 2008-10/146 |
| R428-13 | Health Data Authority. Audit and Reporting of HMO Performance Measures (5YR EXTENSION) | 31022 | NSC | 04/21/2008 | Not Printed |
| R428-13-4 | Submission of Performance Measures | 30956 | AMD | 05/16/2008 | 2008-5/25 |
| Health Systems Improvement, Child Care Licensing | | | | | |
| R430-4 | General Certificate Provisions | 31537 | 5YR | 06/06/2008 | 2008-13/148 |
| R430-50 | Residential Certificate Child Care Standards | 31538 | 5YR | 06/06/2008 | 2008-13/149 |
| R430-50 | Residential Certificate Child Care | 31056 | CPR | 09/01/2008 | 2008-13/119 |
| R430-50 | Residential Certificate Child Care Standards | 31056 | R&R | 09/01/2008 | 2008-7/4 |
| R430-60 | Hourly Child Care Center | 31539 | 5YR | 06/06/2008 | 2008-13/149 |
| R430-90 | Licensed Family Child Care | 31540 | 5YR | 06/06/2008 | 2008-13/150 |
| R430-90 | Licensed Family Child Care | 31057 | CPR | 09/01/2008 | 2008-13/129 |
| R430-90 | Licensed Family Child Care | 31057 | R&R | 09/01/2008 | 2008-7/16 |
| Health Systems Improvement, Licensing | | | | | |
| R432-16 | Hospice Inpatient Facility Construction | 30975 | 5YR | 02/11/2008 | 2008-5/58 |
| R432-35 | Background Screening | 31489 | 5YR | 05/27/2008 | 2008-12/54 |
| Epidemiology and Laboratory Services, Laboratory Services | | | | | |
| R438-13 | Rules for the Certification of Institutions to Obtain Impounded Animals in the State of Utah | 31717 | 5YR | 07/16/2008 | 2008-16/69 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **Human Resource Management** | | | | | |
| Administration | | | | | |
| R477-1 | Definitions | 31186 | AMD | 07/01/2008 | 2008-10/79 |
| R477-2 | Administration | 31187 | AMD | 07/01/2008 | 2008-10/84 |
| R477-3 | Classification | 31188 | AMD | 07/01/2008 | 2008-10/87 |
| R477-4 | Filling Positions | 31189 | AMD | 07/01/2008 | 2008-10/88 |
| R477-5 | Employee Status and Probation | 31190 | AMD | 07/01/2008 | 2008-10/90 |
| R477-6 | Compensation | 31191 | AMD | 07/01/2008 | 2008-10/91 |
| R477-7 | Leave | 31192 | AMD | 07/01/2008 | 2008-10/95 |
| R477-8 | Working Conditions | 31193 | AMD | 07/01/2008 | 2008-10/101 |
| R477-8-5 | Overtime | 30778 | AMD | 01/22/2008 | 2007-24/16 |
| R477-9 | Employee Conduct | 31194 | AMD | 07/01/2008 | 2008-10/104 |
| R477-10 | Employee Development | 31195 | AMD | 07/01/2008 | 2008-10/106 |
| R477-11 | Discipline | 31209 | AMD | 07/01/2008 | 2008-10/108 |
| R477-12 | Separations | 31210 | AMD | 07/01/2008 | 2008-10/110 |
| R477-13 | Volunteer Programs | 31211 | NSC | 06/19/2008 | Not Printed |
| R477-15 | Unlawful Harassment Policy and Procedure | 31208 | AMD | 07/01/2008 | 2008-10/112 |
| **Human Services** | | | | | |
| Administration | | | | | |
| R495-810 | Government Records Access and Management Act | 31368 | NSC | 05/05/2008 | Not Printed |
| R495-861 | Requirements for Local Discretionary Social Services Block Grant Funds | 30773 | AMD | 01/30/2008 | 2007-24/18 |
| R495-878 | Department of Human Services Civil Rights Complaint Procedure | 31367 | NSC | 05/05/2008 | Not Printed |
| R495-878 | Department of Human Services Civil Rights Complaint Procedure | 31067 | AMD | 06/13/2008 | 2008-8/23 |
| R495-879 | Parental Support for Children in Care | 31465 | NSC | 06/18/2008 | Not Printed |
| R495-881 | Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule Implementation | 31484 | 5YR | 05/27/2008 | 2008-12/55 |
| R495-881 | Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule Implementation | 31485 | AMD | 07/23/2008 | 2008-12/30 |
| Administration, Administrative Services, Licensing | | | | | |
| R501-16 | Intermediate Secure Treatment Programs for Minors | 31017 | 5YR | 02/22/2008 | 2008-6/25 |
| R501-17 | Adult Foster Care | 31026 | 5YR | 02/27/2008 | 2008-6/25 |
| Aging and Adult Services | | | | | |
| R510-105 | "Out and About" Homebound Transportation Assistance Fund Rules | 31027 | 5YR | 02/27/2008 | 2008-6/26 |
| R510-110-5 | Monitoring by the State Division of Aging and Adult Services | 31378 | NSC | 05/05/2008 | Not Printed |
| R510-200-3 | Local LTCO Program Administrative Standards | 31379 | NSC | 05/05/2008 | Not Printed |
| Child and Family Services | | | | | |
| R512-20 | Protective Payee for Recipients of Cash Assistance from the Department of Workforce Services (5YR EXTENSION) | 30720 | NSC | 01/07/2008 | Not Printed |
| R512-20 | Protective Payee for Recipients of Cash Assistance from the Department of Workforce Services | 30716 | REP | 01/07/2008 | 2007-23/58 |
| R512-50 | Fee Collection for Clients Served by Pre-School Day Treatment Contract (5YR EXTENSION) | 30721 | NSC | 01/07/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R512-50 | Fee Collection for Clients Served by Pre-School Day Treatment Contract | 30718 | REP | 01/07/2008 | 2007-23/60 |
| R512-204 | Child Protective Services, New Caseworker Training | 31043 | NEW | 05/08/2008 | 2008-7/31 |
| R512-500 | Kinship Services | 31589 | EMR | 06/18/2008 | 2008-14/123 |
| Substance Abuse and Mental Health | | | | | |
| R523-1 | Procedures (5YR EXTENSION) | 30767 | NSC | 03/31/2008 | Not Printed |
| R523-1 | Procedures | 31089 | 5YR | 03/31/2008 | 2008-8/53 |
| R523-22-9 | Redress Procedures for Programs or Instructors | 31352 | NSC | 05/05/2008 | Not Printed |
| R523-23-9 | Alcohol Training and Education Seminar Provider Standards | 31166 | AMD | 07/14/2008 | 2008-10/114 |
| R523-23-13 | Procedure for Denial, Suspension, or Revocation | 31351 | NSC | 05/05/2008 | Not Printed |
| R523-24-7 | Approved Curriculum | 31164 | AMD | 07/14/2008 | 2008-10/116 |
| R523-24-9 | Alcohol Training and Education Seminar Provider Standards | 31165 | AMD | 07/14/2008 | 2008-10/117 |
| R523-24-13 | Procedure for Denial, Suspension, or Revocation | 31353 | NSC | 05/05/2008 | Not Printed |
| Substance Abuse and Mental Health, State Hospital | | | | | |
| R525-2 | Patient Rights | 31450 | 5YR | 05/19/2008 | 2008-12/55 |
| R525-3 | Medication Treatment of Patients | 31449 | 5YR | 05/19/2008 | 2008-12/56 |
| R525-4 | Visitors | 31447 | 5YR | 05/19/2008 | 2008-12/56 |
| R525-5 | Background Checks | 31448 | 5YR | 05/19/2008 | 2008-12/57 |
| R525-6 | Prohibited Items and Devices | 31031 | NEW | 05/01/2008 | 2008-6/7 |
| R525-6 | Prohibited Items and Devices (EXPIRED - Legislative Nonreauthorization) | 31348 | NSC | 05/01/2008 | Not Printed |
| R525-7 | Complaints/Suggestions/Concerns | 31451 | 5YR | 05/19/2008 | 2008-12/57 |
| Recovery Services | | | | | |
| R527-34 | Non-IV-A Services | 31151 | AMD | 06/09/2008 | 2008-9/43 |
| R527-39 | Applicant/Recipient Cooperation | 30891 | 5YR | 01/10/2008 | 2008-3/78 |
| R527-39-2 | Request for Review | 31498 | NSC | 06/18/2008 | Not Printed |
| R527-56 | In-Kind support | 30939 | 5YR | 01/31/2008 | 2008-4/46 |
| R527-56 | In-Kind Support | 31134 | AMD | 06/09/2008 | 2008-9/44 |
| R527-231 | Review and Adjustment of Child Support Order | 31061 | AMD | 05/15/2008 | 2008-7/32 |
| R527-257 | Enforcing Child Support When the Obligor is Incarcerated | 31133 | REP | 06/09/2008 | 2008-9/45 |
| R527-258 | Enforcing Child Support When the Obligor is an Ex-Prisoner or in a Treatment Program | 31054 | AMD | 05/14/2008 | 2008-7/33 |
| R527-260 | Driver License Suspension for Failure to Pay Support | 31152 | NEW | 07/01/2008 | 2008-9/46 |
| R527-302 | Income Withholding Fees | 31160 | 5YR | 04/21/2008 | 2008-10/147 |
| R527-302 | Income Withholding Fees | 31163 | AMD | 06/25/2008 | 2008-10/120 |
| R527-305 | High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases | 30978 | 5YR | 02/12/2008 | 2008-5/58 |
| R527-305 | High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases | 31025 | AMD | 04/21/2008 | 2008-6/8 |
| R527-430 | Administrative Notice of Lien-Levy Procedures | 30905 | 5YR | 01/14/2008 | 2008-3/78 |
| R527-475 | State Tax Refund Intercept | 31161 | 5YR | 04/21/2008 | 2008-10/147 |
| R527-475 | State Tax Refund Intercept | 31162 | AMD | 06/25/2008 | 2008-10/121 |
| R527-920 | Mandatory Disbursement to Obligee through Electronic Funds Transfer | 31159 | NEW | 06/27/2008 | 2008-10/122 |
| R527-928 | Lost Checks | 30982 | AMD | 04/07/2008 | 2008-5/26 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Services for People with Disabilities | | | | | |
| R539-1-8 | Non-Waiver Services for People with Brain Injury | 30926 | EMR | 01/28/2008 | 2008-4/38 |
| R539-1-8 | Non-Waiver Services for People with Brain Injury | 30877 | AMD | 04/01/2008 | 2008-3/32 |
| R539-9 | Supported Employment Pilot Program | 31084 | AMD | 05/22/2008 | 2008-8/26 |
| R539-15 | Time-Limited Respite Care Program | 31594 | EMR | 07/01/2008 | 2008-14/126 |
| **Insurance** | | | | | |
| Administration | | | | | |
| R590-91 | Credit Life Insurance and Credit Accident and Health Insurance | 31059 | AMD | 05/29/2008 | 2008-7/35 |
| R590-94 | Rule Permitting Smoker/Nonsmoker Mortality Tables for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits | 31132 | 5YR | 04/09/2008 | 2008-9/53 |
| R590-154 | Unfair Marketing Practices Rule | 31131 | 5YR | 04/09/2008 | 2008-9/54 |
| R590-157 | Surplus Lines Insurance Premium Tax and Stamping Fee | 30890 | 5YR | 01/10/2008 | 2008-3/79 |
| R590-164 | Uniform Health Billing Rule | 31030 | AMD | 05/08/2008 | 2008-6/10 |
| R590-167-11 | Individual, Small Employer, and Group Health Benefit Plan Rule | 30462 | CPR | 05/20/2008 | 2008-3/68 |
| R590-167-11 | Actuarial Certification and Additional Filing Requirements | 30462 | AMD | 05/20/2008 | 2007-20/23 |
| R590-175 | Basic Health Care Plan Rule | 30508 | AMD | 02/08/2008 | 2007-20/24 |
| R590-186 | Bail Bond Surety Business | 31767 | 5YR | 07/29/2008 | 2008-16/70 |
| R590-187 | Assessment of Title Insurance Agencies and Title Insurers for Costs Related to Regulation of Title Insurance | 31769 | 5YR | 07/29/2008 | 2008-16/71 |
| R590-191 | Unfair Life Insurance Claims Settlement Practices Rule | 31077 | AMD | 05/29/2008 | 2008-8/27 |
| R590-218 | Permitted Language for Reservation of Discretion Clauses | 30897 | 5YR | 01/11/2008 | 2008-3/80 |
| R590-219 | Credit Scoring | 31525 | 5YR | 06/04/2008 | 2008-13/150 |
| R590-222 | Viatical Settlements | 31523 | 5YR | 06/02/2008 | 2008-12/58 |
| R590-222 | Viatical Settlements | 31500 | AMD | 08/04/2008 | 2008-12/36 |
| R590-223 | Rule to Recognize the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits | 31552 | 5YR | 06/12/2008 | 2008-13/151 |
| R590-243 | Commercial Motor Vehicle Insurance Coverage | 30490 | NEW | 01/11/2008 | 2007-20/28 |
| R590-247 | Universal Individual Health Insurance Application Rule | 31335 | NEW | 06/30/2008 | 2008-10/124 |
| Title and Escrow Commission | | | | | |
| R592-7 | Title Insurance Continuing Education Program | 31337 | NEW | 07/14/2008 | 2008-10/125 |
| R592-8 | Application Process for an Attorney Exemption for Title Agency Licensing | 31339 | NEW | 07/14/2008 | 2008-10/126 |
| R592-9 | Title Insurance Recovery, Education, and Research Fund Assessment Rule | 31341 | NEW | 07/14/2008 | 2008-10/128 |
| **Labor Commission** | | | | | |
| Administration | | | | | |
| R600-1 | Declaratory Orders | 31232 | 5YR | 04/28/2008 | 2008-10/148 |
| R600-1 | Declaratory Orders | 31237 | NSC | 05/05/2008 | Not Printed |
| R600-2-1 | Business Hours | 31778 | EMR | 08/04/2008 | 2008-16/64 |
| Adjudication | | | | | |
| R602-1 | General Provisions | 31250 | NSC | 05/05/2008 | Not Printed |
| R602-2-1 | Pleadings and Discovery | 31236 | NSC | 05/05/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R602-2-4 | Attorney Fees | 30811 | AMD | 02/07/2008 | 2008-1/14 |
| R602-3 | Procedure and Standards for Approval of Assignment of Benefits | 31238 | NSC | 05/05/2008 | Not Printed |
| R602-3-3 | Procedure for Requesting Approval | 30810 | AMD | 02/07/2008 | 2008-1/16 |
| R602-4 | Procedures for Termination of Temporary Total Disability Compensation Pursuant to Reemployment under Section 34A-2-410.5 | 31643 | EMR | 07/01/2008 | 2008-14/127 |
| Antidiscrimination and Labor, Antidiscrimination | | | | | |
| R606-1 | Antidiscrimination | 31241 | NSC | 05/05/2008 | Not Printed |
| R606-2 | Pre-Employment Inquiry Guide | 31242 | NSC | 05/05/2008 | Not Printed |
| Antidiscrimination and Labor, Fair Housing | | | | | |
| R608-1 | Utah Fair Housing Rules | 31240 | NSC | 05/05/2008 | Not Printed |
| Antidiscrimination and Labor, Labor | | | | | |
| R610-1 | Minimum Wage, Clarify Tip Credit, and Enforcement | 31247 | NSC | 05/05/2008 | Not Printed |
| R610-1-4 | Tips, Gratuities, and Commissions | 31149 | AMD | 06/13/2008 | 2008-9/48 |
| R610-2 | Employment of Minors | 31245 | NSC | 05/05/2008 | Not Printed |
| R610-2-6 | Filing Procedure and Commencement of Agency Action | 30942 | AMD | 03/24/2008 | 2008-4/19 |
| R610-3 | Filing, Investigation, and Resolution of Wage Claims | 31243 | NSC | 05/05/2008 | Not Printed |
| R610-3-4 | Filing Procedure and Commencement of Agency Action | 30876 | EMR | 01/03/2008 | 2008-3/70 |
| R610-3-4 | Filing Procedure and Commencement of Agency Action | 30941 | AMD | 03/24/2008 | 2008-4/20 |
| R610-3-10 | Attorney Fees | 31148 | AMD | 06/13/2008 | 2008-9/50 |
| R610-4 | Employment Agency Licensing | 31239 | NSC | 05/05/2008 | Not Printed |
| R610-4 | Employment Agency Licensing | 31438 | REP | 07/08/2008 | 2008-11/101 |
| Industrial Accidents | | | | | |
| R612-1 | Workers' Compensation Rules - Procedures | 31235 | NSC | 05/05/2008 | Not Printed |
| R612-2 | Workers' Compensation Rules-Health Care Providers | 31234 | 5YR | 04/28/2008 | 2008-10/148 |
| R612-2-5 | Regulation of Medical Practitioner Fees | 31333 | AMD | 07/01/2008 | 2008-10/130 |
| R612-3 | Workers' Compensation Rules - Self Insurance | 31230 | 5YR | 04/28/2008 | 2008-10/149 |
| R612-4-2 | Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund | 30594 | AMD | 01/01/2008 | 2007-22/76 |
| R612-5 | Employee Leasing Company Workers' Compensation Insurance Policy Endorsements | 31229 | 5YR | 04/28/2008 | 2008-10/149 |
| R612-7 | Impairment Ratings for Industrial Injuries and Diseases | 31231 | 5YR | 04/28/2008 | 2008-10/150 |
| R612-9-1 | Authority | 31251 | NSC | 05/05/2008 | Not Printed |
| R612-10 | HIV, Hepatitis B and C Testing and Reporting for Emergency Medical Services Providers | 31252 | NSC | 05/05/2008 | Not Printed |
| R612-11 | Prohibition of Direct Payments by Insured Employer | 31565 | NEW | 08/11/2008 | 2008-13/85 |
| R612-11 | Prohibition of Direct Payments by Insured Employer | 31734 | NSC | 08/11/2008 | Not Printed |
| R612-12 | Reporting Requirements for Workers' Compensation Coverage Waivers | 31564 | NEW | 08/11/2008 | 2008-13/86 |
| R612-12-2 | Designation as Informal Proceedings | 31735 | NSC | 08/11/2008 | Not Printed |
| Occupational Safety and Health | | | | | |
| R614-1 | General Provisions | 31244 | NSC | 05/05/2008 | Not Printed |
| R614-1-4 | Incorporation of Federal Standards | 31102 | AMD | 05/22/2008 | 2008-8/30 |
| R614-3-1 | Authority, Method of Adoption, and Effective Date | 31248 | NSC | 05/05/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Safety | | | | | |
| R616-1 | Coal, Gilsonite, or other Hydrocarbon Mining Certification | 31233 | 5YR | 04/28/2008 | 2008-10/150 |
| R616-1 | Coal, Gilsonite, or other Hydrocarbon Mining Certification | 31249 | NSC | 05/05/2008 | Not Printed |
| R616-2 | Boiler and Pressure Vessel Rules | 31246 | NSC | 05/05/2008 | Not Printed |
| R616-3 | Elevator Rules | 31253 | NSC | 05/05/2008 | Not Printed |
| R616-3-3 | Safety Codes for Elevators | 30943 | AMD | 03/24/2008 | 2008-4/21 |
| **Natural Resources** | | | | | |
| Administration | | | | | |
| R634-1 | Americans With Disabilities Complaint Procedure | 30923 | 5YR | 01/25/2008 | 2008-4/47 |
| R634-1 | Americans with Disabilities Complaint Procedure (5YR EXTENSION) | 30875 | NSC | 01/25/2008 | Not Printed |
| Geological Survey | | | | | |
| R638-2-6 | Investment Tax Credit, Eligible Costs for Commercial and Residential Systems, Active Solar Thermal | 30902 | AMD | 03/10/2008 | 2008-3/35 |
| Oil, Gas and Mining Board | | | | | |
| R641-100 | General Provisions | 31196 | NSC | 05/05/2008 | Not Printed |
| R641-104-100 | Pleadings Enumerated | 31197 | NSC | 05/05/2008 | Not Printed |
| R641-112 | Rulemaking | 31198 | NSC | 05/05/2008 | Not Printed |
| R641-114 | Exhaustion of Administrative Remedies | 31199 | NSC | 05/05/2008 | Not Printed |
| R641-115 | Deadline for Judicial Review | 31200 | NSC | 05/05/2008 | Not Printed |
| R641-116 | Judicial Review of Formal Adjudicative Proceedings | 31201 | NSC | 05/05/2008 | Not Printed |
| Oil, Gas and Mining; Administration | | | | | |
| R642-100 | Records of the Division and Board of Oil, Gas and Mining | 31202 | NSC | 05/05/2008 | Not Printed |
| R642-200 | Applicability | 31203 | NSC | 05/05/2008 | Not Printed |
| R642-200 | Applicability | 31755 | 5YR | 07/28/2008 | 2008-16/71 |
| Oil, Gas and Mining; Coal | | | | | |
| R645-100-200 | Definitions | 30932 | AMD | 03/26/2008 | 2008-4/23 |
| R645-100-500 | Petition to Initiate Rulemaking | 31204 | NSC | 05/05/2008 | Not Printed |
| R645-101 | Restrictions on State Employees | 31756 | 5YR | 07/28/2008 | 2008-16/72 |
| R645-102 | Exemption for Coal Extraction Incidental to Government-Financed Highway or Other Construction | 31509 | 5YR | 06/02/2008 | 2008-12/58 |
| R645-104 | Protection of Employees | 31757 | 5YR | 07/28/2008 | 2008-16/72 |
| R645-300-100 | Review, Public Participation, and Approval or Disapproval of Permit Applications and Permit Terms and Conditions | 30934 | AMD | 03/26/2008 | 2008-4/24 |
| R645-301 | Coal Mine Permitting: Permit Application Requirements | 30933 | AMD | 03/26/2008 | 2008-4/25 |
| R645-401 | Inspection and Enforcement: Civil Penalties | 31758 | 5YR | 07/28/2008 | 2008-16/73 |
| Oil, Gas and Mining; Non-Coal | | | | | |
| R647-1 | Minerals Regulatory Program | 31510 | 5YR | 06/02/2008 | 2008-12/59 |
| R647-1-106 | Definitions | 31205 | NSC | 05/05/2008 | Not Printed |
| R647-2 | Exploration | 31511 | 5YR | 06/02/2008 | 2008-12/59 |
| R647-3 | Small Mining Operations | 31512 | 5YR | 06/02/2008 | 2008-12/60 |
| R647-4 | Large Mining Operations | 31513 | 5YR | 06/02/2008 | 2008-12/60 |
| R647-5 | Administrative Procedures | 31206 | NSC | 05/05/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R647-5 | Administrative Procedures | 31514 | 5YR | 06/02/2008 | 2008-12/61 |
| R647-6 | Inspection and Enforcement: Division Authority and Procedures | 31759 | 5YR | 07/28/2008 | 2008-16/73 |
| R647-7 | Inspection and Enforcement: Civil Penalties | 31760 | 5YR | 07/28/2008 | 2008-16/74 |
| R647-8 | Inspection and Enforcement: Individual Civil Penalties | 31761 | 5YR | 07/28/2008 | 2008-16/74 |
| Oil, Gas and Mining; Oil and Gas | | | | | |
| R649-6 | Gas Processing and Waste Crude Oil Treatment | 31762 | 5YR | 07/28/2008 | 2008-16/75 |
| R649-10-3 | Commencement of Informal Adjudicative Proceedings | 31207 | NSC | 05/05/2008 | Not Printed |
| Parks and Recreation | | | | | |
| R651-205-17 | Cutler Reservoir | 30900 | AMD | 03/10/2008 | 2008-3/36 |
| R651-301 | State Recreation Fiscal Assistance Programs | 30899 | AMD | 03/10/2008 | 2008-3/37 |
| R651-407 | Off-Highway Vehicle Advisory Council | 31690 | 5YR | 07/07/2008 | 2008-15/87 |
| R651-408 | Off-Highway Vehicle Education Curriculum Standards | 31691 | 5YR | 07/07/2008 | 2008-15/87 |
| R651-601 | Definitions as Used in These Rules | 31661 | 5YR | 07/07/2008 | 2008-15/88 |
| R651-602 | Aircraft and Powerless Flight | 31662 | 5YR | 07/07/2008 | 2008-15/88 |
| R651-603 | Animals | 31663 | 5YR | 07/07/2008 | 2008-15/89 |
| R651-604 | Audio Devices | 31664 | 5YR | 07/07/2008 | 2008-15/89 |
| R651-605 | Begging and Soliciting | 31665 | 5YR | 07/07/2008 | 2008-15/90 |
| R651-606 | Camping | 31666 | 5YR | 07/07/2008 | 2008-15/90 |
| R651-607 | Disorderly Conduct | 31667 | 5YR | 07/07/2008 | 2008-15/91 |
| R651-608 | Events of Special Uses | 31668 | 5YR | 07/07/2008 | 2008-15/91 |
| R651-609 | Explosives and Fireworks | 31669 | 5YR | 07/07/2008 | 2008-15/92 |
| R651-610 | Expulsion | 31670 | 5YR | 07/07/2008 | 2008-15/92 |
| R651-611 | Fee Schedule | 30621 | AMD | 01/01/2008 | 2007-22/80 |
| R651-611 | Fee Schedule | 30898 | AMD | 03/10/2008 | 2008-3/39 |
| R651-612 | Firearms, Traps and Other Weapons | 31012 | NSC | 03/10/2008 | Not Printed |
| R651-612 | Firearms, Traps and Other Weapons | 30901 | AMD | 03/10/2008 | 2008-3/42 |
| R651-612 | Firearms, Traps and Other Weapons | 31671 | 5YR | 07/07/2008 | 2008-15/93 |
| R651-613 | Fires | 31672 | 5YR | 07/07/2008 | 2008-15/93 |
| R651-614 | Fishing, Hunting and Trapping | 31673 | 5YR | 07/07/2008 | 2008-15/94 |
| R651-615 | Motor Vehicle Use | 31674 | 5YR | 07/07/2008 | 2008-15/94 |
| R651-616 | Organized Sports | 31675 | 5YR | 07/07/2008 | 2008-15/95 |
| R651-617 | Permit Violation | 31676 | 5YR | 07/07/2008 | 2008-15/95 |
| R651-618 | Picnicking | 31677 | 5YR | 07/07/2008 | 2008-15/96 |
| R651-619 | Possession of Alcoholic Beverages or Controlled Substances | 31678 | 5YR | 07/07/2008 | 2008-15/96 |
| R651-620 | Protection of Resources Park System Property | 31679 | 5YR | 07/07/2008 | 2008-15/97 |
| R651-621 | Reports of Injury or Damage | 31680 | 5YR | 07/07/2008 | 2008-15/97 |
| R651-622 | Rock Climbing | 31681 | 5YR | 07/07/2008 | 2008-15/98 |
| R651-623 | Sale or Distribution of Printed Material | 31682 | 5YR | 07/07/2008 | 2008-15/98 |
| R651-624 | Sanitation | 31683 | 5YR | 07/07/2008 | 2008-15/99 |
| R651-625 | Shirts and Shoes | 31684 | 5YR | 07/07/2008 | 2008-15/99 |
| R651-626 | Skating, Skateboards and Motorized Transportation Devices | 31660 | 5YR | 07/07/2008 | 2008-15/100 |
| R651-627 | Swimming | 31685 | 5YR | 07/07/2008 | 2008-15/100 |
| R651-628 | Trails and Walks | 31686 | 5YR | 07/07/2008 | 2008-15/101 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R651-629 | Unattended Property | 31687 | 5YR | 07/07/2008 | 2008-15/101 |
| R651-630 | Unsupervised Children | 31601 | 5YR | 06/20/2008 | 2008-14/142 |
| R651-631 | Winter Sports | 31688 | 5YR | 07/07/2008 | 2008-15/102 |
| R651-632 | Enforcement | 31689 | 5YR | 07/07/2008 | 2008-15/102 |
| Forestry, Fire and State Lands | | | | | |
| R652-6 | Government Records Access and Management | 31259 | NSC | 05/05/2008 | Not Printed |
| R652-7 | Public Petitions for Declaratory Orders | 31268 | NSC | 05/05/2008 | Not Printed |
| R652-8 | Adjudicative Proceedings | 31269 | NSC | 05/05/2008 | Not Printed |
| R652-9-100 | Authority | 31110 | NSC | 05/01/2008 | Not Printed |
| R652-30-500 | Application Procedures | 31270 | NSC | 05/05/2008 | Not Printed |
| R652-60-1000 | Records | 31271 | NSC | 05/05/2008 | Not Printed |
| R652-120 | Wildland Fire | 31112 | NSC | 05/01/2008 | Not Printed |
| R652-121 | Wildland Fire Suppression Fund | 31108 | NSC | 05/01/2008 | Not Printed |
| R652-122-100 | Authority | 31109 | NSC | 05/01/2008 | Not Printed |
| R652-123 | Exemptions to Wildland Fire Suppression Fund | 31111 | NSC | 05/01/2008 | Not Printed |
| Water Resources | | | | | |
| R653-2 | Financial Assistance from the Board of Water Resources | 30855 | NEW | 02/25/2008 | 2008-2/20 |
| R653-2 | Financial Assistance from the Board of Water Resources | 30940 | NSC | 02/25/2008 | Not Printed |
| Water Rights | | | | | |
| R655-5 | Maps Submitted to the Division of Water Rights | 31130 | 5YR | 04/08/2008 | 2008-9/54 |
| R655-7 | Administrative Procedures for Notifying the State Engineer of Sewage Effluent Use or Change in the Point of Discharge for Sewage Effluent | 30947 | 5YR | 02/01/2008 | 2008-4/47 |
| R655-14 | Administrative Procedures for Enforcement Proceedings Before the Division of Water Rights | 31431 | AMD | 07/08/2008 | 2008-11/104 |
| Wildlife Resources | | | | | |
| R657-2 | Adjudicative Proceedings | 31219 | NSC | 05/05/2008 | Not Printed |
| R657-3 | Collection, Importation, Transportation, and Possession of Zoological Animals | 31047 | 5YR | 03/11/2008 | 2008-7/65 |
| R657-3 | Collection, Importation, Transportation, and Possession of Zoological Animals | 31220 | NSC | 05/05/2008 | Not Printed |
| R657-3 | Collection, Importation, Transportation, and Possession of Zoological Animals | 31053 | AMD | 05/08/2008 | 2008-7/45 |
| R657-5 | Taking Big Game | 30829 | AMD | 02/07/2008 | 2008-1/18 |
| R657-12 | Hunting and Fishing Accommodations for Disabled People | 30777 | AMD | 01/22/2008 | 2007-24/19 |
| R657-12-1 | Purpose and Authority | 31221 | NSC | 05/05/2008 | Not Printed |
| R657-13 | Taking Fish and Crayfish | 30676 | AMD | 01/07/2008 | 2007-23/61 |
| R657-13-3 | Fishing License Requirements and Free Fishing Day | 31048 | AMD | 05/08/2008 | 2008-7/47 |
| R657-13-4 | Fishing Contests | 30904 | AMD | 03/10/2008 | 2008-3/43 |
| R657-19 | Taking Nongame Mammals | 31807 | 5YR | 08/12/2008 | Not Printed |
| R657-22-1 | Purpose and Authority | 31222 | NSC | 05/05/2008 | Not Printed |
| R657-23 | Utah Hunter Education Program | 30828 | AMD | 02/07/2008 | 2008-1/25 |
| R657-23-5 | Hunter Education Instructor Training | 30955 | AMD | 04/07/2008 | 2008-5/31 |
| R657-26 | Adjudicative Proceedings for a License, Permit or Certificate of Registration | 31223 | NSC | 05/05/2008 | Not Printed |
| R657-27-11 | Revocation of License Agent Authorization | 31224 | NSC | 05/05/2008 | Not Printed |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R657-29 | Government Records Access Management Act | 31225 | NSC | 05/05/2008 | Not Printed |
| R657-33 | Taking Bear | 30906 | AMD | 03/10/2008 | 2008-3/44 |
| R657-34 | Procedures for Confirmation of Ordinances on Hunting Closures | 31398 | 5YR | 05/08/2008 | 2008-11/125 |
| R657-37 | Cooperative Wildlife Management Units for Big Game or Turkey | 31401 | 5YR | 05/08/2008 | 2008-11/126 |
| R657-42 | Fees, Exchanges, Surrenders, Refunds and Reallocation of Wildlife Documents | 31400 | 5YR | 05/08/2008 | 2008-11/126 |
| R657-42-8 | Accepted Payment of Fees | 31049 | AMD | 05/08/2008 | 2008-7/48 |
| R657-45 | Wildlife License, Permit, and Certificate of Registration Forms | 31399 | 5YR | 05/08/2008 | 2008-11/127 |
| R657-45-2 | Information Listed on the License, Permit, and Certificate of Registration Forms | 31050 | AMD | 05/08/2008 | 2008-7/49 |
| R657-48-7 | Wildlife Species of Concern Designation Process | 31226 | NSC | 05/05/2008 | Not Printed |
| R657-52-6 | Certificate of Registration Renewal | 31227 | NSC | 05/05/2008 | Not Printed |
| R657-53 | Amphibian and Reptile Collection, Importation, Transportation and Possession | 31228 | NSC | 05/05/2008 | Not Printed |
| R657-53 | Amphibian and Reptile Collection, Importation, Transportation, and Possession | 31051 | AMD | 05/08/2008 | 2008-7/50 |
| R657-53 | Amphibian and Reptile Collection, Importation, Transportation, and Possession | 31508 | 5YR | 06/02/2008 | 2008-12/61 |
| R657-58 | Fishing Contests and Clinics | 30903 | NEW | 03/10/2008 | 2008-3/47 |
| R657-58 | Fishing Contests and Clinics | 31052 | NSC | 03/26/2008 | Not Printed |
| R657-59 | Private Fish Ponds | 31625 | EMR | 06/27/2008 | 2008-14/129 |
| R657-60 | Aquatic Invasive Species Interdiction | 31624 | EMR | 06/27/2008 | 2008-14/137 |
| R657-60 | Aquatic Invasive Species Interdiction. | 31805 | EMR | 08/13/2008 | Not Printed |
| **Pardons (Board Of)** | | | | | |
| Administration | | | | | |
| R671-403 | Restitution | 30949 | 5YR | 02/04/2008 | 2008-5/59 |
| R671-509 | Progress Violation Reports | 31656 | 5YR | 07/03/2008 | 2008-15/103 |
| R671-510 | Evidence for Issuance of Warrants | 31658 | 5YR | 07/03/2008 | 2008-15/103 |
| R671-512 | Execution of the Warrant | 31657 | 5YR | 07/03/2008 | 2008-15/103 |
| R671-514 | Waiver and Pleas of Guilt | 31654 | 5YR | 07/03/2008 | 2008-15/104 |
| R671-515 | Timeliness of Parole Revocation Hearings | 31659 | 5YR | 07/03/2008 | 2008-15/104 |
| R671-516 | Parole Revocation Hearings | 31655 | 5YR | 07/03/2008 | 2008-15/105 |
| **Professional Practices Advisory Commission** | | | | | |
| Administration | | | | | |
| R686-100 | Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings | 30951 | 5YR | 02/04/2008 | 2008-5/59 |
| R686-101 | Alcohol Related Offenses | 31521 | 5YR | 06/02/2008 | 2008-12/62 |
| R686-102 | Drug Related Offenses | 31522 | 5YR | 06/02/2008 | 2008-12/62 |
| R686-103 | Professional Practices and Conduct for Utah Educators | 31016 | REP | 04/21/2008 | 2008-6/12 |
| **Public Safety** | | | | | |
| Driver License | | | | | |
| R708-2 | Commercial Driver Training Schools | 31545 | R&R | 08/08/2008 | 2008-13/87 |
| R708-2-25 | Grounds for Revocation, Probation or Refusal to Issue or Renew Instructor License, Operator License, or School License | 31105 | NSC | 05/05/2008 | Not Printed |
| R708-3-2 | Authority | 31106 | NSC | 05/05/2008 | Not Printed |
| R708-10 | Classified License System | 31436 | AMD | 07/08/2008 | 2008-11/116 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R708-14 | Adjudicative Proceedings For Driver License Actions Involving Alcohol and Drugs | 31107 | NSC | 05/05/2008 | Not Printed |
| R708-16 | Pedestrian Vehicle Rule | 31437 | AMD | 07/08/2008 | 2008-11/117 |
| R708-18-1 | Authority | 31113 | NSC | 05/05/2008 | Not Printed |
| R708-22 | Commercial Driver License Administrative Proceedings | 31114 | NSC | 05/05/2008 | Not Printed |
| R708-30 | Motorcycle Rider Training Schools | 31790 | 5YR | 08/01/2008 | 2008-16/75 |
| R708-30-10 | Certificate of Course Completion | 31435 | AMD | 07/11/2008 | 2008-11/118 |
| R708-30-14 | Revocation | 31115 | NSC | 05/05/2008 | Not Printed |
| R708-34 | Medical Waivers for Intrastate Commercial Driving Privileges | 31116 | NSC | 05/05/2008 | Not Printed |
| R708-35 | Adjudicative Proceedings For Driver License Offenses Not Involving Alcohol or Drug Actions | 31118 | NSC | 05/05/2008 | Not Printed |
| R708-36-1 | Purpose | 31119 | NSC | 05/05/2008 | Not Printed |
| R708-37-11 | Refusal to Certify, Grounds for Cancellation, Suspension, or Probation of a Tester's Certification | 31120 | NSC | 05/05/2008 | Not Printed |
| R708-38 | Anatomical Gift | 31124 | NSC | 05/01/2008 | Not Printed |
| R708-42-4 | Procedures | 31121 | NSC | 05/05/2008 | Not Printed |
| R708-43 | YES or NO Notification | 31122 | NSC | 05/05/2008 | Not Printed |
| R708-44-4 | Procedures | 31123 | NSC | 05/05/2008 | Not Printed |
| Fire Marshal | | | | | |
| R710-1-4 | Certificates of Registration | 31076 | AMD | 05/23/2008 | 2008-8/31 |
| R710-2-4 | Indoor Sales | 30918 | AMD | 03/10/2008 | 2008-3/50 |
| R710-2-7 | Importer, Wholesaler, Display or Special Effects Operator Licenses | 31078 | AMD | 05/23/2008 | 2008-8/34 |
| R710-5 | Automatic Fire Sprinkler System Inspecting and Testing | 31088 | 5YR | 03/28/2008 | 2008-8/54 |
| R710-5-1 | Adoption, Title, Purpose, and Prohibitions | 30896 | AMD | 03/10/2008 | 2008-3/51 |
| R710-5-3 | Certificates of Registration | 31080 | AMD | 05/23/2008 | 2008-8/35 |
| R710-6 | Liquefied Petroleum Gas Rules | 30862 | AMD | 02/21/2008 | 2008-2/22 |
| R710-6-4 | LP Gas Certificates | 31082 | AMD | 05/23/2008 | 2008-8/37 |
| R710-7 | Concerns Servicing Automatic Fire Suppression Systems | 31085 | AMD | 05/23/2008 | 2008-8/40 |
| R710-9-6 | Amendments and Additions | 30919 | AMD | 03/10/2008 | 2008-3/52 |
| R710-10 | Rules Pursuant to Fire Service Training, Education, and Certification | 30894 | AMD | 03/10/2008 | 2008-3/56 |
| R710-10 | Rules Pursuant to Fire Service Training, Education, and Certification | 31472 | AMD | 07/23/2008 | 2008-12/42 |
| R710-11-3 | Certificates of Registration | 31086 | AMD | 05/23/2008 | 2008-8/42 |
| R710-12 | Hazardous Materials Training and Certification | 30893 | NEW | 03/10/2008 | 2008-3/58 |
| R710-12-4 | Training | 31087 | AMD | 05/23/2008 | 2008-8/44 |
| Criminal Investigations and Technical Services, Criminal Identification | | | | | |
| R722-300 | Concealed Firearm Permit Rule (5YR EXTENSION) | 30928 | NSC | 05/01/2008 | Not Printed |
| R722-300 | Concealed Firearm Permit Rule (EXPIRED - Legislative Nonreauthorization) | 31349 | NSC | 05/01/2008 | Not Printed |
| R722-320 | Undercover Identification (5YR EXTENSION) | 30929 | NSC | 05/14/2008 | Not Printed |
| R722-320 | Undercover Identification | 31434 | 5YR | 05/14/2008 | 2008-11/127 |
| R722-340 | Emergency Vehicles (5YR EXTENSION) | 30930 | NSC | 05/14/2008 | Not Printed |
| R722-340 | Emergency Vehicles | 31433 | 5YR | 05/14/2008 | 2008-11/128 |
| Peace Officer Standards and Training | | | | | |
| R728-501 | Career Development Courses | 31648 | 5YR | 07/01/2008 | 2008-14/142 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **Public Service Commission** | | | | | |
| Administration | | | | | |
| R746-100 | Practice and Procedure Governing Formal Hearings | 31373 | NSC | 05/05/2008 | Not Printed |
| R746-101-4 | Petition Review and Disposition | 31372 | NSC | 05/05/2008 | Not Printed |
| R746-110 | Uncontested Matters to be Adjudicated Informally | 31369 | NSC | 05/05/2008 | Not Printed |
| R746-110 | Uncontested Matters to be Adjudicated Informally | 31620 | 5YR | 06/24/2008 | 2008-14/143 |
| R746-210 | Utility Service Rules Applicable Only to Electric Utilities | 31617 | 5YR | 06/24/2008 | 2008-14/143 |
| R746-240 | Telecommunication Service Rules | 31619 | 5YR | 06/24/2008 | 2008-14/144 |
| R746-330 | Rules for Water and Sewer Utilities Operating in Utah | 31044 | 5YR | 03/07/2008 | 2008-7/66 |
| R746-331 | Determination of Exemption of Mutual Water Corporations | 31095 | 5YR | 04/01/2008 | 2008-8/55 |
| R746-332 | Depreciation Rates for Water Utilities | 31091 | 5YR | 04/01/2008 | 2008-8/55 |
| R746-340 | Service Quality for Telecommunications Corporations | 31618 | 5YR | 06/24/2008 | 2008-14/144 |
| R746-342 | Rule on One-Way Paging | 31092 | 5YR | 04/01/2008 | 2008-8/56 |
| R746-344 | Filing Requirements for Telephone Corporations with Less than 5,000 Access Line Subscribers | 31797 | 5YR | 08/07/2008 | Not Printed |
| R746-345 | Pole Attachments | 31798 | 5YR | 08/07/2008 | Not Printed |
| R746-347 | Extended Area Service (EAS) | 31045 | 5YR | 03/07/2008 | 2008-7/66 |
| R746-349-3 | Filing Requirements | 31374 | NSC | 05/05/2008 | Not Printed |
| R746-400-7 | Confidentiality | 31371 | NSC | 05/05/2008 | Not Printed |
| R746-402 | Rules Governing Reports of Accidents by Electric, Gas, Telephone, and Water Utilities | 31093 | 5YR | 04/01/2008 | 2008-8/56 |
| R746-404 | Regulation of Promotional Programs of Electric and Gas Public Utilities | 31795 | 5YR | 08/07/2008 | Not Printed |
| R746-405 | Filing of Tariffs for Gas, Electric, Telephone, and Water Utilities | 31101 | 5YR | 04/01/2008 | 2008-8/57 |
| R746-406 | Advertising by Electric and Gas Utilities | 31796 | 5YR | 08/07/2008 | Not Printed |
| R746-440 | Significant Energy Resource Solicitation | 31072 | NSC | 04/11/2008 | Not Printed |
| R746-500 | Americans With Disabilities Act Complaint Procedure | 31370 | NSC | 05/05/2008 | Not Printed |
| R746-500 | Americans With Disabilities Act Complaint Procedure | 31791 | 5YR | 08/04/2008 | Not Printed |
| R746-510 | Funding for Speech and Hearing Impaired Certified Interpreter Training | 31375 | NSC | 05/05/2008 | Not Printed |
| **Regents (Board Of)** | | | | | |
| Administration | | | | | |
| R765-134 | Informal Adjudicative Procedures Under the Utah Administrative Procedures Act | 31325 | NSC | 05/05/2008 | Not Printed |
| R765-136 | Language Proficiency in the Utah System of Higher Education | 31326 | NSC | 05/05/2008 | Not Printed |
| R765-136 | Language Proficiency in the Utah System of Higher Education | 31490 | 5YR | 05/27/2008 | 2008-12/63 |
| R765-254 | Secure Area Hearing Rooms | 31492 | 5YR | 05/27/2008 | 2008-12/63 |
| R765-555 | Policy on Colleges and Universities Providing Facilities, Goods and Services in Competition with Private Enterprise (5YR EXTENSION) | 31104 | NSC | 06/02/2008 | Not Printed |
| R765-555 | Policy on Colleges and Universities Providing Facilities, Goods and Services in Competition with Private Enterprise | 31515 | 5YR | 06/02/2008 | 2008-12/64 |
| R765-605 | Utah Centennial Opportunity Program for Education | 31402 | 5YR | 05/09/2008 | 2008-11/128 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| R765-606 | Utah Leveraging Educational Assistance Partnership Program | 31405 | 5YR | 05/09/2008 | 2008-11/129 |
| R765-607 | Utah Higher Education Tuition Assistance Program | 30957 | 5YR | 02/08/2008 | 2008-5/60 |
| R765-993 | Records Access and Management | 31327 | NSC | 05/05/2008 | Not Printed |
| Salt Lake Community College | | | | | |
| R784-1 | Government Records Access and Management Act Rules | 31344 | NSC | 05/05/2008 | Not Printed |
| University of Utah, Administration | | | | | |
| R805-1 | Operating Regulations for Bicycles, Skateboards and Scooters | 31695 | 5YR | 07/11/2008 | 2008-15/105 |
| R805-2 | Government Records Access and Management Act Procedures | 31340 | NSC | 05/05/2008 | Not Printed |
| R805-2 | Government Records Access and Management Act Procedures | 31718 | 5YR | 07/17/2008 | 2008-16/76 |
| University of Utah, Parking and Transportation Services | | | | | |
| R810-1 | University of Utah Parking Regulations | 30712 | AMD | 03/06/2008 | 2007-23/65 |
| R810-2 | Parking Meters | 30722 | AMD | 03/06/2008 | 2007-23/67 |
| R810-3 | Visitor Parking | 30727 | REP | 03/06/2008 | 2007-24/21 |
| R810-4 | Registration Policies | 30728 | REP | 03/06/2008 | 2007-24/22 |
| R810-5 | Permit Types, Eligibility and Designated Parking Areas | 30779 | AMD | 03/06/2008 | 2007-24/23 |
| R810-6 | Permit Prices and Refunds | 30809 | AMD | 03/06/2008 | 2008-1/26 |
| R810-7 | Nonresidents and Out-of-State Plates | 30831 | REP | 03/06/2008 | 2008-1/27 |
| R810-8 | Vendor Regulations | 30834 | AMD | 03/06/2008 | 2008-1/28 |
| R810-9 | Contractors and Their Employees | 30836 | AMD | 03/06/2008 | 2008-1/29 |
| R810-10 | Enforcement System | 30839 | AMD | 03/06/2008 | 2008-1/30 |
| R810-11 | Appeals System | 30840 | AMD | 03/06/2008 | 2008-1/31 |
| R810-12 | Bicycles, Skateboards and Other Toy Vehicles | 30843 | NEW | 03/06/2008 | 2008-1/32 |
| **Sports Authority (Utah)** | | | | | |
| Pete Suazo Utah Athletic Commission | | | | | |
| R859-1 | Pete Suazo Utah Athletic Commission Act Rule | 31028 | AMD | 05/01/2008 | 2008-6/15 |
| R859-1-102 | Definitions | 31172 | NSC | 06/18/2008 | Not Printed |
| R859-1-302 | Renewal Cycle - Procedure | 31029 | AMD | 05/01/2008 | 2008-6/16 |
| **Tax Commission** | | | | | |
| Administration | | | | | |
| R861-1A-20 | Time of Appeal Pursuant to Utah Code Ann. Sections 59-1-301, 59-1-501, 59-2-1007, 59-7-517, 59-10-532,9-10-533, 59-10-535, 59-12-114, 59-13-210, 63-46b-3, 63-46b-14 | 30688 | AMD | 01/11/2008 | 2007-23/68 |
| R861-1A-24 | Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-502.5, 63-46b-8, and 63-46b-10 | 30589 | AMD | 01/11/2008 | 2007-21/69 |
| R861-1A-26 | Procedures for Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501 and 63-46b-6 and 63-46b-11 | 30717 | AMD | 01/11/2008 | 2007-23/69 |
| R861-1A-40 | Waiver of Requirement to Post Security Prior to Judicial Review Pursuant to Utah Code Ann. Section 59-1-611 | 30838 | AMD | 02/25/2008 | 2008-1/32 |
| R861-1A-42 | Waiver of Penalty and Interest for Reasonable Cause Pursuant to Utah Code Ann. Section 59-1-401 | 30835 | AMD | 02/25/2008 | 2008-1/33 |
| R861-1A-43 | Electronic Meetings Pursuant to Utah Code Ann. Section 52-4-207 | 30780 | AMD | 01/25/2008 | 2007-24/24 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Auditing | | | | | |
| R865-6F-28 | Enterprise Zone Corporate Franchise Tax Credits Pursuant to Utah Code Ann. Sections 9-2-401 through 9-2-415 | 30913 | AMD | 03/14/2008 | 2008-3/61 |
| R865-6F-37 | Disclosure of Reportable Transactions and Material Advisor List Pursuant to Utah Code Ann. Sections 59-1-1301 through 59-1-1309 | 30842 | AMD | 02/25/2008 | 2008-1/35 |
| R865-9I-37 | Enterprise Zone Individual Income Tax Credits Pursuant to Utah Code Ann. Sections 63-38f-401 through 63-38f-414 | 30916 | AMD | 03/14/2008 | 2008-3/63 |
| R865-9I-53 | Disclosure of Reportable Transactions and Material Advisor List Pursuant to Utah Code Ann. Sections 59-1-1301 through 59-1-1309 | 30849 | AMD | 02/25/2008 | 2008-1/36 |
| R865-19S-99 | Sales and Use Taxes on Vehicles Purchased in Another State Pursuant to Utah Code Ann. Sections 59-12-103 and 59-12-104(26), (28) | 31272 | NSC | 06/23/2008 | Not Printed |
| R865-19S-105 | Procedures for Refund of Sales and Use Taxes Paid on Food Donated to a Qualified Emergency Food Agency Pursuant to Utah Code Ann. Section 59-12-902 | 31258 | AMD | 07/01/2008 | 2008-10/132 |
| R865-19S-121 | Sales and Use Tax Exemptions for Certain Purchases by a Mining Facility Pursuant to Utah Code Ann. Section 59-12-104 | 30841 | AMD | 02/25/2008 | 2008-1/37 |
| Motor Vehicle | | | | | |
| R873-22M-34 | Rule for Denial of Personalized License Plate Requests Pursuant to Utah Code Ann. Sections 41-1a-104 and 41-1a-411 | 30844 | AMD | 02/25/2008 | 2008-1/38 |
| R873-22M-41 | Issuance of Salvage Certificate in Certain Circumstances Pursuant to Utah Code Ann. Section 41-1a-1005 | 31264 | AMD | 06/27/2008 | 2008-10/133 |
| Motor Vehicle Enforcement | | | | | |
| R877-23V-19 | Disclosure of Vehicles Initially Delivered for Sale in a Country Other than the United States Pursuant to Utah Code Ann. Section 41-1a-712 | 31255 | AMD | 06/27/2008 | 2008-10/135 |
| Property Tax | | | | | |
| R884-24P-62 | Valuation of State Assessed Unitary Properties Pursuant to Utah Code Ann. Section 59-2-201 | 30931 | AMD | 03/28/2008 | 2008-4/30 |
| R884-24P-62 | Valuation of State Assessed Unitary Properties Pursuant to Utah Code Ann. Section 59-2-201 | 31274 | NSC | 06/23/2008 | Not Printed |
| **Transportation** | | | | | |
| Motor Carrier | | | | | |
| R909-1-1 | Adoption of Federal Regulations | 30783 | AMD | 02/15/2008 | 2007-24/25 |
| R909-19 | Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operations and Certification | 30785 | AMD | 02/12/2008 | 2007-24/26 |
| R909-75 | Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Wastes | 31090 | AMD | 05/27/2008 | 2008-8/45 |
| Motor Carrier, Ports of Entry | | | | | |
| R912-14 | Changes in Utah's Oversize/Overweight Permit Program - Semitrailer Exceeding 48 Feet Length. | 31794 | 5YR | 08/07/2008 | Not Printed |
| Preconstruction | | | | | |
| R930-5 | Establishment and Regulation of At-Grade Railroad Crossings | 31066 | AMD | 06/10/2008 | 2008-8/46 |
| **Treasurer** | | | | | |
| Unclaimed Property | | | | | |
| R966-1-2 | Proof Requirements and Bonds | 30596 | AMD | 01/07/2008 | 2007-22/87 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **Workforce Services** | | | | | |
| Employment Development | | | | | |
| R986-200 | Family Employment Program | 31032 | AMD | 05/01/2008 | 2008-6/18 |
| R986-200-214 | Assistance for Specified Relatives | 30864 | AMD | 02/26/2008 | 2008-2/25 |
| R986-200-240 | Additional Payments Available Under Certain Circumstances | 31365 | AMD | 07/02/2008 | 2008-10/135 |
| R986-300-303 | Eligibility, Income Standards, and Amount of Assistance | 31060 | AMD | 05/20/2008 | 2008-7/52 |
| R986-400-406 | Failure to Comply with the Requirements of an Employment Plan | 31034 | AMD | 05/01/2008 | 2008-6/20 |
| R986-700 | Child Care Assistance | 31033 | AMD | 05/01/2008 | 2008-6/21 |
| R986-700 | Child Care Assistance | 31364 | AMD | 07/02/2008 | 2008-10/136 |
| R986-700-752 | Definitions | 31499 | NSC | 07/02/2008 | Not Printed |
| Unemployment Insurance | | | | | |
| R994-106-106 | Non-Monetary Eligibility Determination | 31075 | AMD | 05/30/2008 | 2008-8/48 |
| R994-201 | Definition of Terms in Employment Security Act | 31467 | 5YR | 05/20/2008 | 2008-12/64 |
| R994-202 | Employing Units | 31468 | 5YR | 05/20/2008 | 2008-12/65 |
| R994-208 | Wages | 31469 | 5YR | 05/20/2008 | 2008-12/65 |
| R994-306 | Charging Benefit Costs to Employers | 31547 | 5YR | 06/10/2008 | 2008-13/151 |
| R994-307 | Social Costs -- Relief of Charges | 31548 | 5YR | 06/10/2008 | 2008-13/152 |
| R994-315 | Centralized New Hire Registry Reporting | 31549 | 5YR | 06/10/2008 | 2008-13/152 |
| R994-508 | Appeal Procedures | 30771 | AMD | 02/15/2008 | 2007-24/30 |
| R994-508 | Appeal Procedures | 31546 | 5YR | 06/10/2008 | 2008-13/153 |
| R994-508-117 | Failure to Participate in the Hearing and Reopening the Hearing After the Hearing Has Been Concluded | 31020 | NSC | 03/11/2008 | Not Printed |
| R994-508-118 | What Constitutes Grounds to Reopen a Hearing | 31071 | NSC | 04/14/2008 | Not Printed |

# RULES INDEX - BY KEYWORD (SUBJECT)

**ABBREVIATIONS**

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
5YR = Five-Year Review

| KEYWORD AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **access** | | | | | |
| Crime Victim Reparations, Administration | 31324 | R270-4 | NSC | 05/05/2008 | Not Printed |
| **access to information** | | | | | |
| Administrative Services, Administration | 31343 | R13-2 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **accountants** | | | | | |
| Commerce, Occupational and Professional Licensing | 30715 | R156-26a | AMD | 03/31/2008 | 2007-23/4 |
| | 30715 | R156-26a | CPR | 03/31/2008 | 2008-4/35 |
| **accreditation** | | | | | |
| Education, Administration | 31444 | R277-504 | AMD | 07/08/2008 | 2008-11/77 |
| **acid rain** | | | | | |
| Environmental Quality, Air Quality | 30700 | R307-215 | REP | 02/08/2008 | 2007-23/31 |
| | 30706 | R307-417 | AMD | 02/08/2008 | 2007-23/43 |
| **adjudicative procedures** | | | | | |
| Regents (Board Of), Administration | 31325 | R765-134 | NSC | 05/05/2008 | Not Printed |
| **adjudicative proceedings** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31269 | R652-8 | NSC | 05/05/2008 | Not Printed |
| Public Safety, Driver License | 31107 | R708-14 | NSC | 05/05/2008 | Not Printed |
| | 31118 | R708-35 | NSC | 05/05/2008 | Not Printed |
| **administrative law** | | | | | |
| Administrative Services, Administrative Rules | 31143 | R15-1 | NSC | 05/05/2008 | Not Printed |
| | 31144 | R15-2 | NSC | 05/05/2008 | Not Printed |
| | 31145 | R15-3 | NSC | 05/05/2008 | Not Printed |
| | 31146 | R15-4 | NSC | 05/05/2008 | Not Printed |
| | 31147 | R15-5 | NSC | 05/05/2008 | Not Printed |
| Human Services, Recovery Services | 31133 | R527-257 | REP | 06/09/2008 | 2008-9/45 |
| | 31054 | R527-258 | AMD | 05/14/2008 | 2008-7/33 |
| **administrative penalties** | | | | | |
| Natural Resources, Water Rights | 31431 | R655-14 | AMD | 07/08/2008 | 2008-11/104 |
| **administrative procedures** | | | | | |
| Administrative Services, Administration | 31342 | R13-1 | NSC | 05/05/2008 | Not Printed |
| Administrative Services, Administrative Rules | 31147 | R15-5 | NSC | 05/05/2008 | Not Printed |
| Auditor, Administration | 31257 | R123-3-1 | NSC | 05/05/2008 | Not Printed |
| | 31260 | R123-3-2 | NSC | 05/05/2008 | Not Printed |
| | 31261 | R123-3-3 | NSC | 05/05/2008 | Not Printed |
| Commerce, Occupational and Professional Licensing | 31179 | R156-46b | NSC | 05/05/2008 | Not Printed |
| Crime Victim Reparations, Administration | 31323 | R270-2 | NSC | 05/05/2008 | Not Printed |
| Environmental Quality, Air Quality | 31461 | R307-103 | NSC | 06/18/2008 | Not Printed |
| Environmental Quality, Radiation Control | 31171 | R313-17 | NSC | 05/05/2008 | Not Printed |
| Environmental Quality, Water Quality | 30948 | R317-9 | 5YR | 02/01/2008 | 2008-4/42 |
| Health, Administration | 31281 | R380-1 | NSC | 05/05/2008 | Not Printed |
| | 31282 | R380-5 | NSC | 05/05/2008 | Not Printed |
| | 31283 | R380-10 | NSC | 05/05/2008 | Not Printed |
| | 31188 | R477-3 | AMD | 07/01/2008 | 2008-10/87 |
| | 31210 | R477-12 | AMD | 07/01/2008 | 2008-10/110 |
| | 31208 | R477-15 | AMD | 07/01/2008 | 2008-10/112 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Labor Commission, Adjudication | 31250 | R602-1 | NSC | 05/05/2008 | Not Printed |
| | 31236 | R602-2-1 | NSC | 05/05/2008 | Not Printed |
| | 30811 | R602-2-4 | AMD | 02/07/2008 | 2008-1/14 |
| | 31238 | R602-3 | NSC | 05/05/2008 | Not Printed |
| | 30810 | R602-3-3 | AMD | 02/07/2008 | 2008-1/16 |
| | 31643 | R602-4 | EMR | 07/01/2008 | 2008-14/127 |
| Labor Commission, Industrial Accidents | 31235 | R612-1 | NSC | 05/05/2008 | Not Printed |
| | 31252 | R612-10 | NSC | 05/05/2008 | Not Printed |
| | 31734 | R612-11 | NSC | 08/11/2008 | Not Printed |
| | 31565 | R612-11 | NEW | 08/11/2008 | 2008-13/85 |
| | 31564 | R612-12 | NEW | 08/11/2008 | 2008-13/86 |
| | 31735 | R612-12-2 | NSC | 08/11/2008 | Not Printed |
| Natural Resources, Oil, Gas and Mining Board | 31196 | R641-100 | NSC | 05/05/2008 | Not Printed |
| | 31197 | R641-104-100 | NSC | 05/05/2008 | Not Printed |
| | 31198 | R641-112 | NSC | 05/05/2008 | Not Printed |
| | 31199 | R641-114 | NSC | 05/05/2008 | Not Printed |
| | 31200 | R641-115 | NSC | 05/05/2008 | Not Printed |
| | 31201 | R641-116 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Forestry, Fire and State Lands | 31268 | R652-7 | NSC | 05/05/2008 | Not Printed |
| | 31269 | R652-8 | NSC | 05/05/2008 | Not Printed |
| | 31110 | R652-9-100 | NSC | 05/01/2008 | Not Printed |
| | 31270 | R652-30-500 | NSC | 05/05/2008 | Not Printed |
| | 31112 | R652-120 | NSC | 05/01/2008 | Not Printed |
| | 31108 | R652-121 | NSC | 05/01/2008 | Not Printed |
| | 31111 | R652-123 | NSC | 05/01/2008 | Not Printed |
| Natural Resources, Wildlife Resources | 31219 | R657-2 | NSC | 05/05/2008 | Not Printed |
| **administrative proceedings**<br>Public Safety, Driver License | 31114 | R708-22 | NSC | 05/05/2008 | Not Printed |
| **administrative responsibility**<br>Human Resource Management, Administration | 31187 | R477-2 | AMD | 07/01/2008 | 2008-10/84 |
| **administrative rules**<br>Human Resource Management, Administration | 31211 | R477-13 | NSC | 06/19/2008 | Not Printed |
| **adult education**<br>Education, Administration | 30883 | R277-702 | 5YR | 01/08/2008 | 2008-3/74 |
| **advertising**<br>Commerce, Consumer Protection | 31213 | R152-11 | NSC | 05/05/2008 | Not Printed |
| Public Service Commission, Administration | 31796 | R746-406 | 5YR | 08/07/2008 | Not Printed |
| **agency**<br>Human Services, Aging and Adult Services | 31378 | R510-110-5 | NSC | 05/05/2008 | Not Printed |
| **agriculture association**<br>Agriculture and Food, Administration | 31471 | R51-5 | REP | 07/22/2008 | 2008-12/5 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **air pollution** | | | | | |
| Environmental Quality, Air Quality | 30697 | R307-101 | AMD | 02/08/2008 | 2007-23/21 |
| | 30959 | R307-101 | 5YR | 02/08/2008 | 2008-5/40 |
| | 30960 | R307-102 | 5YR | 02/08/2008 | 2008-5/40 |
| | 31462 | R307-102 | NSC | 06/18/2008 | Not Printed |
| | 31461 | R307-103 | NSC | 06/18/2008 | Not Printed |
| | 30698 | R307-115 | AMD | 02/08/2008 | 2007-23/28 |
| | 30961 | R307-115 | 5YR | 02/08/2008 | 2008-5/41 |
| | 31389 | R307-121 | AMD | 08/07/2008 | 2008-11/87 |
| | 30889 | R307-121-3 | NSC | 01/30/2008 | Not Printed |
| | 30962 | R307-170 | 5YR | 02/08/2008 | 2008-5/41 |
| | 30699 | R307-170-7 | AMD | 02/08/2008 | 2007-23/29 |
| | 30963 | R307-202 | 5YR | 02/08/2008 | 2008-5/42 |
| | 30964 | R307-203 | 5YR | 02/08/2008 | 2008-5/43 |
| | 30430 | R307-214 | AMD | 01/11/2008 | 2007-19/12 |
| | 30895 | R307-214 | 5YR | 01/11/2008 | 2008-3/77 |
| | 30965 | R307-220 | 5YR | 02/08/2008 | 2008-5/43 |
| | 30701 | R307-221 | AMD | 02/08/2008 | 2007-23/32 |
| | 30966 | R307-221 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30832 | R307-221-2 | NSC | 02/08/2008 | Not Printed |
| | 30702 | R307-222 | AMD | 02/08/2008 | 2007-23/36 |
| | 30967 | R307-222 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30833 | R307-222-1 | NSC | 02/08/2008 | Not Printed |
| | 30703 | R307-223 | AMD | 02/08/2008 | 2007-23/38 |
| | 30968 | R307-223 | 5YR | 02/08/2008 | 2008-5/45 |
| | 30969 | R307-224 | 5YR | 02/08/2008 | 2008-5/45 |
| | 30704 | R307-224-2 | AMD | 02/08/2008 | 2007-23/39 |
| | 30970 | R307-250 | 5YR | 02/08/2008 | 2008-5/46 |
| | 31388 | R307-302-3 | AMD | 08/07/2008 | 2008-11/91 |
| | 30971 | R307-310 | 5YR | 02/08/2008 | 2008-5/46 |
| | 30705 | R307-310-2 | AMD | 02/08/2008 | 2007-23/40 |
| | 30709 | R307-401-14 | AMD | 02/08/2008 | 2007-23/42 |
| | 30431 | R307-405 | AMD | 01/11/2008 | 2007-19/15 |
| | 30972 | R307-801 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30707 | R307-801 | AMD | 02/08/2008 | 2007-23/45 |
| | 30973 | R307-840 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30708 | R307-840 | AMD | 02/08/2008 | 2007-23/48 |
| **air quality** | | | | | |
| Environmental Quality, Air Quality | 30700 | R307-215 | REP | 02/08/2008 | 2007-23/31 |
| | 30706 | R307-417 | AMD | 02/08/2008 | 2007-23/43 |
| **air travel** | | | | | |
| Administrative Services, Finance | 31319 | R25-7 | 5YR | 04/29/2008 | 2008-10/144 |
| | 31320 | R25-7 | AMD | 07/01/2008 | 2008-10/4 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **aircraft** | | | | | |
| Tax Commission, Motor Vehicle | 30844 | R873-22M-34 | AMD | 02/25/2008 | 2008-1/38 |
| | 31264 | R873-22M-41 | AMD | 06/27/2008 | 2008-10/133 |
| **alarm company** | | | | | |
| Commerce, Occupational and Professional Licensing | 31181 | R156-55d | NSC | 05/05/2008 | Not Printed |
| **alcoholic beverages** | | | | | |
| Alcoholic Beverage Control, Administration | 31254 | R81-1-2 | AMD | 06/27/2008 | 2008-10/10 |
| | 31273 | R81-1-9 | AMD | 06/27/2008 | 2008-10/11 |
| | 31275 | R81-1-10 | AMD | 06/27/2008 | 2008-10/13 |
| | 31279 | R81-1-11 | AMD | 06/27/2008 | 2008-10/14 |
| | 31289 | R81-1-26 | AMD | 06/27/2008 | 2008-10/16 |
| | 31291 | R81-3-1 | AMD | 06/27/2008 | 2008-10/18 |
| | 31328 | R81-3-9 | AMD | 06/27/2008 | 2008-10/19 |
| | 31329 | R81-3-13 | AMD | 06/27/2008 | 2008-10/20 |
| | 31330 | R81-3-14 | AMD | 06/27/2008 | 2008-10/21 |
| | 31154 | R81-4C | NSC | 05/01/2008 | Not Printed |
| | 31780 | R81-4C | 5YR | 07/31/2008 | 2008-16/66 |
| | 31155 | R81-4D | NSC | 05/01/2008 | Not Printed |
| | 31785 | R81-4D | 5YR | 07/31/2008 | 2008-16/66 |
| | 31336 | R81-4D-1 | AMD | 07/30/2008 | 2008-10/22 |
| | 31338 | R81-4D-2 | AMD | 07/30/2008 | 2008-10/24 |
| | 31287 | R81-5-11 | AMD | 06/27/2008 | 2008-10/25 |
| | 31332 | R81-7-1 | AMD | 06/27/2008 | 2008-10/26 |
| | 31334 | R81-10 | NEW | 06/27/2008 | 2008-10/27 |
| | 31786 | R81-10B | 5YR | 07/31/2008 | 2008-16/67 |
| **allegation** | | | | | |
| Pardons (Board Of), Administration | 31654 | R671-514 | 5YR | 07/03/2008 | 2008-15/104 |
| **allowance** | | | | | |
| Administrative Services, Finance | 31321 | R25-8 | AMD | 07/01/2008 | 2008-10/7 |
| **alternative fuels** | | | | | |
| Environmental Quality, Air Quality | 31389 | R307-121 | AMD | 08/07/2008 | 2008-11/87 |
| | 30889 | R307-121-3 | NSC | 01/30/2008 | Not Printed |
| **alternative school** | | | | | |
| Education, Administration | 30888 | R277-730 | 5YR | 01/08/2008 | 2008-3/77 |
| **Americans with Disabilities Act 1992** | | | | | |
| Human Services, Administration | 31067 | R495-878 | AMD | 06/13/2008 | 2008-8/23 |
| | 31367 | R495-878 | NSC | 05/05/2008 | Not Printed |
| **amphibians** | | | | | |
| Natural Resources, Wildlife Resources | 31051 | R657-53 | AMD | 05/08/2008 | 2008-7/50 |
| | 31508 | R657-53 | 5YR | 06/02/2008 | 2008-12/61 |
| | 31228 | R657-53 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **anatomical gift** | | | | | |
| Public Safety, Driver License | 31124 | R708-38 | NSC | 05/01/2008 | Not Printed |
| **ancient human remains** | | | | | |
| Community and Culture, History | 31290 | R212-4 | R&R | 06/25/2008 | 2008-10/52 |
| **animal protection** | | | | | |
| Natural Resources, Wildlife Resources | 31047 | R657-3 | 5YR | 03/11/2008 | 2008-7/65 |
| | 31053 | R657-3 | AMD | 05/08/2008 | 2008-7/45 |
| **animal protections** | | | | | |
| Natural Resources, Wildlife Resources | 31220 | R657-3 | NSC | 05/05/2008 | Not Printed |
| **animals** | | | | | |
| Health, Epidemiology and Laboratory Services, Laboratory Services | 31717 | R438-13 | 5YR | 07/16/2008 | 2008-16/69 |
| **appellate procedures** | | | | | |
| Administrative Services, Administration | 31342 | R13-1 | NSC | 05/05/2008 | Not Printed |
| Administrative Services, Fleet Operations, Surplus Property | 31117 | R28-3 | 5YR | 04/04/2008 | 2008-9/52 |
| Auditor, Administration | 31257 | R123-3-1 | NSC | 05/05/2008 | Not Printed |
| | 31260 | R123-3-2 | NSC | 05/05/2008 | Not Printed |
| | 31261 | R123-3-3 | NSC | 05/05/2008 | Not Printed |
| | 31323 | R270-2 | NSC | 05/05/2008 | Not Printed |
| Workforce Services, Unemployment Insurance | 30771 | R994-508 | AMD | 02/15/2008 | 2007-24/30 |
| | 31546 | R994-508 | 5YR | 06/10/2008 | 2008-13/153 |
| | 31020 | R994-508-117 | NSC | 03/11/2008 | Not Printed |
| | 31071 | R994-508-118 | NSC | 04/14/2008 | Not Printed |
| **application** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30938 | R414-308 | 5YR | 01/31/2008 | 2008-4/46 |
| | 30927 | R414-308-7 | AMD | 04/01/2008 | 2008-4/16 |
| **applications** | | | | | |
| Natural Resources, Water Rights | 31130 | R655-5 | 5YR | 04/08/2008 | 2008-9/54 |
| **applied technology education** | | | | | |
| Education, Administration | 30878 | R277-518 | 5YR | 01/08/2008 | 2008-3/72 |
| **appraisals** | | | | | |
| Tax Commission, Property Tax | 31274 | R884-24P-62 | NSC | 06/23/2008 | Not Printed |
| | 30931 | R884-24P-62 | AMD | 03/28/2008 | 2008-4/30 |
| **approval orders** | | | | | |
| Environmental Quality, Air Quality | 30709 | R307-401-14 | AMD | 02/08/2008 | 2007-23/42 |
| **aquaculture** | | | | | |
| Natural Resources, Wildlife Resources | 31625 | R657-59 | EMR | 06/27/2008 | 2008-14/129 |
| **archaeology** | | | | | |
| Community and Culture, History | 31290 | R212-4 | R&R | 06/25/2008 | 2008-10/52 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **architects** | | | | | |
| Administrative Services, Facilities Construction and Management | 31098 | R23-2 | AMD | 07/14/2008 | 2008-8/2 |
| Capitol Preservation Board (State), Administration | 30591 | R131-1 | AMD | 02/29/2008 | 2007-21/11 |
| Commerce, Occupational and Professional Licensing | 30935 | R156-3a-303 | AMD | 03/27/2008 | 2008-4/5 |
| **area** | | | | | |
| Human Services, Aging and Adult Services | 31378 | R510-110-5 | NSC | 05/05/2008 | Not Printed |
| **arts program** | | | | | |
| Education, Administration | 31443 | R277-490 | NEW | 07/08/2008 | 2008-11/74 |
| **asbestos** | | | | | |
| Environmental Quality, Air Quality | 30972 | R307-801 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30707 | R307-801 | AMD | 02/08/2008 | 2007-23/45 |
| **asbestos hazard emergency response** | | | | | |
| Environmental Quality, Air Quality | 30972 | R307-801 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30707 | R307-801 | AMD | 02/08/2008 | 2007-23/45 |
| **assistance** | | | | | |
| Natural Resources, Parks and Recreation | 30899 | R651-301 | AMD | 03/10/2008 | 2008-3/37 |
| **attorney exemption application process** | | | | | |
| Insurance, Title and Escrow Commission | 31339 | R592-8 | NEW | 07/14/2008 | 2008-10/126 |
| **attorneys** | | | | | |
| Administrative Services, Finance | 31363 | R25-14 | EMR | 05/05/2008 | 2008-10/140 |
| **audiology** | | | | | |
| Commerce, Occupational and Professional Licensing | 31397 | R156-41 | AMD | 07/14/2008 | 2008-11/65 |
| **auditing** | | | | | |
| Auditor, Administration | 31257 | R123-3-1 | NSC | 05/05/2008 | Not Printed |
| | 31260 | R123-3-2 | NSC | 05/05/2008 | Not Printed |
| | 31261 | R123-3-3 | NSC | 05/05/2008 | Not Printed |
| **automatic fire sprinklers** | | | | | |
| Public Safety, Fire Marshal | 31088 | R710-5 | 5YR | 03/28/2008 | 2008-8/54 |
| | 30896 | R710-5-1 | AMD | 03/10/2008 | 2008-3/51 |
| | 31080 | R710-5-3 | AMD | 05/23/2008 | 2008-8/35 |
| **automobile repair** | | | | | |
| Commerce, Consumer Protection | 31215 | R152-20 | NSC | 05/05/2008 | Not Printed |
| **automobiles** | | | | | |
| Commerce, Administration | 31354 | R151-14-3 | NSC | 05/05/2008 | Not Printed |
| Commerce, Consumer Protection | 31215 | R152-20 | NSC | 05/05/2008 | Not Printed |
| **background checks** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31448 | R525-5 | 5YR | 05/19/2008 | 2008-12/57 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **bait and switch** | | | | | |
| Commerce, Consumer Protection | 31213 | R152-11 | NSC | 05/05/2008 | Not Printed |
| **banks and banking** | | | | | |
| Human Services, Recovery Services | 30982 | R527-928 | AMD | 04/07/2008 | 2008-5/26 |
| **bear** | | | | | |
| Natural Resources, Wildlife Resources | 30906 | R657-33 | AMD | 03/10/2008 | 2008-3/44 |
| **bed allocations** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31089 | R523-1 | 5YR | 03/31/2008 | 2008-8/53 |
| | 30767 | R523-1 | NSC | 03/31/2008 | Not Printed |
| **benefits** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30921 | R414-302 | 5YR | 01/25/2008 | 2008-4/43 |
| Labor Commission, Industrial Accidents | 31230 | R612-3 | 5YR | 04/28/2008 | 2008-10/149 |
| **bicycles** | | | | | |
| Regents (Board Of), University of Utah, Administration | 31695 | R805-1 | 5YR | 07/11/2008 | 2008-15/105 |
| **big game seasons** | | | | | |
| Natural Resources, Wildlife Resources | 30829 | R657-5 | AMD | 02/07/2008 | 2008-1/18 |
| **birth defect reporting** | | | | | |
| Health, Community and Family Health Services, Children with Special Health Care Needs | 31070 | R398-5 | AMD | 07/03/2008 | 2008-8/16 |
| **birth defects** | | | | | |
| Health, Community and Family Health Services, Children with Special Health Care Needs | 31070 | R398-5 | AMD | 07/03/2008 | 2008-8/16 |
| **board meetings** | | | | | |
| Environmental Quality, Administration | 30506 | R305-3 | NSC | 02/15/2008 | Not Printed |
| | 30766 | R305-3 | REP | 02/15/2008 | 2007-24/6 |
| **boards** | | | | | |
| Administrative Services, Finance | 31317 | R25-5 | 5YR | 04/29/2008 | 2008-10/143 |
| **boating** | | | | | |
| Natural Resources, Parks and Recreation | 30900 | R651-205-17 | AMD | 03/10/2008 | 2008-3/36 |
| **boilers** | | | | | |
| Labor Commission, Safety | 31246 | R616-2 | NSC | 05/05/2008 | Not Printed |
| **bonds** | | | | | |
| Treasurer, Unclaimed Property | 30596 | R966-1-2 | AMD | 01/07/2008 | 2007-22/87 |
| **boxing** | | | | | |
| Sports Authority (Utah), Pete Suazo Utah Athletic Commission | 31028 | R859-1 | AMD | 05/01/2008 | 2008-6/15 |
| | 31172 | R859-1-102 | NSC | 06/18/2008 | Not Printed |
| | 31029 | R859-1-302 | AMD | 05/01/2008 | 2008-6/16 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **breaks** | | | | | |
| Human Resource Management, Administration | 31193 | R477-8 | AMD | 07/01/2008 | 2008-10/101 |
| | 30778 | R477-8-5 | AMD | 01/22/2008 | 2007-24/16 |
| **brine shrimp** | | | | | |
| Natural Resources, Wildlife Resources | 31227 | R657-52-6 | NSC | 05/05/2008 | Not Printed |
| **broadband** | | | | | |
| Governor, Economic Development | 30788 | R357-2 | NEW | 01/30/2008 | 2007-24/9 |
| | 30859 | R357-2-7 | NSC | 01/30/2008 | Not Printed |
| **budgeting** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30652 | R414-304 | AMD | 01/28/2008 | 2007-23/54 |
| | 30924 | R414-304 | 5YR | 01/25/2008 | 2008-4/44 |
| **building codes** | | | | | |
| Commerce, Occupational and Professional Licensing | 30574 | R156-56 | AMD | 01/01/2008 | 2007-21/38 |
| | 31139 | R156-56 | AMD | 07/01/2008 | 2008-9/23 |
| | 30573 | R156-56-420 | AMD | 01/01/2008 | 2007-21/57 |
| | 31142 | R156-56-701 | AMD | 07/01/2008 | 2008-9/30 |
| | 31626 | R156-56-801 | NSC | 07/01/2008 | Not Printed |
| **building inspection** | | | | | |
| Commerce, Occupational and Professional Licensing | 30574 | R156-56 | AMD | 01/01/2008 | 2007-21/38 |
| | 31139 | R156-56 | AMD | 07/01/2008 | 2008-9/23 |
| | 30573 | R156-56-420 | AMD | 01/01/2008 | 2007-21/57 |
| | 31142 | R156-56-701 | AMD | 07/01/2008 | 2008-9/30 |
| | 31626 | R156-56-801 | NSC | 07/01/2008 | Not Printed |
| **burglar alarms** | | | | | |
| Commerce, Occupational and Professional Licensing | 31181 | R156-55d | NSC | 05/05/2008 | Not Printed |
| **burns** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31112 | R652-120 | NSC | 05/01/2008 | Not Printed |
| **capacity development** | | | | | |
| Environmental Quality, Drinking Water | 31157 | R309-352 | 5YR | 04/18/2008 | 2008-10/144 |
| **capital punishment** | | | | | |
| Administrative Services, Finance | 31363 | R25-14 | EMR | 05/05/2008 | 2008-10/140 |
| **capitol preservation** | | | | | |
| Capitol Preservation Board (State), Administration | 30591 | R131-1 | AMD | 02/29/2008 | 2007-21/11 |
| **career development courses** | | | | | |
| Public Safety, Peace Officer Standards and Training | 31648 | R728-501 | 5YR | 07/01/2008 | 2008-14/142 |
| **career education** | | | | | |
| Education, Administration | 30885 | R277-718 | 5YR | 01/08/2008 | 2008-3/75 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **case** | | | | | |
| Human Services, Aging and Adult Services | 31378 | R510-110-5 | NSC | 05/05/2008 | Not Printed |
| **case management** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31169 | R414-6 | 5YR | 04/21/2008 | 2008-10/145 |
| | 31493 | R414-6 | AMD | 07/22/2008 | 2008-12/23 |
| **caseworker training** | | | | | |
| Human Services, Child and Family Services | 31043 | R512-204 | NEW | 05/08/2008 | 2008-7/31 |
| **CERCLA** | | | | | |
| Environmental Quality, Environmental Response and Remediation | 30567 | R311-401-2 | AMD | 01/02/2008 | 2007-21/59 |
| **cerfitication** | | | | | |
| Labor Commission, Safety | 31253 | R616-3 | NSC | 05/05/2008 | Not Printed |
| **certificate of registration** | | | | | |
| Natural Resources, Wildlife Resources | 31399 | R657-45 | 5YR | 05/08/2008 | 2008-11/127 |
| | 31050 | R657-45-2 | AMD | 05/08/2008 | 2008-7/49 |
| **certification** | | | | | |
| Labor Commission, Safety | 31233 | R616-1 | 5YR | 04/28/2008 | 2008-10/150 |
| | 31249 | R616-1 | NSC | 05/05/2008 | Not Printed |
| | 31246 | R616-2 | NSC | 05/05/2008 | Not Printed |
| | 30943 | R616-3-3 | AMD | 03/24/2008 | 2008-4/21 |
| **certification of instructors** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31352 | R523-22-9 | NSC | 05/05/2008 | Not Printed |
| **certifications** | | | | | |
| Transportation, Motor Carrier | 30785 | R909-19 | AMD | 02/12/2008 | 2007-24/26 |
| **charities** | | | | | |
| Commerce, Consumer Protection | 31216 | R152-22-9 | NSC | 05/05/2008 | Not Printed |
| Tax Commission, Auditing | 31272 | R865-19S-99 | NSC | 06/23/2008 | Not Printed |
| | 31258 | R865-19S-105 | AMD | 07/01/2008 | 2008-10/132 |
| | 30841 | R865-19S-121 | AMD | 02/25/2008 | 2008-1/37 |
| **charter schools** | | | | | |
| Education, Administration | 30846 | R277-470-7 | AMD | 02/07/2008 | 2008-1/9 |
| **child abuse** | | | | | |
| Human Services, Child and Family Services | 30720 | R512-20 | NSC | 01/07/2008 | Not Printed |
| | 30716 | R512-20 | REP | 01/07/2008 | 2007-23/58 |
| | 31043 | R512-204 | NEW | 05/08/2008 | 2008-7/31 |
| **child care** | | | | | |
| Health, Health Systems Improvement, Child Care Licensing | 31057 | R430-90 | R&R | 09/01/2008 | 2008-7/16 |
| Workforce Services, Employment Development | 31364 | R986-700 | AMD | 07/02/2008 | 2008-10/136 |
| | 31033 | R986-700 | AMD | 05/01/2008 | 2008-6/21 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31499 | R986-700-752 | NSC | 07/02/2008 | Not Printed |
| **child care facilities** | | | | | |
| Health, Health Systems Improvement, Child Care Licensing | 31537 | R430-4 | 5YR | 06/06/2008 | 2008-13/148 |
| | 31538 | R430-50 | 5YR | 06/06/2008 | 2008-13/149 |
| | 31056 | R430-50 | CPR | 09/01/2008 | 2008-13/119 |
| | 31056 | R430-50 | R&R | 09/01/2008 | 2008-7/4 |
| | 31539 | R430-60 | 5YR | 06/06/2008 | 2008-13/149 |
| | 31540 | R430-90 | 5YR | 06/06/2008 | 2008-13/150 |
| | 31057 | R430-90 | CPR | 09/01/2008 | 2008-13/129 |
| | 31057 | R430-90 | R&R | 09/01/2008 | 2008-7/16 |
| **child support** | | | | | |
| Human Services, Administration | 31465 | R495-879 | NSC | 06/18/2008 | Not Printed |
| Human Services, Recovery Services | 31151 | R527-34 | AMD | 06/09/2008 | 2008-9/43 |
| | 30891 | R527-39 | 5YR | 01/10/2008 | 2008-3/78 |
| | 31498 | R527-39-2 | NSC | 06/18/2008 | Not Printed |
| | 30939 | R527-56 | 5YR | 01/31/2008 | 2008-4/46 |
| | 31134 | R527-56 | AMD | 06/09/2008 | 2008-9/44 |
| | 31061 | R527-231 | AMD | 05/15/2008 | 2008-7/32 |
| | 31133 | R527-257 | REP | 06/09/2008 | 2008-9/45 |
| | 31054 | R527-258 | AMD | 05/14/2008 | 2008-7/33 |
| | 31152 | R527-260 | NEW | 07/01/2008 | 2008-9/46 |
| | 31163 | R527-302 | AMD | 06/25/2008 | 2008-10/120 |
| | 30978 | R527-305 | 5YR | 02/12/2008 | 2008-5/58 |
| | 31025 | R527-305 | AMD | 04/21/2008 | 2008-6/8 |
| | 30905 | R527-430 | 5YR | 01/14/2008 | 2008-3/78 |
| | 31161 | R527-475 | 5YR | 04/21/2008 | 2008-10/147 |
| | 31162 | R527-475 | AMD | 06/25/2008 | 2008-10/121 |
| | 31159 | R527-920 | NEW | 06/27/2008 | 2008-10/122 |
| **child welfare** | | | | | |
| Human Services, Child and Family Services | 30720 | R512-20 | NSC | 01/07/2008 | Not Printed |
| | 30716 | R512-20 | REP | 01/07/2008 | 2007-23/58 |
| | 31043 | R512-204 | NEW | 05/08/2008 | 2008-7/31 |
| | 31589 | R512-500 | EMR | 06/18/2008 | 2008-14/123 |
| **children's health benefits** | | | | | |
| Health, Children's Health Insurance Program | 31503 | R382-1 | 5YR | 05/30/2008 | 2008-12/53 |
| | 31357 | R382-10 | AMD | 07/01/2008 | 2008-10/55 |
| | 31454 | R382-10 | 5YR | 05/19/2008 | 2008-12/53 |
| **childs support** | | | | | |
| Human Services, Recovery Services | 31160 | R527-302 | 5YR | 04/21/2008 | 2008-10/147 |
| **CHIP** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31358 | R414-320 | AMD | 07/01/2008 | 2008-10/68 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **chronically ill** | | | | | |
| Corrections, Administration | 30803 | R251-114 | NEW | 03/11/2008 | 2008-1/6 |
| **citation monitoring service** | | | | | |
| Public Safety, Driver License | 31123 | R708-44-4 | NSC | 05/05/2008 | Not Printed |
| **civil rights** | | | | | |
| Natural Resources, Administration | 30875 | R634-1 | NSC | 01/25/2008 | Not Printed |
| | 30923 | R634-1 | 5YR | 01/25/2008 | 2008-4/47 |
| **Civil Rights Act 1964** | | | | | |
| Human Services, Administration | 31067 | R495-878 | AMD | 06/13/2008 | 2008-8/23 |
| | 31367 | R495-878 | NSC | 05/05/2008 | Not Printed |
| **Class I area** | | | | | |
| Environmental Quality, Air Quality | 30431 | R307-405 | AMD | 01/11/2008 | 2007-19/15 |
| **classified license** | | | | | |
| Public Safety, Driver License | 31436 | R708-10 | AMD | 07/08/2008 | 2008-11/116 |
| **client rights** | | | | | |
| Community and Culture, Home Energy Assistance Target (HEAT) | 31331 | R195-1 | NSC | 05/05/2008 | Not Printed |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30936 | R414-301 | 5YR | 01/31/2008 | 2008-4/43 |
| **coal mines** | | | | | |
| Natural Resources, Oil, Gas and Mining; Coal | 30932 | R645-100-200 | AMD | 03/26/2008 | 2008-4/23 |
| | 31204 | R645-100-500 | NSC | 05/05/2008 | Not Printed |
| | 31756 | R645-101 | 5YR | 07/28/2008 | 2008-16/72 |
| | 31509 | R645-102 | 5YR | 06/02/2008 | 2008-12/58 |
| | 31757 | R645-104 | 5YR | 07/28/2008 | 2008-16/72 |
| | 30934 | R645-300-100 | AMD | 03/26/2008 | 2008-4/24 |
| | 30933 | R645-301 | AMD | 03/26/2008 | 2008-4/25 |
| | 31758 | R645-401 | 5YR | 07/28/2008 | 2008-16/73 |
| **colleges** | | | | | |
| Regents (Board Of), Administration | 31325 | R765-134 | NSC | 05/05/2008 | Not Printed |
| | 31515 | R765-555 | 5YR | 06/02/2008 | 2008-12/64 |
| | 31104 | R765-555 | NSC | 06/02/2008 | Not Printed |
| | 31327 | R765-993 | NSC | 05/05/2008 | Not Printed |
| **commerce** | | | | | |
| Commerce, Corporations and Commercial Code | 30642 | R154-10 | REP | 03/03/2008 | 2007-22/16 |
| **commercial motor vehicle insurance** | | | | | |
| Insurance, Administration | 30490 | R590-243 | NEW | 01/11/2008 | 2007-20/28 |
| **commercialization** | | | | | |
| Natural Resources, Wildlife Resources | 31227 | R657-52-6 | NSC | 05/05/2008 | Not Printed |
| **communicable diseases** | | | | | |
| Health, Epidemiology and Laboratory Services, Epidemiology | 31099 | R386-702-12 | AMD | 06/11/2008 | 2008-8/5 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **complaint procedures** | | | | | |
| Corrections, Administration | 30713 | R251-112 | AMD | 03/11/2008 | 2007-23/19 |
| **complaints** | | | | | |
| Education, Administration | 31517 | R277-104 | 5YR | 06/02/2008 | 2008-12/50 |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31451 | R525-7 | 5YR | 05/19/2008 | 2008-12/57 |
| Public Service Commission, Administration | 31370 | R746-500 | NSC | 05/05/2008 | Not Printed |
| | 31791 | R746-500 | 5YR | 08/04/2008 | Not Printed |
| **concealed firearm permit** | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 31349 | R722-300 | NSC | 05/01/2008 | Not Printed |
| | 30928 | R722-300 | NSC | 05/01/2008 | Not Printed |
| **concerns** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31451 | R525-7 | 5YR | 05/19/2008 | 2008-12/57 |
| **conduct** | | | | | |
| Professional Practices Advisory Commission, Administration | 30951 | R686-100 | 5YR | 02/04/2008 | 2008-5/59 |
| **confidentiality of information** | | | | | |
| Administrative Services, Administration | 31343 | R13-2 | NSC | 05/05/2008 | Not Printed |
| Community and Culture, Home Energy Assistance Target (HEAT) | 31331 | R195-1 | NSC | 05/05/2008 | Not Printed |
| Environmental Quality, Air Quality | 30960 | R307-102 | 5YR | 02/08/2008 | 2008-5/40 |
| | 31462 | R307-102 | NSC | 06/18/2008 | Not Printed |
| Human Resource Management, Administration | 31187 | R477-2 | AMD | 07/01/2008 | 2008-10/84 |
| **conflict of interest** | | | | | |
| Human Resource Management, Administration | 31194 | R477-9 | AMD | 07/01/2008 | 2008-10/104 |
| **consumer protection** | | | | | |
| Commerce, Consumer Protection | 31184 | R152-1 | NSC | 05/05/2008 | Not Printed |
| | 31213 | R152-11 | NSC | 05/05/2008 | Not Printed |
| | 31214 | R152-15-2 | NSC | 05/05/2008 | Not Printed |
| | 31215 | R152-20 | NSC | 05/05/2008 | Not Printed |
| | 31216 | R152-22-9 | NSC | 05/05/2008 | Not Printed |
| | 31217 | R152-23-1 | NSC | 05/05/2008 | Not Printed |
| **contamination** | | | | | |
| Environmental Quality, Radiation Control | 30865 | R313-15 | AMD | 03/17/2008 | 2008-2/10 |
| **contests** | | | | | |
| Sports Authority (Utah), Pete Suazo Utah Athletic Commission | 31172 | R859-1-102 | NSC | 06/18/2008 | Not Printed |
| **continuing education** | | | | | |
| Commerce, Real Estate | 31277 | R162-9 | AMD | 06/23/2008 | 2008-10/48 |
| **continuing professional education** | | | | | |
| Commerce, Occupational and Professional Licensing | 30715 | R156-26a | AMD | 03/31/2008 | 2007-23/4 |
| | 30715 | R156-26a | CPR | 03/31/2008 | 2008-4/35 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **continuous monitoring** | | | | | |
| Environmental Quality, Air Quality | 30962 | R307-170 | 5YR | 02/08/2008 | 2008-5/41 |
| | 30699 | R307-170-7 | AMD | 02/08/2008 | 2007-23/29 |
| **contractors** | | | | | |
| Commerce, Occupational and Professional Licensing | 30654 | R156-38a | AMD | 01/07/2008 | 2007-23/14 |
| | 31176 | R156-38a-105a | NSC | 05/05/2008 | Not Printed |
| | 31292 | R156-55a | AMD | 06/24/2008 | 2008-10/42 |
| | 30892 | R156-55a | AMD | 03/11/2008 | 2008-3/3 |
| | 30574 | R156-56 | AMD | 01/01/2008 | 2007-21/38 |
| | 31139 | R156-56 | AMD | 07/01/2008 | 2008-9/23 |
| | 30573 | R156-56-420 | AMD | 01/01/2008 | 2007-21/57 |
| | 31142 | R156-56-701 | AMD | 07/01/2008 | 2008-9/30 |
| | 31626 | R156-56-801 | NSC | 07/01/2008 | Not Printed |
| **contracts** | | | | | |
| Capitol Preservation Board (State), Administration | 30590 | R131-4 | R&R | 02/29/2008 | 2007-21/13 |
| | 30952 | R251-304 | 5YR | 02/05/2008 | 2008-5/39 |
| | 30980 | R251-304 | AMD | 05/20/2008 | 2008-5/15 |
| **cooperative agreement** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31109 | R652-122-100 | NSC | 05/01/2008 | Not Printed |
| **cooperative wildlife management unit** | | | | | |
| Natural Resources, Wildlife Resources | 31401 | R657-37 | 5YR | 05/08/2008 | 2008-11/126 |
| **corrections** | | | | | |
| Corrections, Administration | 30952 | R251-304 | 5YR | 02/05/2008 | 2008-5/39 |
| | 30980 | R251-304 | AMD | 05/20/2008 | 2008-5/15 |
| **cosmetologists/barbers** | | | | | |
| Commerce, Occupational and Professional Licensing | 30953 | R156-11a | AMD | 04/10/2008 | 2008-5/5 |
| | 31174 | R156-11a-601 | NSC | 05/05/2008 | Not Printed |
| **costs** | | | | | |
| Administrative Services, Finance | 31316 | R25-6 | 5YR | 04/29/2008 | 2008-10/143 |
| Financial Institutions, Administration | 31315 | R331-22-1 | NSC | 05/05/2008 | Not Printed |
| **cottage foods** | | | | | |
| Agriculture and Food, Regulatory Services | 31430 | R70-560 | AMD | 07/25/2008 | 2008-11/47 |
| **court reporting** | | | | | |
| Commerce, Occupational and Professional Licensing | 31516 | R156-74 | AMD | 07/22/2008 | 2008-12/7 |
| **coverage groups** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30925 | R414-303 | 5YR | 01/25/2008 | 2008-4/44 |
| **covered-at-work** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31356 | R414-310 | AMD | 07/01/2008 | 2008-10/66 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **credit scoring** | | | | | |
| Insurance, Administration | 31525 | R590-219 | 5YR | 06/04/2008 | 2008-13/150 |
| **criminal investigation** | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 30929 | R722-320 | NSC | 05/14/2008 | Not Printed |
| | 31434 | R722-320 | 5YR | 05/14/2008 | 2008-11/127 |
| **critical languages** | | | | | |
| Education, Administration | 31442 | R277-488 | AMD | 07/08/2008 | 2008-11/72 |
| **cultural resources** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31271 | R652-60-1000 | NSC | 05/05/2008 | Not Printed |
| **curricula** | | | | | |
| Education, Administration | 30882 | R277-700 | 5YR | 01/08/2008 | 2008-3/74 |
| | 30977 | R277-703-6 | NSC | 02/27/2008 | Not Printed |
| **custody of children** | | | | | |
| Human Services, Administration | 31465 | R495-879 | NSC | 06/18/2008 | Not Printed |
| **data standards** | | | | | |
| Education, Administration | 31520 | R277-484 | 5YR | 06/02/2008 | 2008-12/52 |
| | 31005 | R277-484 | AMD | 04/11/2008 | 2008-5/17 |
| **deadlines** | | | | | |
| Education, Administration | 31520 | R277-484 | 5YR | 06/02/2008 | 2008-12/52 |
| | 31005 | R277-484 | AMD | 04/11/2008 | 2008-5/17 |
| **declaratory orders** | | | | | |
| Auditor, Administration | 31262 | R123-4-1 | NSC | 05/05/2008 | Not Printed |
| | 31263 | R123-4-2 | NSC | 05/05/2008 | Not Printed |
| | 31265 | R123-4-5 | NSC | 05/05/2008 | Not Printed |
| | 31266 | R123-4-6 | NSC | 05/05/2008 | Not Printed |
| | 31267 | R123-4-7 | NSC | 05/05/2008 | Not Printed |
| | 31281 | R380-1 | NSC | 05/05/2008 | Not Printed |
| | 31282 | R380-5 | NSC | 05/05/2008 | Not Printed |
| | 31232 | R600-1 | 5YR | 04/28/2008 | 2008-10/148 |
| | 31237 | R600-1 | NSC | 05/05/2008 | Not Printed |
| **definitions** | | | | | |
| Environmental Quality, Air Quality | 30697 | R307-101 | AMD | 02/08/2008 | 2007-23/21 |
| | 30959 | R307-101 | 5YR | 02/08/2008 | 2008-5/40 |
| Environmental Quality, Radiation Control | 31170 | R313-12-1 | NSC | 05/05/2008 | Not Printed |
| | 30774 | R313-12-111 | AMD | 04/11/2008 | 2007-24/8 |
| | 30774 | R313-12-111 | CPR | 04/11/2008 | 2008-5/34 |
| Human Resource Management, Administration | 31186 | R477-1 | AMD | 07/01/2008 | 2008-10/79 |
| | 31211 | R477-13 | NSC | 06/19/2008 | Not Printed |
| Workforce Services, Unemployment Insurance | 31467 | R994-201 | 5YR | 05/20/2008 | 2008-12/64 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **demonstration** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31356 | R414-310 | AMD | 07/01/2008 | 2008-10/66 |
| **dental** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31452 | R414-51 | 5YR | 05/19/2008 | 2008-12/53 |
| **dental hygienists** | | | | | |
| Commerce, Occupational and Professional Licensing | 31136 | R156-69 | AMD | 06/09/2008 | 2008-9/35 |
| **dentists** | | | | | |
| Commerce, Occupational and Professional Licensing | 31136 | R156-69 | AMD | 06/09/2008 | 2008-9/35 |
| **developmentally disabled** | | | | | |
| Commerce, Administration | 31346 | R151-3-1 | NSC | 05/05/2008 | Not Printed |
| | 31067 | R495-878 | AMD | 06/13/2008 | 2008-8/23 |
| | 31367 | R495-878 | NSC | 05/05/2008 | Not Printed |
| | 30688 | R861-1A-20 | AMD | 01/11/2008 | 2007-23/68 |
| | 30589 | R861-1A-24 | AMD | 01/11/2008 | 2007-21/69 |
| | 30717 | R861-1A-26 | AMD | 01/11/2008 | 2007-23/69 |
| | 30838 | R861-1A-40 | AMD | 02/25/2008 | 2008-1/32 |
| | 30835 | R861-1A-42 | AMD | 02/25/2008 | 2008-1/33 |
| | 30780 | R861-1A-43 | AMD | 01/25/2008 | 2007-24/24 |
| **dietitians** | | | | | |
| Commerce, Occupational and Professional Licensing | 31180 | R156-49 | NSC | 05/05/2008 | Not Printed |
| | 31073 | R156-49 | 5YR | 03/24/2008 | 2008-8/52 |
| **digital signature** | | | | | |
| Commerce, Corporations and Commercial Code | 30642 | R154-10 | REP | 03/03/2008 | 2007-22/16 |
| **disabilities** | | | | | |
| Human Services, Services for People with Disabilities | 30877 | R539-1-8 | AMD | 04/01/2008 | 2008-3/32 |
| | 30926 | R539-1-8 | EMR | 01/28/2008 | 2008-4/38 |
| | 31084 | R539-9 | AMD | 05/22/2008 | 2008-8/26 |
| | 31594 | R539-15 | EMR | 07/01/2008 | 2008-14/126 |
| **disability** | | | | | |
| Health, Community and Family Health Services, Children with Special Health Care Needs | 31783 | R398-20 | 5YR | 07/31/2008 | 2008-16/68 |
| **disabled persons** | | | | | |
| Corrections, Administration | 30713 | R251-112 | AMD | 03/11/2008 | 2007-23/19 |
| | 31517 | R277-104 | 5YR | 06/02/2008 | 2008-12/50 |
| | 31285 | R380-100 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Wildlife Resources | 30777 | R657-12 | AMD | 01/22/2008 | 2007-24/19 |
| | 31221 | R657-12-1 | NSC | 05/05/2008 | Not Printed |
| Public Service Commission, Administration | 31370 | R746-500 | NSC | 05/05/2008 | Not Printed |
| | 31791 | R746-500 | 5YR | 08/04/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **disables** | | | | | |
| Human Services, Aging and Adult Services | 31027 | R510-105 | 5YR | 02/27/2008 | 2008-6/26 |
| **discharge** | | | | | |
| Environmental Quality, Water Quality | 30636 | R317-14 | NEW | 02/04/2008 | 2007-22/62 |
| **disciplinary actions** | | | | | |
| Education, Administration | 30847 | R277-609 | AMD | 02/07/2008 | 2008-1/10 |
| | 30958 | R277-609-5 | NSC | 02/29/2008 | Not Printed |
| | 31521 | R686-101 | 5YR | 06/02/2008 | 2008-12/62 |
| | 31522 | R686-102 | 5YR | 06/02/2008 | 2008-12/62 |
| | 31016 | R686-103 | REP | 04/21/2008 | 2008-6/12 |
| **disciplinary problems** | | | | | |
| Education, Administration | 31518 | R277-436 | 5YR | 06/02/2008 | 2008-12/51 |
| **discipline of employees** | | | | | |
| Human Resource Management, Administration | 31209 | R477-11 | AMD | 07/01/2008 | 2008-10/108 |
| **disclosure requirements** | | | | | |
| Tax Commission, Administration | 30688 | R861-1A-20 | AMD | 01/11/2008 | 2007-23/68 |
| | 30589 | R861-1A-24 | AMD | 01/11/2008 | 2007-21/69 |
| | 30717 | R861-1A-26 | AMD | 01/11/2008 | 2007-23/69 |
| | 30838 | R861-1A-40 | AMD | 02/25/2008 | 2008-1/32 |
| | 30835 | R861-1A-42 | AMD | 02/25/2008 | 2008-1/33 |
| | 30780 | R861-1A-43 | AMD | 01/25/2008 | 2007-24/24 |
| **discretion clauses** | | | | | |
| Insurance, Administration | 30897 | R590-218 | 5YR | 01/11/2008 | 2008-3/80 |
| **discrimination** | | | | | |
| Labor Commission, Antidiscrimination and Labor, Antidiscrimination | 31241 | R606-1 | NSC | 05/05/2008 | Not Printed |
| | 31242 | R606-2 | NSC | 05/05/2008 | Not Printed |
| Labor Commission, Antidiscrimination and Labor, Fair Housing | 31240 | R608-1 | NSC | 05/05/2008 | Not Printed |
| **dismissal of employees** | | | | | |
| Human Resource Management, Administration | 31209 | R477-11 | AMD | 07/01/2008 | 2008-10/108 |
| **disruptive students** | | | | | |
| Education, Administration | 30958 | R277-609-5 | NSC | 02/29/2008 | Not Printed |
| **diversion programs** | | | | | |
| Commerce, Occupational and Professional Licensing | 31288 | R156-1 | AMD | 06/23/2008 | 2008-10/30 |
| | 30655 | R156-1-102a | AMD | 01/08/2008 | 2007-23/3 |
| **drinking water** | | | | | |
| Environmental Quality, Drinking Water | 31157 | R309-352 | 5YR | 04/18/2008 | 2008-10/144 |
| **driver address record** | | | | | |
| Public Safety, Driver License | 31121 | R708-42-4 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **driver education** | | | | | |
| Education, Administration | 31039 | R277-746 | 5YR | 03/03/2008 | 2008-7/64 |
| | 31040 | R277-747 | 5YR | 03/03/2008 | 2008-7/64 |
| Public Safety, Driver License | 31545 | R708-2 | R&R | 08/08/2008 | 2008-13/87 |
| | 31105 | R708-2-25 | NSC | 05/05/2008 | Not Printed |
| | 31113 | R708-18-1 | NSC | 05/05/2008 | Not Printed |
| **driver license** | | | | | |
| Human Services, Recovery Services | 31152 | R527-260 | NEW | 07/01/2008 | 2008-9/46 |
| Public Safety, Driver License | 31119 | R708-36-1 | NSC | 05/05/2008 | Not Printed |
| | 31123 | R708-44-4 | NSC | 05/05/2008 | Not Printed |
| **driver license verification** | | | | | |
| Public Safety, Driver License | 31122 | R708-43 | NSC | 05/05/2008 | Not Printed |
| **driver training** | | | | | |
| Public Safety, Driver License | 31120 | R708-37-11 | NSC | 05/05/2008 | Not Printed |
| **dual employment** | | | | | |
| Human Resource Management, Administration | 31193 | R477-8 | AMD | 07/01/2008 | 2008-10/101 |
| | 30778 | R477-8-5 | AMD | 01/22/2008 | 2007-24/16 |
| **due process** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31089 | R523-1 | 5YR | 03/31/2008 | 2008-8/53 |
| | 30767 | R523-1 | NSC | 03/31/2008 | Not Printed |
| **DUI programs** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31352 | R523-22-9 | NSC | 05/05/2008 | Not Printed |
| **durable medical equipment** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31505 | R414-70 | R&R | 08/04/2008 | 2008-12/24 |
| **early intervention** | | | | | |
| Health, Community and Family Health Services, Children with Special Health Care Needs | 31783 | R398-20 | 5YR | 07/31/2008 | 2008-16/68 |
| **economic development** | | | | | |
| Governor, Economic Development | 31153 | R357-3 | NEW | 06/18/2008 | 2008-9/37 |
| **education** | | | | | |
| Commerce, Consumer Protection | 31218 | R152-34-10 | NSC | 05/05/2008 | Not Printed |
| Education, Administration | 30846 | R277-470-7 | AMD | 02/07/2008 | 2008-1/9 |
| | 30884 | R277-709 | 5YR | 01/08/2008 | 2008-3/75 |
| | 30885 | R277-718 | 5YR | 01/08/2008 | 2008-3/75 |
| | 30888 | R277-730 | 5YR | 01/08/2008 | 2008-3/77 |
| Health, Community and Family Health Services, Children with Special Health Care Needs | 31783 | R398-20 | 5YR | 07/31/2008 | 2008-16/68 |
| **education finance** | | | | | |
| Education, Administration | 31574 | R277-419 | AMD | 08/07/2008 | 2008-13/12 |
| | 30845 | R277-423 | AMD | 02/07/2008 | 2008-1/8 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31576 | R277-451 | REP | 08/07/2008 | 2008-13/19 |
| **educational administration**<br>Education, Administration | 31573 | R277-116-1 | AMD | 08/07/2008 | 2008-13/11 |
| **educational facilities**<br>Education, Administration | 31576 | R277-451 | REP | 08/07/2008 | 2008-13/19 |
| | 31441 | R277-471 | AMD | 07/08/2008 | 2008-11/70 |
| **educational policy**<br>Regents (Board Of), Administration | 31515 | R765-555 | 5YR | 06/02/2008 | 2008-12/64 |
| | 31104 | R765-555 | NSC | 06/02/2008 | Not Printed |
| **educational testing**<br>Education, Administration | 30883 | R277-702 | 5YR | 01/08/2008 | 2008-3/74 |
| **educational tuition**<br>Human Resource Management, Administration | 31195 | R477-10 | AMD | 07/01/2008 | 2008-10/106 |
| **educator**<br>Education, Administration | 31572 | R277-110 | AMD | 08/07/2008 | 2008-13/9 |
| | 30976 | R277-515-3 | NSC | 02/27/2008 | Not Printed |
| | 31580 | R277-515-4 | AMD | 08/07/2008 | 2008-13/28 |
| **educator licensing**<br>Education, Administration | 30944 | R277-502 | AMD | 03/24/2008 | 2008-4/6 |
| | 31579 | R277-502-6 | AMD | 08/07/2008 | 2008-13/27 |
| | 30878 | R277-518 | 5YR | 01/08/2008 | 2008-3/72 |
| **educators**<br>Professional Practices Advisory Commission, Administration | 31016 | R686-103 | REP | 04/21/2008 | 2008-6/12 |
| **effluent standards**<br>Environmental Quality, Water Quality | 30639 | R317-1-4 | AMD | 02/04/2008 | 2007-22/52 |
| | 30637 | R317-13 | NEW | 02/04/2008 | 2007-22/61 |
| **eldercare**<br>Human Services, Aging and Adult Services | 31378 | R510-110-5 | NSC | 05/05/2008 | Not Printed |
| **elderly**<br>Human Services, Aging and Adult Services | 31379 | R510-200-3 | NSC | 05/05/2008 | Not Printed |
| **electric generating unit**<br>Environmental Quality, Air Quality | 30965 | R307-220 | 5YR | 02/08/2008 | 2008-5/43 |
| | 30969 | R307-224 | 5YR | 02/08/2008 | 2008-5/45 |
| | 30704 | R307-224-2 | AMD | 02/08/2008 | 2007-23/39 |
| **electric utility industries**<br>Public Service Commission, Administration | 31617 | R746-210 | 5YR | 06/24/2008 | 2008-14/143 |
| **electrologists**<br>Commerce, Occupational and Professional Licensing | 30953 | R156-11a | AMD | 04/10/2008 | 2008-5/5 |
| | 31174 | R156-11a-601 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **electronic commerce** | | | | | |
| Commerce, Corporations and Commercial Code | 30642 | R154-10 | REP | 03/03/2008 | 2007-22/16 |
| **electronic communication** | | | | | |
| Commerce, Corporations and Commercial Code | 30642 | R154-10 | REP | 03/03/2008 | 2007-22/16 |
| **electronic funds transfer** | | | | | |
| Human Services, Recovery Services | 31159 | R527-920 | NEW | 06/27/2008 | 2008-10/122 |
| **electronic meetings** | | | | | |
| Agriculture and Food, Conservation and Resource Management | 31079 | R64-2 | NEW | 06/03/2008 | 2008-8/4 |
| **electronic preliminary lien filing** | | | | | |
| Commerce, Occupational and Professional Licensing | 31177 | R156-38b-703 | NSC | 05/05/2008 | Not Printed |
| **elevators** | | | | | |
| Labor Commission, Safety | 31253 | R616-3 | NSC | 05/05/2008 | Not Printed |
| | 30943 | R616-3-3 | AMD | 03/24/2008 | 2008-4/21 |
| **eligibility** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30938 | R414-308 | 5YR | 01/31/2008 | 2008-4/46 |
| | 30927 | R414-308-7 | AMD | 04/01/2008 | 2008-4/16 |
| Human Services, Child and Family Services | 30721 | R512-50 | NSC | 01/07/2008 | Not Printed |
| | 30718 | R512-50 | REP | 01/07/2008 | 2007-23/60 |
| **emergency medical services** | | | | | |
| Health, Health Systems Improvement, Emergency Medical Services | 31068 | R426-5-3 | AMD | 06/04/2008 | 2008-8/17 |
| | 30758 | R426-6 | AMD | 02/07/2008 | 2007-24/14 |
| | 31069 | R426-7-3 | AMD | 07/31/2008 | 2008-8/18 |
| | 31096 | R426-8-4 | AMD | 06/05/2008 | 2008-8/22 |
| | 30954 | R426-15-203 | AMD | 06/24/2008 | 2008-5/19 |
| **emergency meetings** | | | | | |
| Environmental Quality, Administration | 30506 | R305-3 | NSC | 02/15/2008 | Not Printed |
| | 30766 | R305-3 | REP | 02/15/2008 | 2007-24/6 |
| **emergency vehicles** | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 31433 | R722-340 | 5YR | 05/14/2008 | 2008-11/128 |
| | 30930 | R722-340 | NSC | 05/14/2008 | Not Printed |
| **employee benefit plans** | | | | | |
| Human Resource Management, Administration | 31191 | R477-6 | AMD | 07/01/2008 | 2008-10/91 |
| **employee performance evaluations** | | | | | |
| Human Resource Management, Administration | 31195 | R477-10 | AMD | 07/01/2008 | 2008-10/106 |
| **employee productivity** | | | | | |
| Human Resource Management, Administration | 31195 | R477-10 | AMD | 07/01/2008 | 2008-10/106 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **employees' rights** | | | | | |
| Human Resource Management, Administration | 31210 | R477-12 | AMD | 07/01/2008 | 2008-10/110 |
| **employer** | | | | | |
| Labor Commission, Industrial Accidents | 31229 | R612-5 | 5YR | 04/28/2008 | 2008-10/149 |
| **employment** | | | | | |
| Human Resource Management, Administration | 31189 | R477-4 | AMD | 07/01/2008 | 2008-10/88 |
| | 31190 | R477-5 | AMD | 07/01/2008 | 2008-10/90 |
| Labor Commission, Antidiscrimination and Labor, Antidiscrimination | 31241 | R606-1 | NSC | 05/05/2008 | Not Printed |
| | 31242 | R606-2 | NSC | 05/05/2008 | Not Printed |
| Workforce Services, Unemployment Insurance | 31468 | R994-202 | 5YR | 05/20/2008 | 2008-12/65 |
| **employment agencies** | | | | | |
| Labor Commission, Antidiscrimination and Labor, Labor | 31438 | R610-4 | REP | 07/08/2008 | 2008-11/101 |
| | 31239 | R610-4 | NSC | 05/05/2008 | Not Printed |
| **endangered species** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31112 | R652-120 | NSC | 05/01/2008 | Not Printed |
| **energy** | | | | | |
| Natural Resources, Geological Survey | 30902 | R638-2-6 | AMD | 03/10/2008 | 2008-3/35 |
| **energy utility** | | | | | |
| Public Service Commission, Administration | 31072 | R746-440 | NSC | 04/11/2008 | Not Printed |
| **enforcement** | | | | | |
| Natural Resources, Water Rights | 31431 | R655-14 | AMD | 07/08/2008 | 2008-11/104 |
| **engineers** | | | | | |
| Administrative Services, Facilities Construction and Management | 31098 | R23-2 | AMD | 07/14/2008 | 2008-8/2 |
| Capitol Preservation Board (State), Administration | 30591 | R131-1 | AMD | 02/29/2008 | 2007-21/11 |
| Commerce, Occupational and Professional Licensing | 31175 | R156-22-305 | NSC | 05/05/2008 | Not Printed |
| **English proficiency** | | | | | |
| Regents (Board Of), Administration | 31490 | R765-136 | 5YR | 05/27/2008 | 2008-12/63 |
| | 31326 | R765-136 | NSC | 05/05/2008 | Not Printed |
| **enrollment** | | | | | |
| Education, Administration | 31037 | R277-485 | 5YR | 03/03/2008 | 2008-7/63 |
| **enrollment options** | | | | | |
| Education, Administration | 31575 | R277-437 | R&R | 08/07/2008 | 2008-13/16 |
| **enterprise zones** | | | | | |
| Tax Commission, Auditing | 30916 | R865-9I-37 | AMD | 03/14/2008 | 2008-3/63 |
| | 30849 | R865-9I-53 | AMD | 02/25/2008 | 2008-1/36 |
| **environmental protection** | | | | | |
| Environmental Quality, Air Quality | 30698 | R307-115 | AMD | 02/08/2008 | 2007-23/28 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 30961 | R307-115 | 5YR | 02/08/2008 | 2008-5/41 |
| **essential facilities** | | | | | |
| Public Service Commission, Administration | 31374 | R746-349-3 | NSC | 05/05/2008 | Not Printed |
| **estheticians** | | | | | |
| Commerce, Occupational and Professional Licensing | 30953 | R156-11a | AMD | 04/10/2008 | 2008-5/5 |
| | 31174 | R156-11a-601 | NSC | 05/05/2008 | Not Printed |
| **exceptional children** | | | | | |
| Education, Administration | 31041 | R277-751 | 5YR | 03/03/2008 | 2008-7/65 |
| **exemptions** | | | | | |
| Environmental Quality, Radiation Control | 31170 | R313-12-1 | NSC | 05/05/2008 | Not Printed |
| | 30774 | R313-12-111 | AMD | 04/11/2008 | 2007-24/8 |
| | 30774 | R313-12-111 | CPR | 04/11/2008 | 2008-5/34 |
| **exemptions to wildland fire suppression fund** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31111 | R652-123 | NSC | 05/01/2008 | Not Printed |
| **expelled** | | | | | |
| Education, Administration | 31036 | R277-483 | 5YR | 03/03/2008 | 2008-7/62 |
| **extended area service** | | | | | |
| Public Service Commission, Administration | 31045 | R746-347 | 5YR | 03/07/2008 | 2008-7/66 |
| **extinguishers** | | | | | |
| Public Safety, Fire Marshal | 31076 | R710-1-4 | AMD | 05/23/2008 | 2008-8/31 |
| **extracurricular activities** | | | | | |
| Education, Administration | 30880 | R277-605 | 5YR | 01/08/2008 | 2008-3/73 |
| **eyeglasses** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30776 | R414-53 | AMD | 02/01/2008 | 2007-24/13 |
| | 31528 | R414-53 | 5YR | 06/05/2008 | 2008-13/148 |
| **facility notice** | | | | | |
| Corrections, Administration | 30803 | R251-114 | NEW | 03/11/2008 | 2008-1/6 |
| **fair employment practices** | | | | | |
| Human Resource Management, Administration | 31187 | R477-2 | AMD | 07/01/2008 | 2008-10/84 |
| | 31189 | R477-4 | AMD | 07/01/2008 | 2008-10/88 |
| **fair housing** | | | | | |
| Labor Commission, Antidiscrimination and Labor, Fair Housing | 31240 | R608-1 | NSC | 05/05/2008 | Not Printed |
| **family employment program** | | | | | |
| Workforce Services, Employment Development | 31032 | R986-200 | AMD | 05/01/2008 | 2008-6/18 |
| | 30864 | R986-200-214 | AMD | 02/26/2008 | 2008-2/25 |
| | 31365 | R986-200-240 | AMD | 07/02/2008 | 2008-10/135 |
| **fees** | | | | | |
| Administrative Services, Finance | 31363 | R25-14 | EMR | 05/05/2008 | 2008-10/140 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Human Services, Child and Family Services | 30721 | R512-50 | NSC | 01/07/2008 | Not Printed |
| | 30718 | R512-50 | REP | 01/07/2008 | 2007-23/60 |
| Human Services, Substance Abuse and Mental Health | 31089 | R523-1 | 5YR | 03/31/2008 | 2008-8/53 |
| | 30767 | R523-1 | NSC | 03/31/2008 | Not Printed |
| Labor Commission, Industrial Accidents | 31234 | R612-2 | 5YR | 04/28/2008 | 2008-10/148 |
| | 31333 | R612-2-5 | AMD | 07/01/2008 | 2008-10/130 |
| Natural Resources, Parks and Recreation | 31670 | R651-610 | 5YR | 07/07/2008 | 2008-15/92 |
| | 30621 | R651-611 | AMD | 01/01/2008 | 2007-22/80 |
| | 30898 | R651-611 | AMD | 03/10/2008 | 2008-3/39 |
| Public Safety, Driver License | 31113 | R708-18-1 | NSC | 05/05/2008 | Not Printed |
| **fertilizers** | | | | | |
| Agriculture and Food, Plant Industry | 31491 | R68-3-2 | AMD | 07/25/2008 | 2008-12/6 |
| **filing deadlines** | | | | | |
| Labor Commission, Adjudication | 31250 | R602-1 | NSC | 05/05/2008 | Not Printed |
| Labor Commission, Industrial Accidents | 31235 | R612-1 | NSC | 05/05/2008 | Not Printed |
| **filing requirements** | | | | | |
| Public Service Commission, Administration | 31072 | R746-440 | NSC | 04/11/2008 | Not Printed |
| **finance** | | | | | |
| Administrative Services, Finance | 31318 | R25-2 | NSC | 05/05/2008 | Not Printed |
| | 31316 | R25-6 | 5YR | 04/29/2008 | 2008-10/143 |
| | 31321 | R25-8 | AMD | 07/01/2008 | 2008-10/7 |
| **financial aid** | | | | | |
| Regents (Board Of), Administration | 31402 | R765-605 | 5YR | 05/09/2008 | 2008-11/128 |
| | 30957 | R765-607 | 5YR | 02/08/2008 | 2008-5/60 |
| **financial disclosures** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30652 | R414-304 | AMD | 01/28/2008 | 2007-23/54 |
| | 30924 | R414-304 | 5YR | 01/25/2008 | 2008-4/44 |
| **financial institutions** | | | | | |
| Financial Institutions, Administration | 31256 | R331-20 | NSC | 05/05/2008 | Not Printed |
| | 31315 | R331-22-1 | NSC | 05/05/2008 | Not Printed |
| **fire alarm systems** | | | | | |
| Public Safety, Fire Marshal | 31086 | R710-11-3 | AMD | 05/23/2008 | 2008-8/42 |
| **fire marshal** | | | | | |
| Environmental Quality, Air Quality | 30963 | R307-202 | 5YR | 02/08/2008 | 2008-5/42 |
| **fire prevention** | | | | | |
| Public Safety, Fire Marshal | 31076 | R710-1-4 | AMD | 05/23/2008 | 2008-8/31 |
| | 31085 | R710-7 | AMD | 05/23/2008 | 2008-8/40 |
| | 30919 | R710-9-6 | AMD | 03/10/2008 | 2008-3/52 |
| **fire training** | | | | | |
| Public Safety, Fire Marshal | 30894 | R710-10 | AMD | 03/10/2008 | 2008-3/56 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31472 | R710-10 | AMD | 07/23/2008 | 2008-12/42 |
| **firearms** | | | | | |
| Natural Resources, Parks and Recreation | 30901 | R651-612 | AMD | 03/10/2008 | 2008-3/42 |
| | 31671 | R651-612 | 5YR | 07/07/2008 | 2008-15/93 |
| **fireplaces** | | | | | |
| Environmental Quality, Air Quality | 31388 | R307-302-3 | AMD | 08/07/2008 | 2008-11/91 |
| **fireworks** | | | | | |
| Public Safety, Fire Marshal | 30918 | R710-2-4 | AMD | 03/10/2008 | 2008-3/50 |
| | 31078 | R710-2-7 | AMD | 05/23/2008 | 2008-8/34 |
| **fiscal** | | | | | |
| Natural Resources, Parks and Recreation | 30899 | R651-301 | AMD | 03/10/2008 | 2008-3/37 |
| **fish** | | | | | |
| Natural Resources, Wildlife Resources | 30676 | R657-13 | AMD | 01/07/2008 | 2007-23/61 |
| | 31048 | R657-13-3 | AMD | 05/08/2008 | 2008-7/47 |
| | 30904 | R657-13-4 | AMD | 03/10/2008 | 2008-3/43 |
| | 30903 | R657-58 | NEW | 03/10/2008 | 2008-3/47 |
| | 31052 | R657-58 | NSC | 03/26/2008 | Not Printed |
| | 31625 | R657-59 | EMR | 06/27/2008 | 2008-14/129 |
| | 31624 | R657-60 | EMR | 06/27/2008 | 2008-14/137 |
| | 31805 | R657-60 | EMR | 08/13/2008 | Not Printed |
| **fishing** | | | | | |
| Natural Resources, Wildlife Resources | 30676 | R657-13 | AMD | 01/07/2008 | 2007-23/61 |
| | 31048 | R657-13-3 | AMD | 05/08/2008 | 2008-7/47 |
| | 30904 | R657-13-4 | AMD | 03/10/2008 | 2008-3/43 |
| | 30903 | R657-58 | NEW | 03/10/2008 | 2008-3/47 |
| | 31052 | R657-58 | NSC | 03/26/2008 | Not Printed |
| **fleet expansion** | | | | | |
| Administrative Services, Fleet Operations | 30618 | R27-4 | AMD | 03/06/2008 | 2007-22/9 |
| **food aid programs** | | | | | |
| Education, Administration | 30886 | R277-721 | 5YR | 01/08/2008 | 2008-3/76 |
| | 31014 | R277-721 | REP | 04/21/2008 | 2008-6/5 |
| | 30887 | R277-722 | 5YR | 01/08/2008 | 2008-3/76 |
| | 31015 | R277-722 | REP | 04/21/2008 | 2008-6/6 |
| **food establishment registration** | | | | | |
| Agriculture and Food, Regulatory Services | 31430 | R70-560 | AMD | 07/25/2008 | 2008-11/47 |
| **food safety** | | | | | |
| Agriculture and Food, Regulatory Services | 31430 | R70-560 | AMD | 07/25/2008 | 2008-11/47 |
| **food services** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31446 | R392-100-2 | AMD | 07/17/2008 | 2008-11/95 |
| **foods** | | | | | |
| Education, Administration | 30848 | R277-719 | NEW | 02/07/2008 | 2008-1/12 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **franchises** | | | | | |
| Commerce, Administration | 31354 | R151-14-3 | NSC | 05/05/2008 | Not Printed |
| | 31355 | R151-35-3 | NSC | 05/05/2008 | Not Printed |
| Commerce, Consumer Protection | 31214 | R152-15-2 | NSC | 05/05/2008 | Not Printed |
| Tax Commission, Auditing | 30913 | R865-6F-28 | AMD | 03/14/2008 | 2008-3/61 |
| | 30842 | R865-6F-37 | AMD | 02/25/2008 | 2008-1/35 |
| **fraud** | | | | | |
| Human Services, Recovery Services | 30982 | R527-928 | AMD | 04/07/2008 | 2008-5/26 |
| **free enterprise** | | | | | |
| Regents (Board Of), Administration | 31104 | R765-555 | NSC | 06/02/2008 | Not Printed |
| **freedom of information** | | | | | |
| Administrative Services, Administration | 31343 | R13-2 | NSC | 05/05/2008 | Not Printed |
| | 31345 | R151-2 | NSC | 05/05/2008 | Not Printed |
| | 31385 | R151-2-4 | AMD | 07/08/2008 | 2008-11/49 |
| Natural Resources, Wildlife Resources | 31225 | R657-29 | NSC | 05/05/2008 | Not Printed |
| **fuel composition** | | | | | |
| Environmental Quality, Air Quality | 30964 | R307-203 | 5YR | 02/08/2008 | 2008-5/43 |
| **fuel oil** | | | | | |
| Environmental Quality, Air Quality | 30964 | R307-203 | 5YR | 02/08/2008 | 2008-5/43 |
| **funding** | | | | | |
| Environmental Quality, Drinking Water | 31157 | R309-352 | 5YR | 04/18/2008 | 2008-10/144 |
| **game birds** | | | | | |
| Natural Resources, Wildlife Resources | 31222 | R657-22-1 | NSC | 05/05/2008 | Not Printed |
| **game laws** | | | | | |
| Natural Resources, Wildlife Resources | 30829 | R657-5 | AMD | 02/07/2008 | 2008-1/18 |
| | 31807 | R657-19 | 5YR | 08/12/2008 | Not Printed |
| | 30828 | R657-23 | AMD | 02/07/2008 | 2008-1/25 |
| | 30955 | R657-23-5 | AMD | 04/07/2008 | 2008-5/31 |
| | 30906 | R657-33 | AMD | 03/10/2008 | 2008-3/44 |
| | 31398 | R657-34 | 5YR | 05/08/2008 | 2008-11/125 |
| **gangs** | | | | | |
| Education, Administration | 31518 | R277-436 | 5YR | 06/02/2008 | 2008-12/51 |
| **general assistance** | | | | | |
| Workforce Services, Employment Development | 31034 | R986-400-406 | AMD | 05/01/2008 | 2008-6/20 |
| **general conformity** | | | | | |
| Environmental Quality, Air Quality | 30698 | R307-115 | AMD | 02/08/2008 | 2007-23/28 |
| | 30961 | R307-115 | 5YR | 02/08/2008 | 2008-5/41 |
| **geology** | | | | | |
| Commerce, Occupational and Professional Licensing | 30694 | R156-76 | AMD | 01/08/2008 | 2007-23/17 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **good cause** | | | | | |
| Pardons (Board Of), Administration | 31659 | R671-515 | 5YR | 07/03/2008 | 2008-15/104 |
| **government documents** | | | | | |
| Commerce, Administration | 31345 | R151-2 | NSC | 05/05/2008 | Not Printed |
| | 31385 | R151-2-4 | AMD | 07/08/2008 | 2008-11/49 |
| | 31284 | R380-20 | NSC | 05/05/2008 | Not Printed |
| | 31368 | R495-810 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Forestry, Fire and State Lands | 31259 | R652-6 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Wildlife Resources | 31225 | R657-29 | NSC | 05/05/2008 | Not Printed |
| **government ethics** | | | | | |
| Human Resource Management, Administration | 31194 | R477-9 | AMD | 07/01/2008 | 2008-10/104 |
| **government hearings** | | | | | |
| Administrative Services, Administrative Rules | 31143 | R15-1 | NSC | 05/05/2008 | Not Printed |
| Administrative Services, Finance | 31318 | R25-2 | NSC | 05/05/2008 | Not Printed |
| Commerce, Occupational and Professional Licensing | 31179 | R156-46b | NSC | 05/05/2008 | Not Printed |
| Financial Institutions, Administration | 31256 | R331-20 | NSC | 05/05/2008 | Not Printed |
| | 31209 | R477-11 | AMD | 07/01/2008 | 2008-10/108 |
| | 30949 | R671-403 | 5YR | 02/04/2008 | 2008-5/59 |
| | 31373 | R746-100 | NSC | 05/05/2008 | Not Printed |
| | 31372 | R746-101-4 | NSC | 05/05/2008 | Not Printed |
| **government purchasing** | | | | | |
| Administrative Services, Purchasing and General Services | 31477 | R33-1 | NSC | 06/18/2008 | Not Printed |
| | 31478 | R33-2-101 | NSC | 06/18/2008 | Not Printed |
| | 31479 | R33-3 | NSC | 06/18/2008 | Not Printed |
| | 31475 | R33-3-4 | AMD | 08/01/2008 | 2008-12/3 |
| | 31480 | R33-4 | NSC | 06/18/2008 | Not Printed |
| | 31481 | R33-5 | NSC | 06/18/2008 | Not Printed |
| | 31476 | R33-5-250 | AMD | 08/01/2008 | 2008-12/4 |
| | 31482 | R33-7 | NSC | 06/18/2008 | Not Printed |
| | 31483 | R33-8-101 | NSC | 06/18/2008 | Not Printed |
| **government records** | | | | | |
| Crime Victim Reparations, Administration | 31324 | R270-4 | NSC | 05/05/2008 | Not Printed |
| **governmental immunity act caps** | | | | | |
| Administrative Services, Risk Management | 31150 | R37-4 | R&R | 07/01/2008 | 2008-9/5 |
| **graduation requirements** | | | | | |
| Education, Administration | 30977 | R277-703-6 | NSC | 02/27/2008 | Not Printed |
| **GRAMA** | | | | | |
| Health, Administration | 31284 | R380-20 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Forestry, Fire and State Lands | 31259 | R652-6 | NSC | 05/05/2008 | Not Printed |
| Regents (Board Of), Salt Lake Community College | 31344 | R784-1 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Regents (Board Of), University of Utah, Administration | 31340 | R805-2 | NSC | 05/05/2008 | Not Printed |
| | 31718 | R805-2 | 5YR | 07/17/2008 | 2008-16/76 |
| **grant** | | | | | |
| Education, Administration | 31582 | R277-606 | NEW | 08/07/2008 | 2008-13/31 |
| **grants** | | | | | |
| Community and Culture, Housing and Community Development | 30451 | R199-8 | AMD | 01/01/2008 | 2007-19/6 |
| Education, Administration | 31443 | R277-490 | NEW | 07/08/2008 | 2008-11/74 |
| **grazing** | | | | | |
| Agriculture and Food, Administration | 31471 | R51-5 | REP | 07/22/2008 | 2008-12/5 |
| **grievance procedures** | | | | | |
| Health, Administration | 31285 | R380-100 | NSC | 05/05/2008 | Not Printed |
| | 30688 | R861-1A-20 | AMD | 01/11/2008 | 2007-23/68 |
| | 30589 | R861-1A-24 | AMD | 01/11/2008 | 2007-21/69 |
| | 30717 | R861-1A-26 | AMD | 01/11/2008 | 2007-23/69 |
| | 30838 | R861-1A-40 | AMD | 02/25/2008 | 2008-1/32 |
| | 30835 | R861-1A-42 | AMD | 02/25/2008 | 2008-1/33 |
| | 30780 | R861-1A-43 | AMD | 01/25/2008 | 2007-24/24 |
| **grievances** | | | | | |
| Human Resource Management, Administration | 31188 | R477-3 | AMD | 07/01/2008 | 2008-10/87 |
| | 31209 | R477-11 | AMD | 07/01/2008 | 2008-10/108 |
| | 31210 | R477-12 | AMD | 07/01/2008 | 2008-10/110 |
| **habitat designation** | | | | | |
| Natural Resources, Wildlife Resources | 31226 | R657-48-7 | NSC | 05/05/2008 | Not Printed |
| **halfway houses** | | | | | |
| Human Services, Recovery Services | 31133 | R527-257 | REP | 06/09/2008 | 2008-9/45 |
| **Hatch Act** | | | | | |
| Human Resource Management, Administration | 31194 | R477-9 | AMD | 07/01/2008 | 2008-10/104 |
| **hazardous air pollutant** | | | | | |
| Environmental Quality, Air Quality | 30430 | R307-214 | AMD | 01/11/2008 | 2007-19/12 |
| | 30895 | R307-214 | 5YR | 01/11/2008 | 2008-3/77 |
| **hazardous materials** | | | | | |
| Public Safety, Fire Marshal | 30893 | R710-12 | NEW | 03/10/2008 | 2008-3/58 |
| | 31087 | R710-12-4 | AMD | 05/23/2008 | 2008-8/44 |
| **hazardous materials transportation** | | | | | |
| Transportation, Motor Carrier | 31090 | R909-75 | AMD | 05/27/2008 | 2008-8/45 |
| **hazardous substances** | | | | | |
| Environmental Quality, Environmental Response and Remediation | 31487 | R311-201 | NSC | 06/18/2008 | Not Printed |
| Transportation, Motor Carrier | 31090 | R909-75 | AMD | 05/27/2008 | 2008-8/45 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **hazardous substances priority list** | | | | | |
| Environmental Quality, Environmental Response and Remediation | 30567 | R311-401-2 | AMD | 01/02/2008 | 2007-21/59 |
| **hazardous waste** | | | | | |
| Environmental Quality, Solid and Hazardous Waste | 31377 | R315-2 | NSC | 05/05/2008 | Not Printed |
| | 31065 | R315-3 | NSC | 04/11/2008 | Not Printed |
| | 31376 | R315-12 | NSC | 05/05/2008 | Not Printed |
| | 30907 | R315-15-1 | AMD | 03/13/2008 | 2008-3/16 |
| | 30908 | R315-15-10 | AMD | 03/13/2008 | 2008-3/19 |
| | 30909 | R315-15-11 | AMD | 03/13/2008 | 2008-3/21 |
| | 30910 | R315-15-12 | AMD | 03/13/2008 | 2008-3/23 |
| | 30911 | R315-15-17 | AMD | 03/13/2008 | 2008-3/29 |
| Transportation, Motor Carrier | 31090 | R909-75 | AMD | 05/27/2008 | 2008-8/45 |
| **health** | | | | | |
| Health, Center for Health Data, Health Care Statistics | 31167 | R428-11 | 5YR | 04/21/2008 | 2008-10/146 |
| | 31021 | R428-11 | NSC | 04/21/2008 | Not Printed |
| | 31168 | R428-13 | 5YR | 04/21/2008 | 2008-10/146 |
| | 31022 | R428-13 | NSC | 04/21/2008 | Not Printed |
| | 30956 | R428-13-4 | AMD | 05/16/2008 | 2008-5/25 |
| **health administration** | | | | | |
| Health, Administration | 31283 | R380-10 | NSC | 05/05/2008 | Not Printed |
| **health care** | | | | | |
| Health, Community and Family Health Services, Children with Special Health Care Needs | 31350 | R398-1 | AMD | 06/25/2008 | 2008-10/60 |
| **health care facilities** | | | | | |
| Health, Health Systems Improvement, Licensing | 31489 | R432-35 | 5YR | 05/27/2008 | 2008-12/54 |
| **health facilities** | | | | | |
| Health, Health Systems Improvement, Licensing | 30975 | R432-16 | 5YR | 02/11/2008 | 2008-5/58 |
| **health insurance** | | | | | |
| Insurance, Administration | 30462 | R590-167-11 | AMD | 05/20/2008 | 2007-20/23 |
| | 30462 | R590-167-11 | CPR | 05/20/2008 | 2008-3/68 |
| **health planning** | | | | | |
| Health, Center for Health Data, Health Care Statistics | 31167 | R428-11 | 5YR | 04/21/2008 | 2008-10/146 |
| | 31021 | R428-11 | NSC | 04/21/2008 | Not Printed |
| | 31168 | R428-13 | 5YR | 04/21/2008 | 2008-10/146 |
| | 31022 | R428-13 | NSC | 04/21/2008 | Not Printed |
| | 30956 | R428-13-4 | AMD | 05/16/2008 | 2008-5/25 |
| **health policy** | | | | | |
| Health, Center for Health Data, Health Care Statistics | 31021 | R428-11 | NSC | 04/21/2008 | Not Printed |
| | 31168 | R428-13 | 5YR | 04/21/2008 | 2008-10/146 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31022 | R428-13 | NSC | 04/21/2008 | Not Printed |
| | 30956 | R428-13-4 | AMD | 05/16/2008 | 2008-5/25 |
| **health spas** | | | | | |
| Commerce, Consumer Protection | 31217 | R152-23-1 | NSC | 05/05/2008 | Not Printed |
| **hearing impaired** | | | | | |
| Public Service Commission, Administration | 31375 | R746-510 | NSC | 05/05/2008 | Not Printed |
| **hearings** | | | | | |
| Community and Culture, Home Energy Assistance Target (HEAT) | 31331 | R195-1 | NSC | 05/05/2008 | Not Printed |
| Environmental Quality, Air Quality | 31461 | R307-103 | NSC | 06/18/2008 | Not Printed |
| Environmental Quality, Water Quality | 30948 | R317-9 | 5YR | 02/01/2008 | 2008-4/42 |
| Labor Commission, Adjudication | 31236 | R602-2-1 | NSC | 05/05/2008 | Not Printed |
| | 30811 | R602-2-4 | AMD | 02/07/2008 | 2008-1/14 |
| | 31238 | R602-3 | NSC | 05/05/2008 | Not Printed |
| | 30810 | R602-3-3 | AMD | 02/07/2008 | 2008-1/16 |
| | 31643 | R602-4 | EMR | 07/01/2008 | 2008-14/127 |
| Pardons (Board Of), Administration | 31655 | R671-516 | 5YR | 07/03/2008 | 2008-15/105 |
| | 30951 | R686-100 | 5YR | 02/04/2008 | 2008-5/59 |
| **higher education** | | | | | |
| Regents (Board Of), Administration | 31325 | R765-134 | NSC | 05/05/2008 | Not Printed |
| | 31490 | R765-136 | 5YR | 05/27/2008 | 2008-12/63 |
| | 31326 | R765-136 | NSC | 05/05/2008 | Not Printed |
| | 31515 | R765-555 | 5YR | 06/02/2008 | 2008-12/64 |
| | 31104 | R765-555 | NSC | 06/02/2008 | Not Printed |
| | 31402 | R765-605 | 5YR | 05/09/2008 | 2008-11/128 |
| | 30957 | R765-607 | 5YR | 02/08/2008 | 2008-5/60 |
| | 31327 | R765-993 | NSC | 05/05/2008 | Not Printed |
| Regents (Board Of), University of Utah, Administration | 31340 | R805-2 | NSC | 05/05/2008 | Not Printed |
| | 31718 | R805-2 | 5YR | 07/17/2008 | 2008-16/76 |
| **higher education assistance** | | | | | |
| Regents (Board Of), Administration | 31405 | R765-606 | 5YR | 05/09/2008 | 2008-11/129 |
| **HIPAA** | | | | | |
| Health, Administration | 31455 | R380-250 | 5YR | 05/19/2008 | 2008-12/52 |
| | 31484 | R495-881 | 5YR | 05/27/2008 | 2008-12/55 |
| | 31485 | R495-881 | AMD | 07/23/2008 | 2008-12/30 |
| **hiring practices** | | | | | |
| Human Resource Management, Administration | 31189 | R477-4 | AMD | 07/01/2008 | 2008-10/88 |
| **historic preservation** | | | | | |
| Tax Commission, Auditing | 30913 | R865-6F-28 | AMD | 03/14/2008 | 2008-3/61 |
| | 30842 | R865-6F-37 | AMD | 02/25/2008 | 2008-1/35 |
| | 30916 | R865-9I-37 | AMD | 03/14/2008 | 2008-3/63 |
| | 30849 | R865-9I-53 | AMD | 02/25/2008 | 2008-1/36 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **holidays** | | | | | |
| Human Resource Management, Administration | 31192 | R477-7 | AMD | 07/01/2008 | 2008-10/95 |
| **hospital** | | | | | |
| Health, Administration | 31286 | R380-200 | NSC | 05/05/2008 | Not Printed |
| | 31280 | R380-210-6 | NSC | 05/05/2008 | Not Printed |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31424 | R414-5 | 5YR | 05/13/2008 | 2008-11/125 |
| **hospital policy** | | | | | |
| Health, Center for Health Data, Health Care Statistics | 31167 | R428-11 | 5YR | 04/21/2008 | 2008-10/146 |
| **hospitals** | | | | | |
| Environmental Quality, Air Quality | 30702 | R307-222 | AMD | 02/08/2008 | 2007-23/36 |
| | 30967 | R307-222 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30833 | R307-222-1 | NSC | 02/08/2008 | Not Printed |
| **hostile work environment** | | | | | |
| Human Resource Management, Administration | 31208 | R477-15 | AMD | 07/01/2008 | 2008-10/112 |
| **hotels** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31494 | R392-502 | AMD | 07/22/2008 | 2008-12/20 |
| **hours of business** | | | | | |
| Labor Commission, Administration | 31778 | R600-2-1 | EMR | 08/04/2008 | 2008-16/64 |
| **housing** | | | | | |
| Labor Commission, Antidiscrimination and Labor, Fair Housing | 31240 | R608-1 | NSC | 05/05/2008 | Not Printed |
| **human services** | | | | | |
| Human Services, Administration, Administrative Services, Licensing | 31017 | R501-16 | 5YR | 02/22/2008 | 2008-6/25 |
| | 31026 | R501-17 | 5YR | 02/27/2008 | 2008-6/25 |
| Human Services, Services for People with Disabilities | 30877 | R539-1-8 | AMD | 04/01/2008 | 2008-3/32 |
| | 30926 | R539-1-8 | EMR | 01/28/2008 | 2008-4/38 |
| **hunter education** | | | | | |
| Natural Resources, Wildlife Resources | 30828 | R657-23 | AMD | 02/07/2008 | 2008-1/25 |
| | 30955 | R657-23-5 | AMD | 04/07/2008 | 2008-5/31 |
| **hunting closures** | | | | | |
| Natural Resources, Wildlife Resources | 31398 | R657-34 | 5YR | 05/08/2008 | 2008-11/125 |
| **immunization** | | | | | |
| Health, Community and Family Health Services, Immunization | 31753 | R396-100 | 5YR | 07/25/2008 | 2008-16/68 |
| | 31173 | R396-100 | NSC | 07/25/2008 | Not Printed |
| **immunizations** | | | | | |
| Health, Community and Family Health Services, Immunization | 31100 | R396-100-3 | AMD | 07/29/2008 | 2008-8/14 |
| **impairment ratings** | | | | | |
| Labor Commission, Industrial Accidents | 31231 | R612-7 | 5YR | 04/28/2008 | 2008-10/150 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **implements of husbandry** | | | | | |
| Transportation, Motor Carrier | 30783 | R909-1-1 | AMD | 02/15/2008 | 2007-24/25 |
| **import restrictions** | | | | | |
| Natural Resources, Wildlife Resources | 31047 | R657-3 | 5YR | 03/11/2008 | 2008-7/65 |
| | 31053 | R657-3 | AMD | 05/08/2008 | 2008-7/45 |
| | 31220 | R657-3 | NSC | 05/05/2008 | Not Printed |
| | 31051 | R657-53 | AMD | 05/08/2008 | 2008-7/50 |
| | 31508 | R657-53 | 5YR | 06/02/2008 | 2008-12/61 |
| | 31228 | R657-53 | NSC | 05/05/2008 | Not Printed |
| **imputation** | | | | | |
| Public Service Commission, Administration | 31374 | R746-349-3 | NSC | 05/05/2008 | Not Printed |
| **in-service training** | | | | | |
| Public Safety, Peace Officer Standards and Training | 31648 | R728-501 | 5YR | 07/01/2008 | 2008-14/142 |
| **incident** | | | | | |
| Pardons (Board Of), Administration | 31656 | R671-509 | 5YR | 07/03/2008 | 2008-15/103 |
| **incinerators** | | | | | |
| Environmental Quality, Air Quality | 30965 | R307-220 | 5YR | 02/08/2008 | 2008-5/43 |
| **income** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30921 | R414-302 | 5YR | 01/25/2008 | 2008-4/43 |
| | 30925 | R414-303 | 5YR | 01/25/2008 | 2008-4/44 |
| | 30652 | R414-304 | AMD | 01/28/2008 | 2007-23/54 |
| | 30924 | R414-304 | 5YR | 01/25/2008 | 2008-4/44 |
| **income distribution** | | | | | |
| Human Services, Child and Family Services | 30720 | R512-20 | NSC | 01/07/2008 | Not Printed |
| | 30716 | R512-20 | REP | 01/07/2008 | 2007-23/58 |
| **income tax** | | | | | |
| Tax Commission, Auditing | 30916 | R865-9I-37 | AMD | 03/14/2008 | 2008-3/63 |
| | 30849 | R865-9I-53 | AMD | 02/25/2008 | 2008-1/36 |
| **income withholding fees** | | | | | |
| Human Services, Recovery Services | 31163 | R527-302 | AMD | 06/25/2008 | 2008-10/120 |
| | 31160 | R527-302 | 5YR | 04/21/2008 | 2008-10/147 |
| **independent foster care adolescent** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30925 | R414-303 | 5YR | 01/25/2008 | 2008-4/44 |
| **Indian affairs** | | | | | |
| Community and Culture, Indian Affairs | 30912 | R230-1 | CPR | 07/16/2008 | 2008-11/122 |
| | 30912 | R230-1 | AMD | 07/16/2008 | 2008-3/12 |
| **industrial waste** | | | | | |
| Environmental Quality, Water Quality | 30639 | R317-1-4 | AMD | 02/04/2008 | 2007-22/52 |
| | 30637 | R317-13 | NEW | 02/04/2008 | 2007-22/61 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **infectious waste** | | | | | |
| Environmental Quality, Air Quality | 30702 | R307-222 | AMD | 02/08/2008 | 2007-23/36 |
| | 30967 | R307-222 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30833 | R307-222-1 | NSC | 02/08/2008 | Not Printed |
| **informal adjudicative proceedings** | | | | | |
| Labor Commission, Industrial Accidents | 31251 | R612-9-1 | NSC | 05/05/2008 | Not Printed |
| **injury prevention** | | | | | |
| Health, Administration | 31280 | R380-210-6 | NSC | 05/05/2008 | Not Printed |
| **inspections** | | | | | |
| Agriculture and Food, Plant Industry | 31006 | R68-5 | 5YR | 02/15/2008 | 2008-5/39 |
| | 30611 | R68-7 | AMD | 01/07/2008 | 2007-22/11 |
| | 31127 | R68-8-2 | AMD | 07/02/2008 | 2008-9/7 |
| Agriculture and Food, Regulatory Services | 31430 | R70-560 | AMD | 07/25/2008 | 2008-11/47 |
| Environmental Quality, Radiation Control | 31170 | R313-12-1 | NSC | 05/05/2008 | Not Printed |
| | 30774 | R313-12-111 | AMD | 04/11/2008 | 2007-24/8 |
| | 30774 | R313-12-111 | CPR | 04/11/2008 | 2008-5/34 |
| **instructional materials** | | | | | |
| Education, Administration | 30781 | R277-469 | AMD | 01/22/2008 | 2007-24/4 |
| | 31035 | R277-469 | 5YR | 03/03/2008 | 2008-7/62 |
| | 31577 | R277-469 | AMD | 08/07/2008 | 2008-13/21 |
| **insurance** | | | | | |
| Human Resource Management, Administration | 31191 | R477-6 | AMD | 07/01/2008 | 2008-10/91 |
| | 31131 | R590-154 | 5YR | 04/09/2008 | 2008-9/54 |
| | 30508 | R590-175 | AMD | 02/08/2008 | 2007-20/24 |
| | 31767 | R590-186 | 5YR | 07/29/2008 | 2008-16/70 |
| | 30897 | R590-218 | 5YR | 01/11/2008 | 2008-3/80 |
| | 31525 | R590-219 | 5YR | 06/04/2008 | 2008-13/150 |
| | 31523 | R590-222 | 5YR | 06/02/2008 | 2008-12/58 |
| | 31500 | R590-222 | AMD | 08/04/2008 | 2008-12/36 |
| Labor Commission, Industrial Accidents | 31229 | R612-5 | 5YR | 04/28/2008 | 2008-10/149 |
| **insurance fee** | | | | | |
| Insurance, Administration | 30890 | R590-157 | 5YR | 01/10/2008 | 2008-3/79 |
| **insurance law** | | | | | |
| Insurance, Administration | 31059 | R590-91 | AMD | 05/29/2008 | 2008-7/35 |
| | 31132 | R590-94 | 5YR | 04/09/2008 | 2008-9/53 |
| | 31030 | R590-164 | AMD | 05/08/2008 | 2008-6/10 |
| | 31077 | R590-191 | AMD | 05/29/2008 | 2008-8/27 |
| **insurance reserves and nonforfeitures** | | | | | |
| Insurance, Administration | 31552 | R590-223 | 5YR | 06/12/2008 | 2008-13/151 |
| **international baccalaureate** | | | | | |
| Education, Administration | 31583 | R277-710 | NEW | 08/07/2008 | 2008-13/32 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **interpreters** | | | | | |
| Public Service Commission, Administration | 31375 | R746-510 | NSC | 05/05/2008 | Not Printed |
| **interstate** | | | | | |
| Human Services, Recovery Services | 30978 | R527-305 | 5YR | 02/12/2008 | 2008-5/58 |
| | 31025 | R527-305 | AMD | 04/21/2008 | 2008-6/8 |
| **interstate compacts** | | | | | |
| Workforce Services, Unemployment Insurance | 31075 | R994-106-106 | AMD | 05/30/2008 | 2008-8/48 |
| **intrastate driver license waivers** | | | | | |
| Public Safety, Driver License | 31116 | R708-34 | NSC | 05/05/2008 | Not Printed |
| **job creation** | | | | | |
| Governor, Economic Development | 30788 | R357-2 | NEW | 01/30/2008 | 2007-24/9 |
| | 30859 | R357-2-7 | NSC | 01/30/2008 | Not Printed |
| **job descriptions** | | | | | |
| Human Resource Management, Administration | 31188 | R477-3 | AMD | 07/01/2008 | 2008-10/87 |
| **jobs** | | | | | |
| Governor, Economic Development | 31153 | R357-3 | NEW | 06/18/2008 | 2008-9/37 |
| **juvenile courts** | | | | | |
| Education, Administration | 30884 | R277-709 | 5YR | 01/08/2008 | 2008-3/75 |
| **kinship** | | | | | |
| Human Services, Child and Family Services | 31589 | R512-500 | EMR | 06/18/2008 | 2008-14/123 |
| **labor** | | | | | |
| Labor Commission, Antidiscrimination and Labor, Labor | 31247 | R610-1 | NSC | 05/05/2008 | Not Printed |
| | 31149 | R610-1-4 | AMD | 06/13/2008 | 2008-9/48 |
| | 31245 | R610-2 | NSC | 05/05/2008 | Not Printed |
| | 30942 | R610-2-6 | AMD | 03/24/2008 | 2008-4/19 |
| | 31243 | R610-3 | NSC | 05/05/2008 | Not Printed |
| | 30876 | R610-3-4 | EMR | 01/03/2008 | 2008-3/70 |
| | 30941 | R610-3-4 | AMD | 03/24/2008 | 2008-4/20 |
| | 31148 | R610-3-10 | AMD | 06/13/2008 | 2008-9/50 |
| Labor Commission, Safety | 31233 | R616-1 | 5YR | 04/28/2008 | 2008-10/150 |
| | 31249 | R616-1 | NSC | 05/05/2008 | Not Printed |
| **labor commission** | | | | | |
| Labor Commission, Administration | 31232 | R600-1 | 5YR | 04/28/2008 | 2008-10/148 |
| | 31237 | R600-1 | NSC | 05/05/2008 | Not Printed |
| | 31778 | R600-2-1 | EMR | 08/04/2008 | 2008-16/64 |
| **laboratories** | | | | | |
| Health, Epidemiology and Laboratory Services, Laboratory Services | 31717 | R438-13 | 5YR | 07/16/2008 | 2008-16/69 |
| **laboratory animals** | | | | | |
| Health, Epidemiology and Laboratory Services, Laboratory Services | 31717 | R438-13 | 5YR | 07/16/2008 | 2008-16/69 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **landfills** | | | | | |
| Environmental Quality, Air Quality | 30965 | R307-220 | 5YR | 02/08/2008 | 2008-5/43 |
| **landscape architects** | | | | | |
| Commerce, Occupational and Professional Licensing | 31074 | R156-53 | 5YR | 03/24/2008 | 2008-8/52 |
| **language proficiency** | | | | | |
| Regents (Board Of), Administration | 31490 | R765-136 | 5YR | 05/27/2008 | 2008-12/63 |
| | 31326 | R765-136 | NSC | 05/05/2008 | Not Printed |
| **law** | | | | | |
| Public Safety, Fire Marshal | 30919 | R710-9-6 | AMD | 03/10/2008 | 2008-3/52 |
| **law enforcement** | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 30929 | R722-320 | NSC | 05/14/2008 | Not Printed |
| | 31434 | R722-320 | 5YR | 05/14/2008 | 2008-11/127 |
| **law enforcement officers** | | | | | |
| Public Safety, Peace Officer Standards and Training | 31648 | R728-501 | 5YR | 07/01/2008 | 2008-14/142 |
| **lead-based paint** | | | | | |
| Environmental Quality, Air Quality | 30973 | R307-840 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30708 | R307-840 | AMD | 02/08/2008 | 2007-23/48 |
| **LEAP** | | | | | |
| Regents (Board Of), Administration | 31405 | R765-606 | 5YR | 05/09/2008 | 2008-11/129 |
| **leases** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31270 | R652-30-500 | NSC | 05/05/2008 | Not Printed |
| **leave benefits** | | | | | |
| Human Resource Management, Administration | 31192 | R477-7 | AMD | 07/01/2008 | 2008-10/95 |
| **liberties** | | | | | |
| Natural Resources, Administration | 30875 | R634-1 | NSC | 01/25/2008 | Not Printed |
| | 30923 | R634-1 | 5YR | 01/25/2008 | 2008-4/47 |
| **license** | | | | | |
| Natural Resources, Wildlife Resources | 31399 | R657-45 | 5YR | 05/08/2008 | 2008-11/127 |
| | 31050 | R657-45-2 | AMD | 05/08/2008 | 2008-7/49 |
| **license plates** | | | | | |
| Tax Commission, Motor Vehicle | 30844 | R873-22M-34 | AMD | 02/25/2008 | 2008-1/38 |
| | 31264 | R873-22M-41 | AMD | 06/27/2008 | 2008-10/133 |
| **licensing** | | | | | |
| Commerce, Occupational and Professional Licensing | 31288 | R156-1 | AMD | 06/23/2008 | 2008-10/30 |
| | 30655 | R156-1-102a | AMD | 01/08/2008 | 2007-23/3 |
| | 30935 | R156-3a-303 | AMD | 03/27/2008 | 2008-4/5 |
| | 30715 | R156-26a | AMD | 03/31/2008 | 2007-23/4 |
| | 30715 | R156-26a | CPR | 03/31/2008 | 2008-4/35 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31396 | R156-28 | AMD | 07/10/2008 | 2008-11/56 |
| | 31156 | R156-31b | AMD | 06/23/2008 | 2008-10/34 |
| | 31094 | R156-31b | 5YR | 04/01/2008 | 2008-8/51 |
| | 30654 | R156-38a | AMD | 01/07/2008 | 2007-23/14 |
| | 31176 | R156-38a-105a | NSC | 05/05/2008 | Not Printed |
| | 31178 | R156-40-302e | NSC | 05/05/2008 | Not Printed |
| | 31397 | R156-41 | AMD | 07/14/2008 | 2008-11/65 |
| | 30853 | R156-47b | AMD | 02/21/2008 | 2008-2/4 |
| | 31180 | R156-49 | NSC | 05/05/2008 | Not Printed |
| | 31073 | R156-49 | 5YR | 03/24/2008 | 2008-8/52 |
| | 31074 | R156-53 | 5YR | 03/24/2008 | 2008-8/52 |
| | 31292 | R156-55a | AMD | 06/24/2008 | 2008-10/42 |
| | 30892 | R156-55a | AMD | 03/11/2008 | 2008-3/3 |
| | 31181 | R156-55d | NSC | 05/05/2008 | Not Printed |
| | 30574 | R156-56 | AMD | 01/01/2008 | 2007-21/38 |
| | 31139 | R156-56 | AMD | 07/01/2008 | 2008-9/23 |
| | 30573 | R156-56-420 | AMD | 01/01/2008 | 2007-21/57 |
| | 31142 | R156-56-701 | AMD | 07/01/2008 | 2008-9/30 |
| | 31626 | R156-56-801 | NSC | 07/01/2008 | Not Printed |
| | 30915 | R156-61 | AMD | 05/08/2008 | 2008-3/6 |
| | 30915 | R156-61 | CPR | 05/08/2008 | 2008-7/55 |
| | 31182 | R156-63 | NSC | 05/05/2008 | Not Printed |
| | 31183 | R156-67 | NSC | 05/05/2008 | Not Printed |
| | 31083 | R156-68 | 5YR | 03/27/2008 | 2008-8/53 |
| | 31185 | R156-68 | NSC | 05/05/2008 | Not Printed |
| | 31136 | R156-69 | AMD | 06/09/2008 | 2008-9/35 |
| | 30854 | R156-71 | CPR | 07/08/2008 | 2008-11/121 |
| | 30854 | R156-71 | AMD | 07/08/2008 | 2008-2/6 |
| | 31516 | R156-74 | AMD | 07/22/2008 | 2008-12/7 |
| | 30694 | R156-76 | AMD | 01/08/2008 | 2007-23/17 |
| Human Services, Administration, Administrative Services, Licensing | 31017 | R501-16 | 5YR | 02/22/2008 | 2008-6/25 |
| | 31026 | R501-17 | 5YR | 02/27/2008 | 2008-6/25 |
| Labor Commission, Antidiscrimination and Labor, Labor | 31438 | R610-4 | REP | 07/08/2008 | 2008-11/101 |
| | 31239 | R610-4 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Wildlife Resources | 31224 | R657-27-11 | NSC | 05/05/2008 | Not Printed |
| Public Safety, Driver License | 31436 | R708-10 | AMD | 07/08/2008 | 2008-11/116 |
| | 31113 | R708-18-1 | NSC | 05/05/2008 | Not Printed |
| Sports Authority (Utah), Pete Suazo Utah Athletic Commission | 31028 | R859-1 | AMD | 05/01/2008 | 2008-6/15 |
| | 31172 | R859-1-102 | NSC | 06/18/2008 | Not Printed |
| | 31029 | R859-1-302 | AMD | 05/01/2008 | 2008-6/16 |
| **liens** | | | | | |
| Commerce, Occupational and Professional Licensing | 30654 | R156-38a | AMD | 01/07/2008 | 2007-23/14 |
| | 31176 | R156-38a-105a | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **limitation on judgments** | | | | | |
| Administrative Services, Risk Management | 31150 | R37-4 | R&R | 07/01/2008 | 2008-9/5 |
| **liquefied petroleum gas** | | | | | |
| Public Safety, Fire Marshal | 30862 | R710-6 | AMD | 02/21/2008 | 2008-2/22 |
| | 31082 | R710-6-4 | AMD | 05/23/2008 | 2008-8/37 |
| **loans** | | | | | |
| Environmental Quality, Water Quality | 31103 | R317-101 | 5YR | 04/02/2008 | 2008-9/53 |
| **LTCO** | | | | | |
| Human Services, Aging and Adult Services | 31379 | R510-200-3 | NSC | 05/05/2008 | Not Printed |
| **MACT** | | | | | |
| Environmental Quality, Air Quality | 30430 | R307-214 | AMD | 01/11/2008 | 2007-19/12 |
| | 30895 | R307-214 | 5YR | 01/11/2008 | 2008-3/77 |
| **maps** | | | | | |
| Natural Resources, Water Rights | 31130 | R655-5 | 5YR | 04/08/2008 | 2008-9/54 |
| **market trading program** | | | | | |
| Environmental Quality, Air Quality | 30970 | R307-250 | 5YR | 02/08/2008 | 2008-5/46 |
| **marketing** | | | | | |
| Commerce, Consumer Protection | 31214 | R152-15-2 | NSC | 05/05/2008 | Not Printed |
| **massage therapy** | | | | | |
| Commerce, Occupational and Professional Licensing | 30853 | R156-47b | AMD | 02/21/2008 | 2008-2/4 |
| **match requirement** | | | | | |
| Human Services, Administration | 30773 | R495-861 | AMD | 01/30/2008 | 2007-24/18 |
| **Medicaid** | | | | | |
| Health, Health Care Financing | 30981 | R410-14-17 | EMR | 02/15/2008 | 2008-5/36 |
| | 31129 | R410-14-17 | AMD | 06/09/2008 | 2008-9/38 |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31359 | R414-1-5 | AMD | 07/01/2008 | 2008-10/64 |
| | 31506 | R414-1-5 | AMD | 08/04/2008 | 2008-12/22 |
| | 31424 | R414-5 | 5YR | 05/13/2008 | 2008-11/125 |
| | 31169 | R414-6 | 5YR | 04/21/2008 | 2008-10/145 |
| | 31493 | R414-6 | AMD | 07/22/2008 | 2008-12/23 |
| | 30653 | R414-21 | R&R | 01/10/2008 | 2007-23/50 |
| | 31046 | R414-27 | NSC | 03/25/2008 | Not Printed |
| | 30920 | R414-27 | 5YR | 01/17/2008 | 2008-4/42 |
| | 31360 | R414-27 | AMD | 07/01/2008 | 2008-10/65 |
| | 31135 | R414-40 | R&R | 06/23/2008 | 2008-9/39 |
| | 31452 | R414-51 | 5YR | 05/19/2008 | 2008-12/53 |
| | 30775 | R414-52 | AMD | 02/01/2008 | 2007-24/12 |
| | 31453 | R414-52 | 5YR | 05/19/2008 | 2008-12/54 |
| | 30776 | R414-53 | AMD | 02/01/2008 | 2007-24/13 |
| | 31528 | R414-53 | 5YR | 06/05/2008 | 2008-13/148 |
| | 31737 | R414-55 | 5YR | 07/18/2008 | 2008-16/69 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31505 | R414-70 | R&R | 08/04/2008 | 2008-12/24 |
| | 30378 | R414-71 | CPR | 03/31/2008 | 2008-3/66 |
| | 31507 | R414-71 | REP | 08/04/2008 | 2008-12/28 |
| | 30378 | R414-71 | AMD | 03/31/2008 | 2007-18/40 |
| | 30936 | R414-301 | 5YR | 01/31/2008 | 2008-4/43 |
| | 30937 | R414-305 | 5YR | 01/31/2008 | 2008-4/45 |
| | 30945 | R414-305 | AMD | 04/01/2008 | 2008-4/9 |
| | 30938 | R414-308 | 5YR | 01/31/2008 | 2008-4/46 |
| | 30927 | R414-308-7 | AMD | 04/01/2008 | 2008-4/16 |
| | 31356 | R414-310 | AMD | 07/01/2008 | 2008-10/66 |
| | 31358 | R414-320 | AMD | 07/01/2008 | 2008-10/68 |
| | 31362 | R414-504 | AMD | 07/01/2008 | 2008-10/71 |
| | 31361 | R414-508 | NEW | 07/01/2008 | 2008-10/78 |
| | 30917 | R414-510 | AMD | 03/10/2008 | 2008-3/30 |
| **medical incinerator** | | | | | |
| Environmental Quality, Air Quality | 30702 | R307-222 | AMD | 02/08/2008 | 2007-23/36 |
| | 30967 | R307-222 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30833 | R307-222-1 | NSC | 02/08/2008 | Not Printed |
| **medical malpractice** | | | | | |
| Commerce, Occupational and Professional Licensing | 31055 | R156-78A | NSC | 03/26/2008 | Not Printed |
| **medical practitioner** | | | | | |
| Labor Commission, Industrial Accidents | 31234 | R612-2 | 5YR | 04/28/2008 | 2008-10/148 |
| | 31333 | R612-2-5 | AMD | 07/01/2008 | 2008-10/130 |
| **medical supplies** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31505 | R414-70 | R&R | 08/04/2008 | 2008-12/24 |
| **medical transportation** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30922 | R414-306 | 5YR | 01/25/2008 | 2008-4/45 |
| **medication treatment** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31449 | R525-3 | 5YR | 05/19/2008 | 2008-12/56 |
| **mercury** | | | | | |
| Environmental Quality, Air Quality | 30969 | R307-224 | 5YR | 02/08/2008 | 2008-5/45 |
| | 30704 | R307-224-2 | AMD | 02/08/2008 | 2007-23/39 |
| **minerals reclamation** | | | | | |
| Natural Resources, Oil, Gas and Mining; Non-Coal | 31510 | R647-1 | 5YR | 06/02/2008 | 2008-12/59 |
| | 31205 | R647-1-106 | NSC | 05/05/2008 | Not Printed |
| | 31511 | R647-2 | 5YR | 06/02/2008 | 2008-12/59 |
| | 31512 | R647-3 | 5YR | 06/02/2008 | 2008-12/60 |
| | 31513 | R647-4 | 5YR | 06/02/2008 | 2008-12/60 |
| | 31514 | R647-5 | 5YR | 06/02/2008 | 2008-12/61 |
| | 31206 | R647-5 | NSC | 05/05/2008 | Not Printed |
| | 31759 | R647-6 | 5YR | 07/28/2008 | 2008-16/73 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31760 | R647-7 | 5YR | 07/28/2008 | 2008-16/74 |
| | 31761 | R647-8 | 5YR | 07/28/2008 | 2008-16/74 |
| **minimum standards** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31109 | R652-122-100 | NSC | 05/01/2008 | Not Printed |
| **mining** | | | | | |
| Labor Commission, Safety | 31233 | R616-1 | 5YR | 04/28/2008 | 2008-10/150 |
| | 31249 | R616-1 | NSC | 05/05/2008 | Not Printed |
| **minors** | | | | | |
| Labor Commission, Antidiscrimination and Labor, Labor | 31247 | R610-1 | NSC | 05/05/2008 | Not Printed |
| | 31149 | R610-1-4 | AMD | 06/13/2008 | 2008-9/48 |
| | 31245 | R610-2 | NSC | 05/05/2008 | Not Printed |
| | 30942 | R610-2-6 | AMD | 03/24/2008 | 2008-4/19 |
| | 31243 | R610-3 | NSC | 05/05/2008 | Not Printed |
| | 30876 | R610-3-4 | EMR | 01/03/2008 | 2008-3/70 |
| | 30941 | R610-3-4 | AMD | 03/24/2008 | 2008-4/20 |
| | 31148 | R610-3-10 | AMD | 06/13/2008 | 2008-9/50 |
| **monitoring** | | | | | |
| Environmental Quality, Air Quality | 30962 | R307-170 | 5YR | 02/08/2008 | 2008-5/41 |
| | 30699 | R307-170-7 | AMD | 02/08/2008 | 2007-23/29 |
| **motels** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31494 | R392-502 | AMD | 07/22/2008 | 2008-12/20 |
| **motor vehicle record** | | | | | |
| Public Safety, Driver License | 31119 | R708-36-1 | NSC | 05/05/2008 | Not Printed |
| | 31123 | R708-44-4 | NSC | 05/05/2008 | Not Printed |
| **motor vehicles** | | | | | |
| Commerce, Administration | 31354 | R151-14-3 | NSC | 05/05/2008 | Not Printed |
| Commerce, Consumer Protection | 31215 | R152-20 | NSC | 05/05/2008 | Not Printed |
| Environmental Quality, Air Quality | 31389 | R307-121 | AMD | 08/07/2008 | 2008-11/87 |
| | 30889 | R307-121-3 | NSC | 01/30/2008 | Not Printed |
| Tax Commission, Motor Vehicle | 30844 | R873-22M-34 | AMD | 02/25/2008 | 2008-1/38 |
| | 31264 | R873-22M-41 | AMD | 06/27/2008 | 2008-10/133 |
| Tax Commission, Motor Vehicle Enforcement | 31255 | R877-23V-19 | AMD | 06/27/2008 | 2008-10/135 |
| **motorcycle rider training schools** | | | | | |
| Public Safety, Driver License | 31790 | R708-30 | 5YR | 08/01/2008 | 2008-16/75 |
| | 31435 | R708-30-10 | AMD | 07/11/2008 | 2008-11/118 |
| | 31115 | R708-30-14 | NSC | 05/05/2008 | Not Printed |
| **motorcycles** | | | | | |
| Commerce, Administration | 31355 | R151-35-3 | NSC | 05/05/2008 | Not Printed |
| **municipal landfills** | | | | | |
| Environmental Quality, Air Quality | 30701 | R307-221 | AMD | 02/08/2008 | 2007-23/32 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 30966 | R307-221 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30832 | R307-221-2 | NSC | 02/08/2008 | Not Printed |
| **municipal waste incinerator** | | | | | |
| Environmental Quality, Air Quality | 30703 | R307-223 | AMD | 02/08/2008 | 2007-23/38 |
| | 30968 | R307-223 | 5YR | 02/08/2008 | 2008-5/45 |
| **mutual water corporations** | | | | | |
| Public Service Commission, Administration | 31095 | R746-331 | 5YR | 04/01/2008 | 2008-8/55 |
| **nail technicians** | | | | | |
| Commerce, Occupational and Professional Licensing | 30953 | R156-11a | AMD | 04/10/2008 | 2008-5/5 |
| | 31174 | R156-11a-601 | NSC | 05/05/2008 | Not Printed |
| **Native American remains** | | | | | |
| Community and Culture, Indian Affairs | 30912 | R230-1 | CPR | 07/16/2008 | 2008-11/122 |
| | 30912 | R230-1 | AMD | 07/16/2008 | 2008-3/12 |
| **naturopathic physician** | | | | | |
| Commerce, Occupational and Professional Licensing | 30854 | R156-71 | CPR | 07/08/2008 | 2008-11/121 |
| | 30854 | R156-71 | AMD | 07/08/2008 | 2008-2/6 |
| **naturopaths** | | | | | |
| Commerce, Occupational and Professional Licensing | 30854 | R156-71 | CPR | 07/08/2008 | 2008-11/121 |
| | 30854 | R156-71 | AMD | 07/08/2008 | 2008-2/6 |
| **new hire registry** | | | | | |
| Workforce Services, Unemployment Insurance | 31549 | R994-315 | 5YR | 06/10/2008 | 2008-13/152 |
| **newborn screening** | | | | | |
| Health, Community and Family Health Services, Children with Special Health Care Needs | 31350 | R398-1 | AMD | 06/25/2008 | 2008-10/60 |
| | 31651 | R398-2 | 5YR | 07/02/2008 | 2008-15/86 |
| **notice of commencement** | | | | | |
| Commerce, Occupational and Professional Licensing | 31177 | R156-38b-703 | NSC | 05/05/2008 | Not Printed |
| **notice of completion** | | | | | |
| Commerce, Occupational and Professional Licensing | 31177 | R156-38b-703 | NSC | 05/05/2008 | Not Printed |
| **nurses** | | | | | |
| Commerce, Occupational and Professional Licensing | 31156 | R156-31b | AMD | 06/23/2008 | 2008-10/34 |
| | 31094 | R156-31b | 5YR | 04/01/2008 | 2008-8/51 |
| **nutrition** | | | | | |
| Education, Administration | 30848 | R277-719 | NEW | 02/07/2008 | 2008-1/12 |
| **occupational licensing** | | | | | |
| Commerce, Occupational and Professional Licensing | 31288 | R156-1 | AMD | 06/23/2008 | 2008-10/30 |
| | 30655 | R156-1-102a | AMD | 01/08/2008 | 2007-23/3 |
| | 31179 | R156-46b | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31292 | R156-55a | AMD | 06/24/2008 | 2008-10/42 |
| | 30892 | R156-55a | AMD | 03/11/2008 | 2008-3/3 |
| **off road vehicles** | | | | | |
| Commerce, Administration | 31355 | R151-35-3 | NSC | 05/05/2008 | Not Printed |
| **off-highway vehicles** | | | | | |
| Natural Resources, Parks and Recreation | 31690 | R651-407 | 5YR | 07/07/2008 | 2008-15/87 |
| | 31691 | R651-408 | 5YR | 07/07/2008 | 2008-15/87 |
| | 31661 | R651-601 | 5YR | 07/07/2008 | 2008-15/88 |
| **off-premise** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31164 | R523-24-7 | AMD | 07/14/2008 | 2008-10/116 |
| | 31165 | R523-24-9 | AMD | 07/14/2008 | 2008-10/117 |
| | 31353 | R523-24-13 | NSC | 05/05/2008 | Not Printed |
| **oil and gas law** | | | | | |
| Natural Resources, Oil, Gas and Mining; Oil and Gas | 31762 | R649-6 | 5YR | 07/28/2008 | 2008-16/75 |
| | 31207 | R649-10-3 | NSC | 05/05/2008 | Not Printed |
| **ombudsman** | | | | | |
| Human Services, Aging and Adult Services | 31379 | R510-200-3 | NSC | 05/05/2008 | Not Printed |
| **one-time signing bonuses** | | | | | |
| Education, Administration | 31439 | R277-109 | NEW | 07/08/2008 | 2008-11/67 |
| **open burning** | | | | | |
| Environmental Quality, Air Quality | 30963 | R307-202 | 5YR | 02/08/2008 | 2008-5/42 |
| **operating permits** | | | | | |
| Environmental Quality, Air Quality | 30700 | R307-215 | REP | 02/08/2008 | 2007-23/31 |
| | 30706 | R307-417 | AMD | 02/08/2008 | 2007-23/43 |
| **optometry** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30775 | R414-52 | AMD | 02/01/2008 | 2007-24/12 |
| | 31453 | R414-52 | 5YR | 05/19/2008 | 2008-12/54 |
| **orders** | | | | | |
| Environmental Quality, Radiation Control | 31171 | R313-17 | NSC | 05/05/2008 | Not Printed |
| **orthodontia** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31452 | R414-51 | 5YR | 05/19/2008 | 2008-12/53 |
| **osteopathic physician** | | | | | |
| Commerce, Occupational and Professional Licensing | 31083 | R156-68 | 5YR | 03/27/2008 | 2008-8/53 |
| | 31185 | R156-68 | NSC | 05/05/2008 | Not Printed |
| **osteopaths** | | | | | |
| Commerce, Occupational and Professional Licensing | 31083 | R156-68 | 5YR | 03/27/2008 | 2008-8/53 |
| | 31185 | R156-68 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **overtime** | | | | | |
| Human Resource Management, Administration | 31193 | R477-8 | AMD | 07/01/2008 | 2008-10/101 |
| | 30778 | R477-8-5 | AMD | 01/22/2008 | 2007-24/16 |
| **paint** | | | | | |
| Environmental Quality, Air Quality | 30973 | R307-840 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30708 | R307-840 | AMD | 02/08/2008 | 2007-23/48 |
| **paraeducator** | | | | | |
| Education, Administration | 31581 | R277-526 | NEW | 08/07/2008 | 2008-13/29 |
| **parking facilities** | | | | | |
| Administrative Services, Facilities Construction and Management | 31063 | R23-13 | 5YR | 03/17/2008 | 2008-8/50 |
| Regents (Board Of), University of Utah, Parking and Transportation Services | 30712 | R810-1 | AMD | 03/06/2008 | 2007-23/65 |
| | 30722 | R810-2 | AMD | 03/06/2008 | 2007-23/67 |
| | 30727 | R810-3 | REP | 03/06/2008 | 2007-24/21 |
| | 30728 | R810-4 | REP | 03/06/2008 | 2007-24/22 |
| | 30779 | R810-5 | AMD | 03/06/2008 | 2007-24/23 |
| | 30809 | R810-6 | AMD | 03/06/2008 | 2008-1/26 |
| | 30831 | R810-7 | REP | 03/06/2008 | 2008-1/27 |
| | 30834 | R810-8 | AMD | 03/06/2008 | 2008-1/28 |
| | 30836 | R810-9 | AMD | 03/06/2008 | 2008-1/29 |
| | 30839 | R810-10 | AMD | 03/06/2008 | 2008-1/30 |
| | 30840 | R810-11 | AMD | 03/06/2008 | 2008-1/31 |
| | 30843 | R810-12 | NEW | 03/06/2008 | 2008-1/32 |
| **parks** | | | | | |
| Natural Resources, Parks and Recreation | 30900 | R651-205-17 | AMD | 03/10/2008 | 2008-3/36 |
| | 31661 | R651-601 | 5YR | 07/07/2008 | 2008-15/88 |
| | 31662 | R651-602 | 5YR | 07/07/2008 | 2008-15/88 |
| | 31663 | R651-603 | 5YR | 07/07/2008 | 2008-15/89 |
| | 31664 | R651-604 | 5YR | 07/07/2008 | 2008-15/89 |
| | 31665 | R651-605 | 5YR | 07/07/2008 | 2008-15/90 |
| | 31666 | R651-606 | 5YR | 07/07/2008 | 2008-15/90 |
| | 31667 | R651-607 | 5YR | 07/07/2008 | 2008-15/91 |
| | 31668 | R651-608 | 5YR | 07/07/2008 | 2008-15/91 |
| | 31669 | R651-609 | 5YR | 07/07/2008 | 2008-15/92 |
| | 31670 | R651-610 | 5YR | 07/07/2008 | 2008-15/92 |
| | 30621 | R651-611 | AMD | 01/01/2008 | 2007-22/80 |
| | 30898 | R651-611 | AMD | 03/10/2008 | 2008-3/39 |
| | 31012 | R651-612 | NSC | 03/10/2008 | Not Printed |
| | 30901 | R651-612 | AMD | 03/10/2008 | 2008-3/42 |
| | 31671 | R651-612 | 5YR | 07/07/2008 | 2008-15/93 |
| | 31672 | R651-613 | 5YR | 07/07/2008 | 2008-15/93 |
| | 31673 | R651-614 | 5YR | 07/07/2008 | 2008-15/94 |
| | 31674 | R651-615 | 5YR | 07/07/2008 | 2008-15/94 |
| | 31675 | R651-616 | 5YR | 07/07/2008 | 2008-15/95 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31676 | R651-617 | 5YR | 07/07/2008 | 2008-15/95 |
| | 31677 | R651-618 | 5YR | 07/07/2008 | 2008-15/96 |
| | 31678 | R651-619 | 5YR | 07/07/2008 | 2008-15/96 |
| | 31679 | R651-620 | 5YR | 07/07/2008 | 2008-15/97 |
| | 31680 | R651-621 | 5YR | 07/07/2008 | 2008-15/97 |
| | 31681 | R651-622 | 5YR | 07/07/2008 | 2008-15/98 |
| | 31682 | R651-623 | 5YR | 07/07/2008 | 2008-15/98 |
| | 31683 | R651-624 | 5YR | 07/07/2008 | 2008-15/99 |
| | 31684 | R651-625 | 5YR | 07/07/2008 | 2008-15/99 |
| | 31660 | R651-626 | 5YR | 07/07/2008 | 2008-15/100 |
| | 31685 | R651-627 | 5YR | 07/07/2008 | 2008-15/100 |
| | 31686 | R651-628 | 5YR | 07/07/2008 | 2008-15/101 |
| | 31687 | R651-629 | 5YR | 07/07/2008 | 2008-15/101 |
| | 31601 | R651-630 | 5YR | 06/20/2008 | 2008-14/142 |
| | 31688 | R651-631 | 5YR | 07/07/2008 | 2008-15/102 |
| | 31689 | R651-632 | 5YR | 07/07/2008 | 2008-15/102 |
| **parole** | | | | | |
| Pardons (Board Of), Administration | 30949 | R671-403 | 5YR | 02/04/2008 | 2008-5/59 |
| | 31656 | R671-509 | 5YR | 07/03/2008 | 2008-15/103 |
| | 31658 | R671-510 | 5YR | 07/03/2008 | 2008-15/103 |
| | 31657 | R671-512 | 5YR | 07/03/2008 | 2008-15/103 |
| | 31654 | R671-514 | 5YR | 07/03/2008 | 2008-15/104 |
| | 31659 | R671-515 | 5YR | 07/03/2008 | 2008-15/104 |
| | 31655 | R671-516 | 5YR | 07/03/2008 | 2008-15/105 |
| **patient rights** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31450 | R525-2 | 5YR | 05/19/2008 | 2008-12/55 |
| **patient safety** | | | | | |
| Health, Administration | 31286 | R380-200 | NSC | 05/05/2008 | Not Printed |
| | 31280 | R380-210-6 | NSC | 05/05/2008 | Not Printed |
| **paying standards** | | | | | |
| Public Service Commission, Administration | 31092 | R746-342 | 5YR | 04/01/2008 | 2008-8/56 |
| **PCN** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31358 | R414-320 | AMD | 07/01/2008 | 2008-10/68 |
| **pedestrian** | | | | | |
| Regents (Board Of), University of Utah, Administration | 31695 | R805-1 | 5YR | 07/11/2008 | 2008-15/105 |
| **peer review** | | | | | |
| Commerce, Occupational and Professional Licensing | 30715 | R156-26a | AMD | 03/31/2008 | 2007-23/4 |
| | 30715 | R156-26a | CPR | 03/31/2008 | 2008-4/35 |
| **penalties** | | | | | |
| Labor Commission, Industrial Accidents | 31251 | R612-9-1 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **per diem allowance** | | | | | |
| Administrative Services, Finance | 31317 | R25-5 | 5YR | 04/29/2008 | 2008-10/143 |
| **per diem allowances** | | | | | |
| Administrative Services, Finance | 31319 | R25-7 | 5YR | 04/29/2008 | 2008-10/144 |
| | 31320 | R25-7 | AMD | 07/01/2008 | 2008-10/4 |
| **performance-based compensation program** | | | | | |
| Education, Administration | 31440 | R277-113 | NEW | 07/08/2008 | 2008-11/69 |
| **permit** | | | | | |
| Natural Resources, Wildlife Resources | 31399 | R657-45 | 5YR | 05/08/2008 | 2008-11/127 |
| | 31050 | R657-45-2 | AMD | 05/08/2008 | 2008-7/49 |
| **permits** | | | | | |
| Environmental Quality, Air Quality | 30709 | R307-401-14 | AMD | 02/08/2008 | 2007-23/42 |
| Natural Resources, Forestry, Fire and State Lands | 31112 | R652-120 | NSC | 05/01/2008 | Not Printed |
| Natural Resources, Wildlife Resources | 31400 | R657-42 | 5YR | 05/08/2008 | 2008-11/126 |
| | 31049 | R657-42-8 | AMD | 05/08/2008 | 2008-7/48 |
| Transportation, Motor Carrier, Ports of Entry | 31794 | R912-14 | 5YR | 08/07/2008 | Not Printed |
| **permitting authority** | | | | | |
| Environmental Quality, Air Quality | 30700 | R307-215 | REP | 02/08/2008 | 2007-23/31 |
| | 30706 | R307-417 | AMD | 02/08/2008 | 2007-23/43 |
| **persistently dangerous schools** | | | | | |
| Education, Administration | 31036 | R277-483 | 5YR | 03/03/2008 | 2008-7/62 |
| **personal property** | | | | | |
| Tax Commission, Property Tax | 31274 | R884-24P-62 | NSC | 06/23/2008 | Not Printed |
| | 30931 | R884-24P-62 | AMD | 03/28/2008 | 2008-4/30 |
| **personnel management** | | | | | |
| Human Resource Management, Administration | 31186 | R477-1 | AMD | 07/01/2008 | 2008-10/79 |
| | 31190 | R477-5 | AMD | 07/01/2008 | 2008-10/90 |
| | 31191 | R477-6 | AMD | 07/01/2008 | 2008-10/91 |
| | 31194 | R477-9 | AMD | 07/01/2008 | 2008-10/104 |
| | 31211 | R477-13 | NSC | 06/19/2008 | Not Printed |
| **petroleum** | | | | | |
| Environmental Quality, Environmental Response and Remediation | 31486 | R311-200 | NSC | 06/18/2008 | Not Printed |
| | 31487 | R311-201 | NSC | 06/18/2008 | Not Printed |
| | 31488 | R311-210 | NSC | 06/18/2008 | Not Printed |
| **physically handicapped persons** | | | | | |
| Commerce, Administration | 31346 | R151-3-1 | NSC | 05/05/2008 | Not Printed |
| **physicians** | | | | | |
| Commerce, Occupational and Professional Licensing | 31183 | R156-67 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **pleas** | | | | | |
| Pardons (Board Of), Administration | 31654 | R671-514 | 5YR | 07/03/2008 | 2008-15/104 |
| **PM10** | | | | | |
| Environmental Quality, Air Quality | 30971 | R307-310 | 5YR | 02/08/2008 | 2008-5/46 |
| | 30705 | R307-310-2 | AMD | 02/08/2008 | 2007-23/40 |
| **point-system** | | | | | |
| Public Safety, Driver License | 31106 | R708-3-2 | NSC | 05/05/2008 | Not Printed |
| **pools** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31097 | R392-302 | AMD | 05/22/2008 | 2008-8/6 |
| **position classifications** | | | | | |
| Human Resource Management, Administration | 31188 | R477-3 | AMD | 07/01/2008 | 2008-10/87 |
| **post-conviction** | | | | | |
| Administrative Services, Finance | 31363 | R25-14 | EMR | 05/05/2008 | 2008-10/140 |
| **postsecondary proprietary school** | | | | | |
| Commerce, Consumer Protection | 31218 | R152-34-10 | NSC | 05/05/2008 | Not Printed |
| **POTW** | | | | | |
| Environmental Quality, Water Quality | 30636 | R317-14 | NEW | 02/04/2008 | 2007-22/62 |
| **powersport vehicles** | | | | | |
| Commerce, Administration | 31355 | R151-35-3 | NSC | 05/05/2008 | Not Printed |
| **preenterprise** | | | | | |
| Regents (Board Of), Administration | 31515 | R765-555 | 5YR | 06/02/2008 | 2008-12/64 |
| **preliminary notice** | | | | | |
| Commerce, Occupational and Professional Licensing | 31177 | R156-38b-703 | NSC | 05/05/2008 | Not Printed |
| **prelitigation** | | | | | |
| Commerce, Occupational and Professional Licensing | 31055 | R156-78A | NSC | 03/26/2008 | Not Printed |
| **primary care** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31356 | R414-310 | AMD | 07/01/2008 | 2008-10/66 |
| **privacy** | | | | | |
| Health, Administration | 31455 | R380-250 | 5YR | 05/19/2008 | 2008-12/52 |
| | 31484 | R495-881 | 5YR | 05/27/2008 | 2008-12/55 |
| | 31485 | R495-881 | AMD | 07/23/2008 | 2008-12/30 |
| Public Safety, Driver License | 31119 | R708-36-1 | NSC | 05/05/2008 | Not Printed |
| **private schools** | | | | | |
| Education, Administration | 31040 | R277-747 | 5YR | 03/03/2008 | 2008-7/64 |
| **private security officers** | | | | | |
| Commerce, Occupational and Professional Licensing | 31182 | R156-63 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **probable cause** | | | | | |
| Pardons (Board Of), Administration | 31658 | R671-510 | 5YR | 07/03/2008 | 2008-15/103 |
| **procedures** | | | | | |
| Public Service Commission, Administration | 31617 | R746-210 | 5YR | 06/24/2008 | 2008-14/143 |
| | 31619 | R746-240 | 5YR | 06/24/2008 | 2008-14/144 |
| | 31618 | R746-340 | 5YR | 06/24/2008 | 2008-14/144 |
| **procurement** | | | | | |
| Administrative Services, Facilities Construction and Management | 31098 | R23-2 | AMD | 07/14/2008 | 2008-8/2 |
| Capitol Preservation Board (State), Administration | 30591 | R131-1 | AMD | 02/29/2008 | 2007-21/11 |
| | 30590 | R131-4 | R&R | 02/29/2008 | 2007-21/13 |
| **professional** | | | | | |
| Education, Administration | 30976 | R277-515-3 | NSC | 02/27/2008 | Not Printed |
| | 31580 | R277-515-4 | AMD | 08/07/2008 | 2008-13/28 |
| **professional competency** | | | | | |
| Education, Administration | 30944 | R277-502 | AMD | 03/24/2008 | 2008-4/6 |
| | 31579 | R277-502-6 | AMD | 08/07/2008 | 2008-13/27 |
| | 31038 | R277-508 | 5YR | 03/03/2008 | 2008-7/63 |
| **professional education** | | | | | |
| Education, Administration | 31444 | R277-504 | AMD | 07/08/2008 | 2008-11/77 |
| | 30878 | R277-518 | 5YR | 01/08/2008 | 2008-3/72 |
| **professional engineers** | | | | | |
| Commerce, Occupational and Professional Licensing | 31175 | R156-22-305 | NSC | 05/05/2008 | Not Printed |
| **professional geologists** | | | | | |
| Commerce, Occupational and Professional Licensing | 30694 | R156-76 | AMD | 01/08/2008 | 2007-23/17 |
| **professional land surveyors** | | | | | |
| Commerce, Occupational and Professional Licensing | 31175 | R156-22-305 | NSC | 05/05/2008 | Not Printed |
| **program benefits** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30922 | R414-306 | 5YR | 01/25/2008 | 2008-4/45 |
| **programs** | | | | | |
| Public Service Commission, Administration | 31795 | R746-404 | 5YR | 08/07/2008 | Not Printed |
| **prohibited items and devices** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31089 | R523-1 | 5YR | 03/31/2008 | 2008-8/53 |
| | 30767 | R523-1 | NSC | 03/31/2008 | Not Printed |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31031 | R525-6 | NEW | 05/01/2008 | 2008-6/7 |
| **promotions** | | | | | |
| Agriculture and Food, Marketing and Development | 31007 | R65-2 | 5YR | 02/15/2008 | 2008-5/38 |
| | 31008 | R65-5 | 5YR | 02/15/2008 | 2008-5/38 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **proof** | | | | | |
| Natural Resources, Water Rights | 31130 | R655-5 | 5YR | 04/08/2008 | 2008-9/54 |
| **property claims** | | | | | |
| Treasurer, Unclaimed Property | 30596 | R966-1-2 | AMD | 01/07/2008 | 2007-22/87 |
| **property tax** | | | | | |
| Tax Commission, Property Tax | 31274 | R884-24P-62 | NSC | 06/23/2008 | Not Printed |
| | 30931 | R884-24P-62 | AMD | 03/28/2008 | 2008-4/30 |
| **property transactions** | | | | | |
| Administrative Services, Facilities Construction and Management | 31607 | R23-22 | EMR | 06/25/2008 | 2008-14/120 |
| **prosthetics** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 31505 | R414-70 | R&R | 08/04/2008 | 2008-12/24 |
| **PSD** | | | | | |
| Environmental Quality, Air Quality | 30431 | R307-405 | AMD | 01/11/2008 | 2007-19/15 |
| **psychologists** | | | | | |
| Commerce, Occupational and Professional Licensing | 30915 | R156-61 | AMD | 05/08/2008 | 2008-3/6 |
| | 30915 | R156-61 | CPR | 05/08/2008 | 2008-7/55 |
| **public assistance programs** | | | | | |
| Health, Health Care Financing, Coverage and Reimbursement Policy | 30938 | R414-308 | 5YR | 01/31/2008 | 2008-4/46 |
| | 30927 | R414-308-7 | AMD | 04/01/2008 | 2008-4/16 |
| Human Services, Recovery Services | 30982 | R527-928 | AMD | 04/07/2008 | 2008-5/26 |
| **public buildings** | | | | | |
| Administrative Services, Facilities Construction and Management | 31064 | R23-14 | 5YR | 03/17/2008 | 2008-8/50 |
| Capitol Preservation Board (State), Administration | 30590 | R131-4 | R&R | 02/29/2008 | 2007-21/13 |
| **public comments** | | | | | |
| Environmental Quality, Radiation Control | 31171 | R313-17 | NSC | 05/05/2008 | Not Printed |
| **public education** | | | | | |
| Education, Administration | 31575 | R277-437 | R&R | 08/07/2008 | 2008-13/16 |
| **public health** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31446 | R392-100-2 | AMD | 07/17/2008 | 2008-11/95 |
| | 31494 | R392-502 | AMD | 07/22/2008 | 2008-12/20 |
| **public hearings** | | | | | |
| Environmental Quality, Radiation Control | 31171 | R313-17 | NSC | 05/05/2008 | Not Printed |
| **public information** | | | | | |
| Administrative Services, Administration | 31343 | R13-2 | NSC | 05/05/2008 | Not Printed |
| | 31187 | R477-2 | AMD | 07/01/2008 | 2008-10/84 |
| **public petitions** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31268 | R652-7 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **public records** | | | | | |
| Career Service Review Board, Administration | 31473 | R137-2 | 5YR | 05/21/2008 | 2008-12/50 |
| | 31345 | R151-2 | NSC | 05/05/2008 | Not Printed |
| | 31385 | R151-2-4 | AMD | 07/08/2008 | 2008-11/49 |
| | 31284 | R380-20 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Oil, Gas and Mining; Administration | 31202 | R642-100 | NSC | 05/05/2008 | Not Printed |
| | 31203 | R642-200 | NSC | 05/05/2008 | Not Printed |
| | 31755 | R642-200 | 5YR | 07/28/2008 | 2008-16/71 |
| Natural Resources, Forestry, Fire and State Lands | 31259 | R652-6 | NSC | 05/05/2008 | Not Printed |
| Natural Resources, Wildlife Resources | 31225 | R657-29 | NSC | 05/05/2008 | Not Printed |
| **public schools** | | | | | |
| Education, Administration | 31518 | R277-436 | 5YR | 06/02/2008 | 2008-12/51 |
| | 31519 | R277-460 | 5YR | 06/02/2008 | 2008-12/51 |
| | 31443 | R277-490 | NEW | 07/08/2008 | 2008-11/74 |
| **public utilities** | | | | | |
| Public Service Commission, Administration | 31373 | R746-100 | NSC | 05/05/2008 | Not Printed |
| | 31372 | R746-101-4 | NSC | 05/05/2008 | Not Printed |
| | 31620 | R746-110 | 5YR | 06/24/2008 | 2008-14/143 |
| | 31369 | R746-110 | NSC | 05/05/2008 | Not Printed |
| | 31044 | R746-330 | 5YR | 03/07/2008 | 2008-7/66 |
| | 31095 | R746-331 | 5YR | 04/01/2008 | 2008-8/55 |
| | 31091 | R746-332 | 5YR | 04/01/2008 | 2008-8/55 |
| | 31092 | R746-342 | 5YR | 04/01/2008 | 2008-8/56 |
| | 31797 | R746-344 | 5YR | 08/07/2008 | Not Printed |
| | 31798 | R746-345 | 5YR | 08/07/2008 | Not Printed |
| | 31045 | R746-347 | 5YR | 03/07/2008 | 2008-7/66 |
| | 31374 | R746-349-3 | NSC | 05/05/2008 | Not Printed |
| | 31371 | R746-400-7 | NSC | 05/05/2008 | Not Printed |
| | 31093 | R746-402 | 5YR | 04/01/2008 | 2008-8/56 |
| | 31795 | R746-404 | 5YR | 08/07/2008 | Not Printed |
| | 31101 | R746-405 | 5YR | 04/01/2008 | 2008-8/57 |
| | 31796 | R746-406 | 5YR | 08/07/2008 | Not Printed |
| **purchase** | | | | | |
| Education, Administration | 31582 | R277-606 | NEW | 08/07/2008 | 2008-13/31 |
| **quality improvement** | | | | | |
| Health, Administration | 31286 | R380-200 | NSC | 05/05/2008 | Not Printed |
| | 31280 | R380-210-6 | NSC | 05/05/2008 | Not Printed |
| **quarantine** | | | | | |
| Agriculture and Food, Plant Industry | 31125 | R68-14 | 5YR | 04/04/2008 | 2008-9/52 |
| | 31543 | R68-16 | 5YR | 06/09/2008 | 2008-13/147 |
| | 31126 | R68-16 | AMD | 07/02/2008 | 2008-9/11 |
| | 31009 | R68-17 | REP | 04/11/2008 | 2008-5/4 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| Health, Epidemiology and Laboratory Services, Epidemiology | 31099 | R386-702-12 | AMD | 06/11/2008 | 2008-8/5 |
| **rabies** | | | | | |
| Health, Epidemiology and Laboratory Services, Epidemiology | 31099 | R386-702-12 | AMD | 06/11/2008 | 2008-8/5 |
| **radioactive material** | | | | | |
| Environmental Quality, Radiation Control | 30865 | R313-15 | AMD | 03/17/2008 | 2008-2/10 |
| **railroads** | | | | | |
| Transportation, Preconstruction | 31066 | R930-5 | AMD | 06/10/2008 | 2008-8/46 |
| **rates** | | | | | |
| Administrative Services, Finance | 31317 | R25-5 | 5YR | 04/29/2008 | 2008-10/143 |
| | 31321 | R25-8 | AMD | 07/01/2008 | 2008-10/7 |
| Labor Commission, Industrial Accidents | 30594 | R612-4-2 | AMD | 01/01/2008 | 2007-22/76 |
| Workforce Services, Unemployment Insurance | 31547 | R994-306 | 5YR | 06/10/2008 | 2008-13/151 |
| | 31548 | R994-307 | 5YR | 06/10/2008 | 2008-13/152 |
| **real estate** | | | | | |
| Administrative Services, Facilities Construction and Management | 31607 | R23-22 | EMR | 06/25/2008 | 2008-14/120 |
| **real estate business** | | | | | |
| Commerce, Real Estate | 31003 | R162-2-2 | AMD | 04/07/2008 | 2008-5/7 |
| | 31456 | R162-3 | AMD | 07/30/2008 | 2008-12/8 |
| | 31001 | R162-8-4 | AMD | 04/07/2008 | 2008-5/10 |
| **reclamation** | | | | | |
| Natural Resources, Oil, Gas and Mining; Coal | 30932 | R645-100-200 | AMD | 03/26/2008 | 2008-4/23 |
| | 31204 | R645-100-500 | NSC | 05/05/2008 | Not Printed |
| | 31756 | R645-101 | 5YR | 07/28/2008 | 2008-16/72 |
| | 31509 | R645-102 | 5YR | 06/02/2008 | 2008-12/58 |
| | 31757 | R645-104 | 5YR | 07/28/2008 | 2008-16/72 |
| | 30934 | R645-300-100 | AMD | 03/26/2008 | 2008-4/24 |
| | 30933 | R645-301 | AMD | 03/26/2008 | 2008-4/25 |
| | 31758 | R645-401 | 5YR | 07/28/2008 | 2008-16/73 |
| **records** | | | | | |
| Regents (Board Of), University of Utah, Administration | 31340 | R805-2 | NSC | 05/05/2008 | Not Printed |
| | 31718 | R805-2 | 5YR | 07/17/2008 | 2008-16/76 |
| **records access** | | | | | |
| Career Service Review Board, Administration | 31473 | R137-2 | 5YR | 05/21/2008 | 2008-12/50 |
| | 31327 | R765-993 | NSC | 05/05/2008 | Not Printed |
| **records management** | | | | | |
| Regents (Board Of), Administration | 31327 | R765-993 | NSC | 05/05/2008 | Not Printed |
| **recreation** | | | | | |
| Natural Resources, Parks and Recreation | 30899 | R651-301 | AMD | 03/10/2008 | 2008-3/37 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **recreation therapy** | | | | | |
| Commerce, Occupational and Professional Licensing | 31178 | R156-40-302e | NSC | 05/05/2008 | Not Printed |
| **recreational therapy** | | | | | |
| Commerce, Occupational and Professional Licensing | 31178 | R156-40-302e | NSC | 05/05/2008 | Not Printed |
| **recreational vehicles** | | | | | |
| Commerce, Administration | 31354 | R151-14-3 | NSC | 05/05/2008 | Not Printed |
| **refugee resettlement program** | | | | | |
| Workforce Services, Employment Development | 31060 | R986-300-303 | AMD | 05/20/2008 | 2008-7/52 |
| **regionalization** | | | | | |
| Environmental Quality, Drinking Water | 31157 | R309-352 | 5YR | 04/18/2008 | 2008-10/144 |
| **registration** | | | | | |
| Commerce, Consumer Protection | 31218 | R152-34-10 | NSC | 05/05/2008 | Not Printed |
| **rehabilitation** | | | | | |
| Education, Rehabilitation | 31042 | R280-200 | 5YR | 03/03/2008 | 2008-7/65 |
| **Rehabilitation Act 1973** | | | | | |
| Human Services, Administration | 31067 | R495-878 | AMD | 06/13/2008 | 2008-8/23 |
| | 31367 | R495-878 | NSC | 05/05/2008 | Not Printed |
| **reimbursements** | | | | | |
| Administrative Services, Finance | 31316 | R25-6 | 5YR | 04/29/2008 | 2008-10/143 |
| **religious activities** | | | | | |
| Tax Commission, Auditing | 31272 | R865-19S-99 | NSC | 06/23/2008 | Not Printed |
| | 31258 | R865-19S-105 | AMD | 07/01/2008 | 2008-10/132 |
| | 30841 | R865-19S-121 | AMD | 02/25/2008 | 2008-1/37 |
| **religious education** | | | | | |
| Education, Administration | 30881 | R277-610 | 5YR | 01/08/2008 | 2008-3/73 |
| **relocation benefits** | | | | | |
| Administrative Services, Finance | 31316 | R25-6 | 5YR | 04/29/2008 | 2008-10/143 |
| **renewable** | | | | | |
| Natural Resources, Geological Survey | 30902 | R638-2-6 | AMD | 03/10/2008 | 2008-3/35 |
| **reporting** | | | | | |
| Health, Health Systems Improvement, Emergency Medical Services | 31068 | R426-5-3 | AMD | 06/04/2008 | 2008-8/17 |
| Labor Commission, Industrial Accidents | 31252 | R612-10 | NSC | 05/05/2008 | Not Printed |
| | 31734 | R612-11 | NSC | 08/11/2008 | Not Printed |
| | 31565 | R612-11 | NEW | 08/11/2008 | 2008-13/85 |
| | 31564 | R612-12 | NEW | 08/11/2008 | 2008-13/86 |
| | 31735 | R612-12-2 | NSC | 08/11/2008 | Not Printed |
| **reports** | | | | | |
| Education, Administration | 31520 | R277-484 | 5YR | 06/02/2008 | 2008-12/52 |
| | 31005 | R277-484 | AMD | 04/11/2008 | 2008-5/17 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31371 | R746-400-7 | NSC | 05/05/2008 | Not Printed |
| **reptiles** | | | | | |
| Natural Resources, Wildlife Resources | 31051 | R657-53 | AMD | 05/08/2008 | 2008-7/50 |
| | 31228 | R657-53 | NSC | 05/05/2008 | Not Printed |
| | 31508 | R657-53 | 5YR | 06/02/2008 | 2008-12/61 |
| **research** | | | | | |
| Education, Administration | 31578 | R277-492 | NEW | 08/07/2008 | 2008-13/25 |
| **residential mortgage loan origination** | | | | | |
| Commerce, Real Estate | 31457 | R162-207 | AMD | 07/30/2008 | 2008-12/10 |
| | 31002 | R162-207-6 | AMD | 04/07/2008 | 2008-5/12 |
| | 31278 | R162-208 | AMD | 06/23/2008 | 2008-10/50 |
| | 31004 | R162-210-4 | AMD | 04/07/2008 | 2008-5/13 |
| **resorts** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31494 | R392-502 | AMD | 07/22/2008 | 2008-12/20 |
| **resource decision** | | | | | |
| Public Service Commission, Administration | 31072 | R746-440 | NSC | 04/11/2008 | Not Printed |
| **restitution** | | | | | |
| Pardons (Board Of), Administration | 30949 | R671-403 | 5YR | 02/04/2008 | 2008-5/59 |
| **retirement** | | | | | |
| Human Resource Management, Administration | 31210 | R477-12 | AMD | 07/01/2008 | 2008-10/110 |
| **retrofit** | | | | | |
| Education, Administration | 31582 | R277-606 | NEW | 08/07/2008 | 2008-13/31 |
| **revocation** | | | | | |
| Pardons (Board Of), Administration | 31655 | R671-516 | 5YR | 07/03/2008 | 2008-15/105 |
| **right of petition** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31110 | R652-9-100 | NSC | 05/01/2008 | Not Printed |
| **risk management** | | | | | |
| Administrative Services, Risk Management | 31347 | R37-2 | AMD | 06/23/2008 | 2008-10/8 |
| | 31150 | R37-4 | R&R | 07/01/2008 | 2008-9/5 |
| **roofs** | | | | | |
| Administrative Services, Facilities Construction and Management | 31064 | R23-14 | 5YR | 03/17/2008 | 2008-8/50 |
| **rules** | | | | | |
| Public Service Commission, Administration | 31617 | R746-210 | 5YR | 06/24/2008 | 2008-14/143 |
| **rules and procedures** | | | | | |
| Health, Administration | 31281 | R380-1 | NSC | 05/05/2008 | Not Printed |
| | 31282 | R380-5 | NSC | 05/05/2008 | Not Printed |
| Health, Epidemiology and Laboratory Services, Epidemiology | 31099 | R386-702-12 | AMD | 06/11/2008 | 2008-8/5 |
| Health, Community and Family Health Services, Immunization | 31753 | R396-100 | 5YR | 07/25/2008 | 2008-16/68 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31173 | R396-100 | NSC | 07/25/2008 | Not Printed |
| | 31100 | R396-100-3 | AMD | 07/29/2008 | 2008-8/14 |
| Human Resource Management, Administration | 31186 | R477-1 | AMD | 07/01/2008 | 2008-10/79 |
| | 31211 | R477-13 | NSC | 06/19/2008 | Not Printed |
| Natural Resources, Wildlife Resources | 31224 | R657-27-11 | NSC | 05/05/2008 | Not Printed |
| Public Safety, Driver License | 31545 | R708-2 | R&R | 08/08/2008 | 2008-13/87 |
| | 31105 | R708-2-25 | NSC | 05/05/2008 | Not Printed |
| Public Service Commission, Administration | 31373 | R746-100 | NSC | 05/05/2008 | Not Printed |
| | 31372 | R746-101-4 | NSC | 05/05/2008 | Not Printed |
| | 31620 | R746-110 | 5YR | 06/24/2008 | 2008-14/143 |
| | 31369 | R746-110 | NSC | 05/05/2008 | Not Printed |
| | 31091 | R746-332 | 5YR | 04/01/2008 | 2008-8/55 |
| | 31092 | R746-342 | 5YR | 04/01/2008 | 2008-8/56 |
| | 31797 | R746-344 | 5YR | 08/07/2008 | Not Printed |
| | 31798 | R746-345 | 5YR | 08/07/2008 | Not Printed |
| | 31371 | R746-400-7 | NSC | 05/05/2008 | Not Printed |
| | 31093 | R746-402 | 5YR | 04/01/2008 | 2008-8/56 |
| | 31795 | R746-404 | 5YR | 08/07/2008 | Not Printed |
| | 31101 | R746-405 | 5YR | 04/01/2008 | 2008-8/57 |
| **Rural Broadband Service Fund** | | | | | |
| Governor, Economic Development | 30788 | R357-2 | NEW | 01/30/2008 | 2007-24/9 |
| | 30859 | R357-2-7 | NSC | 01/30/2008 | Not Printed |
| **rural economic development** | | | | | |
| Governor, Economic Development | 30788 | R357-2 | NEW | 01/30/2008 | 2007-24/9 |
| | 30859 | R357-2-7 | NSC | 01/30/2008 | Not Printed |
| **safety** | | | | | |
| Environmental Quality, Radiation Control | 30865 | R313-15 | AMD | 03/17/2008 | 2008-2/10 |
| Labor Commission, Occupational Safety and Health | 31244 | R614-1 | NSC | 05/05/2008 | Not Printed |
| | 31102 | R614-1-4 | AMD | 05/22/2008 | 2008-8/30 |
| | 31248 | R614-3-1 | NSC | 05/05/2008 | Not Printed |
| Labor Commission, Safety | 31246 | R616-2 | NSC | 05/05/2008 | Not Printed |
| | 31253 | R616-3 | NSC | 05/05/2008 | Not Printed |
| | 30943 | R616-3-3 | AMD | 03/24/2008 | 2008-4/21 |
| Regents (Board Of), University of Utah, Administration | 31695 | R805-1 | 5YR | 07/11/2008 | 2008-15/105 |
| Transportation, Preconstruction | 31066 | R930-5 | AMD | 06/10/2008 | 2008-8/46 |
| **safety regulations** | | | | | |
| Transportation, Motor Carrier | 30785 | R909-19 | AMD | 02/12/2008 | 2007-24/26 |
| | 31090 | R909-75 | AMD | 05/27/2008 | 2008-8/45 |
| **salaries** | | | | | |
| Human Resource Management, Administration | 31191 | R477-6 | AMD | 07/01/2008 | 2008-10/91 |
| **salary adjustments** | | | | | |
| Education, Administration | 31572 | R277-110 | AMD | 08/07/2008 | 2008-13/9 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **sales tax** | | | | | |
| Tax Commission, Auditing | 31272 | R865-19S-99 | NSC | 06/23/2008 | Not Printed |
| | 31258 | R865-19S-105 | AMD | 07/01/2008 | 2008-10/132 |
| | 30841 | R865-19S-121 | AMD | 02/25/2008 | 2008-1/37 |
| **salons** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 30612 | R392-700 | CPR | 05/16/2008 | 2008-7/58 |
| | 30612 | R392-700 | NEW | 05/16/2008 | 2007-22/65 |
| **sanitation** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31446 | R392-100-2 | AMD | 07/17/2008 | 2008-11/95 |
| | 30612 | R392-700 | CPR | 05/16/2008 | 2008-7/58 |
| | 30612 | R392-700 | NEW | 05/16/2008 | 2007-22/65 |
| **scholarship** | | | | | |
| Education, Administration | 31581 | R277-526 | NEW | 08/07/2008 | 2008-13/29 |
| **school bus** | | | | | |
| Education, Administration | 31582 | R277-606 | NEW | 08/07/2008 | 2008-13/31 |
| **school buses** | | | | | |
| Education, Administration | 30879 | R277-600 | 5YR | 01/08/2008 | 2008-3/72 |
| **school choice** | | | | | |
| Education, Administration | 31036 | R277-483 | 5YR | 03/03/2008 | 2008-7/62 |
| **school enrollment** | | | | | |
| Education, Administration | 31574 | R277-419 | AMD | 08/07/2008 | 2008-13/12 |
| **school personnel** | | | | | |
| Education, Administration | 31038 | R277-508 | 5YR | 03/03/2008 | 2008-7/63 |
| **school transportation** | | | | | |
| Education, Administration | 30879 | R277-600 | 5YR | 01/08/2008 | 2008-3/72 |
| **school year** | | | | | |
| Education, Administration | 31041 | R277-751 | 5YR | 03/03/2008 | 2008-7/65 |
| **schools** | | | | | |
| Education, Administration | 30848 | R277-719 | NEW | 02/07/2008 | 2008-1/12 |
| Environmental Quality, Air Quality | 30972 | R307-801 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30707 | R307-801 | AMD | 02/08/2008 | 2007-23/45 |
| Public Safety, Driver License | 31545 | R708-2 | R&R | 08/08/2008 | 2008-13/87 |
| | 31105 | R708-2-25 | NSC | 05/05/2008 | Not Printed |
| **science** | | | | | |
| Education, Administration | 31578 | R277-492 | NEW | 08/07/2008 | 2008-13/25 |
| **secure area hearing rooms** | | | | | |
| Regents (Board Of), Administration | 31492 | R765-254 | 5YR | 05/27/2008 | 2008-12/63 |
| **secure areas** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31031 | R525-6 | NEW | 05/01/2008 | 2008-6/7 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **security** | | | | | |
| Administrative Services, Facilities Construction and Management | 31064 | R23-14 | 5YR | 03/17/2008 | 2008-8/50 |
| **security guards** | | | | | |
| Commerce, Occupational and Professional Licensing | 31182 | R156-63 | NSC | 05/05/2008 | Not Printed |
| **self insurance plans** | | | | | |
| Labor Commission, Industrial Accidents | 31230 | R612-3 | 5YR | 04/28/2008 | 2008-10/149 |
| **seminars** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31164 | R523-24-7 | AMD | 07/14/2008 | 2008-10/116 |
| | 31165 | R523-24-9 | AMD | 07/14/2008 | 2008-10/117 |
| | 31353 | R523-24-13 | NSC | 05/05/2008 | Not Printed |
| **seniors** | | | | | |
| Human Services, Aging and Adult Services | 31027 | R510-105 | 5YR | 02/27/2008 | 2008-6/26 |
| **sentinel event** | | | | | |
| Health, Administration | 31286 | R380-200 | NSC | 05/05/2008 | Not Printed |
| **server training** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31166 | R523-23-9 | AMD | 07/14/2008 | 2008-10/114 |
| | 31351 | R523-23-13 | NSC | 05/05/2008 | Not Printed |
| **settlements** | | | | | |
| Labor Commission, Adjudication | 31236 | R602-2-1 | NSC | 05/05/2008 | Not Printed |
| | 30811 | R602-2-4 | AMD | 02/07/2008 | 2008-1/14 |
| | 31238 | R602-3 | NSC | 05/05/2008 | Not Printed |
| | 30810 | R602-3-3 | AMD | 02/07/2008 | 2008-1/16 |
| | 31643 | R602-4 | EMR | 07/01/2008 | 2008-14/127 |
| Labor Commission, Industrial Accidents | 31252 | R612-10 | NSC | 05/05/2008 | Not Printed |
| | 31734 | R612-11 | NSC | 08/11/2008 | Not Printed |
| | 31565 | R612-11 | NEW | 08/11/2008 | 2008-13/85 |
| | 31564 | R612-12 | NEW | 08/11/2008 | 2008-13/86 |
| | 31735 | R612-12-2 | NSC | 08/11/2008 | Not Printed |
| **sewage effluent use** | | | | | |
| Natural Resources, Water Rights | 30947 | R655-7 | 5YR | 02/01/2008 | 2008-4/47 |
| **sewage treatment** | | | | | |
| Environmental Quality, Water Quality | 31103 | R317-101 | 5YR | 04/02/2008 | 2008-9/53 |
| **sewerage** | | | | | |
| Public Service Commission, Administration | 31044 | R746-330 | 5YR | 03/07/2008 | 2008-7/66 |
| **shorthand reporter** | | | | | |
| Commerce, Occupational and Professional Licensing | 31516 | R156-74 | AMD | 07/22/2008 | 2008-12/7 |
| **skills tests** | | | | | |
| Public Safety, Driver License | 31120 | R708-37-11 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **SLCC** | | | | | |
| Regents (Board Of), Salt Lake Community College | 31344 | R784-1 | NSC | 05/05/2008 | Not Printed |
| **SLEAP** | | | | | |
| Regents (Board Of), Administration | 31405 | R765-606 | 5YR | 05/09/2008 | 2008-11/129 |
| **social security numbers** | | | | | |
| Human Services, Services for People with Disabilities | 30877 | R539-1-8 | AMD | 04/01/2008 | 2008-3/32 |
| | 30926 | R539-1-8 | EMR | 01/28/2008 | 2008-4/38 |
| **social services** | | | | | |
| Human Services, Administration | 30773 | R495-861 | AMD | 01/30/2008 | 2007-24/18 |
| Human Services, Child and Family Services | 30721 | R512-50 | NSC | 01/07/2008 | Not Printed |
| | 30718 | R512-50 | REP | 01/07/2008 | 2007-23/60 |
| **solar** | | | | | |
| Natural Resources, Geological Survey | 30902 | R638-2-6 | AMD | 03/10/2008 | 2008-3/35 |
| **solicitations** | | | | | |
| Commerce, Consumer Protection | 31216 | R152-22-9 | NSC | 05/05/2008 | Not Printed |
| **solid waste management** | | | | | |
| Environmental Quality, Solid and Hazardous Waste | 30990 | R315-301 | 5YR | 02/14/2008 | 2008-5/48 |
| | 30986 | R315-302 | 5YR | 02/14/2008 | 2008-5/49 |
| | 30992 | R315-303 | 5YR | 02/14/2008 | 2008-5/49 |
| | 30991 | R315-305 | 5YR | 02/14/2008 | 2008-5/50 |
| | 30985 | R315-306 | 5YR | 02/14/2008 | 2008-5/51 |
| | 30993 | R315-307 | 5YR | 02/14/2008 | 2008-5/51 |
| | 30995 | R315-308 | 5YR | 02/14/2008 | 2008-5/52 |
| | 30994 | R315-309 | 5YR | 02/14/2008 | 2008-5/52 |
| | 30996 | R315-310 | 5YR | 02/14/2008 | 2008-5/53 |
| | 30983 | R315-311 | 5YR | 02/14/2008 | 2008-5/53 |
| | 30997 | R315-312 | 5YR | 02/14/2008 | 2008-5/54 |
| | 30998 | R315-313 | 5YR | 02/14/2008 | 2008-5/54 |
| | 30999 | R315-314 | 5YR | 02/14/2008 | 2008-5/55 |
| | 30989 | R315-315 | 5YR | 02/14/2008 | 2008-5/55 |
| | 30988 | R315-316 | 5YR | 02/14/2008 | 2008-5/56 |
| | 30984 | R315-317 | 5YR | 02/14/2008 | 2008-5/57 |
| | 30987 | R315-318 | 5YR | 02/14/2008 | 2008-5/57 |
| **spas** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31097 | R392-302 | AMD | 05/22/2008 | 2008-8/6 |
| **special educators** | | | | | |
| Education, Administration | 31445 | R277-525 | NEW | 07/08/2008 | 2008-11/82 |
| **species of concern** | | | | | |
| Natural Resources, Wildlife Resources | 31226 | R657-48-7 | NSC | 05/05/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **speech impaired** | | | | | |
| Public Service Commission, Administration | 31375 | R746-510 | NSC | 05/05/2008 | Not Printed |
| **speech-language pathology** | | | | | |
| Commerce, Occupational and Professional Licensing | 31397 | R156-41 | AMD | 07/14/2008 | 2008-11/65 |
| **speed limits** | | | | | |
| Regents (Board Of), University of Utah, Administration | 31695 | R805-1 | 5YR | 07/11/2008 | 2008-15/105 |
| **standards** | | | | | |
| Education, Administration | 30976 | R277-515-3 | NSC | 02/27/2008 | Not Printed |
| | 31580 | R277-515-4 | AMD | 08/07/2008 | 2008-13/28 |
| **state employees** | | | | | |
| Administrative Services, Finance | 31317 | R25-5 | 5YR | 04/29/2008 | 2008-10/143 |
| | 31319 | R25-7 | 5YR | 04/29/2008 | 2008-10/144 |
| | 31320 | R25-7 | AMD | 07/01/2008 | 2008-10/4 |
| | 31321 | R25-8 | AMD | 07/01/2008 | 2008-10/7 |
| Human Resource Management, Administration | 31190 | R477-5 | AMD | 07/01/2008 | 2008-10/90 |
| **state hospital** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31031 | R525-6 | NEW | 05/01/2008 | 2008-6/7 |
| **state lands** | | | | | |
| Community and Culture, Indian Affairs | 30912 | R230-1 | CPR | 07/16/2008 | 2008-11/122 |
| | 30912 | R230-1 | AMD | 07/16/2008 | 2008-3/12 |
| **state vehicle use** | | | | | |
| Administrative Services, Fleet Operations | 31137 | R27-3 | AMD | 06/17/2008 | 2008-9/3 |
| **stipends** | | | | | |
| Education, Administration | 31445 | R277-525 | NEW | 07/08/2008 | 2008-11/82 |
| **stocks** | | | | | |
| Treasurer, Unclaimed Property | 30596 | R966-1-2 | AMD | 01/07/2008 | 2007-22/87 |
| **stoves** | | | | | |
| Environmental Quality, Air Quality | 31388 | R307-302-3 | AMD | 08/07/2008 | 2008-11/91 |
| **student** | | | | | |
| Education, Administration | 31037 | R277-485 | 5YR | 03/03/2008 | 2008-7/63 |
| **student competency** | | | | | |
| Education, Administration | 30883 | R277-702 | 5YR | 01/08/2008 | 2008-3/74 |
| **student financial aid** | | | | | |
| Education, Administration | 30885 | R277-718 | 5YR | 01/08/2008 | 2008-3/75 |
| **students** | | | | | |
| Education, Administration | 30884 | R277-709 | 5YR | 01/08/2008 | 2008-3/75 |
| **students at risk** | | | | | |
| Education, Administration | 31518 | R277-436 | 5YR | 06/02/2008 | 2008-12/51 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **substance abuse** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31166 | R523-23-9 | AMD | 07/14/2008 | 2008-10/114 |
| | 31351 | R523-23-13 | NSC | 05/05/2008 | Not Printed |
| **substance abuse prevention** | | | | | |
| Education, Administration | 31519 | R277-460 | 5YR | 06/02/2008 | 2008-12/51 |
| **suggestions** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31451 | R525-7 | 5YR | 05/19/2008 | 2008-12/57 |
| **sulfur dioxide** | | | | | |
| Environmental Quality, Air Quality | 30970 | R307-250 | 5YR | 02/08/2008 | 2008-5/46 |
| **superfund** | | | | | |
| Environmental Quality, Environmental Response and Remediation | 30567 | R311-401-2 | AMD | 01/02/2008 | 2007-21/59 |
| **supervision** | | | | | |
| Commerce, Occupational and Professional Licensing | 31288 | R156-1 | AMD | 06/23/2008 | 2008-10/30 |
| | 30655 | R156-1-102a | AMD | 01/08/2008 | 2007-23/3 |
| **supported employment** | | | | | |
| Human Services, Services for People with Disabilities | 31084 | R539-9 | AMD | 05/22/2008 | 2008-8/26 |
| **surplus property** | | | | | |
| Administrative Services, Fleet Operations, Surplus Property | 31117 | R28-3 | 5YR | 04/04/2008 | 2008-9/52 |
| **surveyors** | | | | | |
| Commerce, Occupational and Professional Licensing | 31175 | R156-22-305 | NSC | 05/05/2008 | Not Printed |
| **suspensions** | | | | | |
| Natural Resources, Wildlife Resources | 31223 | R657-26 | NSC | 05/05/2008 | Not Printed |
| **systems** | | | | | |
| Public Safety, Fire Marshal | 31085 | R710-7 | AMD | 05/23/2008 | 2008-8/40 |
| **tanning beds** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 30612 | R392-700 | CPR | 05/16/2008 | 2008-7/58 |
| | 30612 | R392-700 | NEW | 05/16/2008 | 2007-22/65 |
| **tariffs** | | | | | |
| Public Service Commission, Administration | 31101 | R746-405 | 5YR | 04/01/2008 | 2008-8/57 |
| **tax credit** | | | | | |
| Governor, Economic Development | 31153 | R357-3 | NEW | 06/18/2008 | 2008-9/37 |
| **tax credits** | | | | | |
| Environmental Quality, Air Quality | 31389 | R307-121 | AMD | 08/07/2008 | 2008-11/87 |
| | 30889 | R307-121-3 | NSC | 01/30/2008 | Not Printed |
| Natural Resources, Geological Survey | 30902 | R638-2-6 | AMD | 03/10/2008 | 2008-3/35 |
| **tax exemptions** | | | | | |
| Tax Commission, Auditing | 31272 | R865-19S-99 | NSC | 06/23/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31258 | R865-19S-105 | AMD | 07/01/2008 | 2008-10/132 |
| | 30841 | R865-19S-121 | AMD | 02/25/2008 | 2008-1/37 |
| **tax returns** | | | | | |
| Tax Commission, Auditing | 30916 | R865-9I-37 | AMD | 03/14/2008 | 2008-3/63 |
| | 30849 | R865-9I-53 | AMD | 02/25/2008 | 2008-1/36 |
| **taxation** | | | | | |
| Tax Commission, Administration | 30688 | R861-1A-20 | AMD | 01/11/2008 | 2007-23/68 |
| | 30589 | R861-1A-24 | AMD | 01/11/2008 | 2007-21/69 |
| | 30717 | R861-1A-26 | AMD | 01/11/2008 | 2007-23/69 |
| | 30838 | R861-1A-40 | AMD | 02/25/2008 | 2008-1/32 |
| | 30835 | R861-1A-42 | AMD | 02/25/2008 | 2008-1/33 |
| | 30780 | R861-1A-43 | AMD | 01/25/2008 | 2007-24/24 |
| Tax Commission, Auditing | 30913 | R865-6F-28 | AMD | 03/14/2008 | 2008-3/61 |
| | 30842 | R865-6F-37 | AMD | 02/25/2008 | 2008-1/35 |
| Tax Commission, Motor Vehicle | 30844 | R873-22M-34 | AMD | 02/25/2008 | 2008-1/38 |
| | 31264 | R873-22M-41 | AMD | 06/27/2008 | 2008-10/133 |
| Tax Commission, Motor Vehicle Enforcement | 31255 | R877-23V-19 | AMD | 06/27/2008 | 2008-10/135 |
| Tax Commission, Property Tax | 31274 | R884-24P-62 | NSC | 06/23/2008 | Not Printed |
| | 30931 | R884-24P-62 | AMD | 03/28/2008 | 2008-4/30 |
| **taxes** | | | | | |
| Human Services, Recovery Services | 31162 | R527-475 | AMD | 06/25/2008 | 2008-10/121 |
| Insurance, Administration | 30890 | R590-157 | 5YR | 01/10/2008 | 2008-3/79 |
| **teacher licensing** | | | | | |
| Education, Administration | 31444 | R277-504 | AMD | 07/08/2008 | 2008-11/77 |
| | 30951 | R686-100 | 5YR | 02/04/2008 | 2008-5/59 |
| **teachers** | | | | | |
| Education, Administration | 31038 | R277-508 | 5YR | 03/03/2008 | 2008-7/63 |
| | 31521 | R686-101 | 5YR | 06/02/2008 | 2008-12/62 |
| | 31522 | R686-102 | 5YR | 06/02/2008 | 2008-12/62 |
| **technology** | | | | | |
| Education, Administration | 31578 | R277-492 | NEW | 08/07/2008 | 2008-13/25 |
| **telecommunications** | | | | | |
| Public Service Commission, Administration | 31619 | R746-240 | 5YR | 06/24/2008 | 2008-14/144 |
| | 31618 | R746-340 | 5YR | 06/24/2008 | 2008-14/144 |
| | 31092 | R746-342 | 5YR | 04/01/2008 | 2008-8/56 |
| | 31797 | R746-344 | 5YR | 08/07/2008 | Not Printed |
| | 31798 | R746-345 | 5YR | 08/07/2008 | Not Printed |
| | 31045 | R746-347 | 5YR | 03/07/2008 | 2008-7/66 |
| | 31374 | R746-349-3 | NSC | 05/05/2008 | Not Printed |
| **telecommuting** | | | | | |
| Human Resource Management, Administration | 31193 | R477-8 | AMD | 07/01/2008 | 2008-10/101 |
| | 30778 | R477-8-5 | AMD | 01/22/2008 | 2007-24/16 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **telephone utility regulation** | | | | | |
| Public Service Commission, Administration | 31798 | R746-345 | 5YR | 08/07/2008 | Not Printed |
| **telephone utility regulations** | | | | | |
| Public Service Commission, Administration | 31618 | R746-340 | 5YR | 06/24/2008 | 2008-14/144 |
| **telephones** | | | | | |
| Public Service Commission, Administration | 31619 | R746-240 | 5YR | 06/24/2008 | 2008-14/144 |
| **terminally ill** | | | | | |
| Corrections, Administration | 30803 | R251-114 | NEW | 03/11/2008 | 2008-1/6 |
| **time** | | | | | |
| Labor Commission, Adjudication | 31250 | R602-1 | NSC | 05/05/2008 | Not Printed |
| Labor Commission, Antidiscrimination and Labor, Antidiscrimination | 31241 | R606-1 | NSC | 05/05/2008 | Not Printed |
| | 31242 | R606-2 | NSC | 05/05/2008 | Not Printed |
| Labor Commission, Antidiscrimination and Labor, Fair Housing | 31240 | R608-1 | NSC | 05/05/2008 | Not Printed |
| Labor Commission, Antidiscrimination and Labor, Labor | 31247 | R610-1 | NSC | 05/05/2008 | Not Printed |
| | 31149 | R610-1-4 | AMD | 06/13/2008 | 2008-9/48 |
| | 31245 | R610-2 | NSC | 05/05/2008 | Not Printed |
| | 30942 | R610-2-6 | AMD | 03/24/2008 | 2008-4/19 |
| | 31243 | R610-3 | NSC | 05/05/2008 | Not Printed |
| | 30876 | R610-3-4 | EMR | 01/03/2008 | 2008-3/70 |
| | 30941 | R610-3-4 | AMD | 03/24/2008 | 2008-4/20 |
| | 31148 | R610-3-10 | AMD | 06/13/2008 | 2008-9/50 |
| Labor Commission, Industrial Accidents | 31235 | R612-1 | NSC | 05/05/2008 | Not Printed |
| **timeliness** | | | | | |
| Pardons (Board Of), Administration | 31659 | R671-515 | 5YR | 07/03/2008 | 2008-15/104 |
| **title insurance** | | | | | |
| Insurance, Administration | 31769 | R590-187 | 5YR | 07/29/2008 | 2008-16/71 |
| **title insurance continuing education** | | | | | |
| Insurance, Title and Escrow Commission | 31337 | R592-7 | NEW | 07/14/2008 | 2008-10/125 |
| **title recovery fund assessment** | | | | | |
| Insurance, Title and Escrow Commission | 31341 | R592-9 | NEW | 07/14/2008 | 2008-10/128 |
| **towing** | | | | | |
| Transportation, Motor Carrier | 30785 | R909-19 | AMD | 02/12/2008 | 2007-24/26 |
| **traffic regulations** | | | | | |
| Public Safety, Driver License | 31437 | R708-16 | AMD | 07/08/2008 | 2008-11/117 |
| **traffic violations** | | | | | |
| Public Safety, Driver License | 31106 | R708-3-2 | NSC | 05/05/2008 | Not Printed |
| **training** | | | | | |
| Human Services, Substance Abuse and Mental Health | 31164 | R523-24-7 | AMD | 07/14/2008 | 2008-10/116 |
| | 31165 | R523-24-9 | AMD | 07/14/2008 | 2008-10/117 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31353 | R523-24-13 | NSC | 05/05/2008 | Not Printed |
| Public Service Commission, Administration | 31375 | R746-510 | NSC | 05/05/2008 | Not Printed |
| **training programs** | | | | | |
| Human Resource Management, Administration | 31195 | R477-10 | AMD | 07/01/2008 | 2008-10/106 |
| **transportation** | | | | | |
| Administrative Services, Finance | 31319 | R25-7 | 5YR | 04/29/2008 | 2008-10/144 |
| | 31320 | R25-7 | AMD | 07/01/2008 | 2008-10/4 |
| Human Services, Aging and Adult Services | 31027 | R510-105 | 5YR | 02/27/2008 | 2008-6/26 |
| Transportation, Preconstruction | 31066 | R930-5 | AMD | 06/10/2008 | 2008-8/46 |
| **transportation conformity** | | | | | |
| Environmental Quality, Air Quality | 30971 | R307-310 | 5YR | 02/08/2008 | 2008-5/46 |
| | 30705 | R307-310-2 | AMD | 02/08/2008 | 2007-23/40 |
| **transportation law** | | | | | |
| Administrative Services, Facilities Construction and Management | 31063 | R23-13 | 5YR | 03/17/2008 | 2008-8/50 |
| **transportation safety** | | | | | |
| Transportation, Motor Carrier | 30783 | R909-1-1 | AMD | 02/15/2008 | 2007-24/25 |
| **trauma** | | | | | |
| Health, Health Systems Improvement, Emergency Medical Services | 31068 | R426-5-3 | AMD | 06/04/2008 | 2008-8/17 |
| **trespass** | | | | | |
| Natural Resources, Parks and Recreation | 31679 | R651-620 | 5YR | 07/07/2008 | 2008-15/97 |
| **trucking industries** | | | | | |
| Tax Commission, Auditing | 30913 | R865-6F-28 | AMD | 03/14/2008 | 2008-3/61 |
| | 30842 | R865-6F-37 | AMD | 02/25/2008 | 2008-1/35 |
| **trucks** | | | | | |
| Transportation, Motor Carrier | 30783 | R909-1-1 | AMD | 02/15/2008 | 2007-24/25 |
| | 30785 | R909-19 | AMD | 02/12/2008 | 2007-24/26 |
| Transportation, Motor Carrier, Ports of Entry | 31794 | R912-14 | 5YR | 08/07/2008 | Not Printed |
| **ultraviolet light safety** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 30612 | R392-700 | CPR | 05/16/2008 | 2008-7/58 |
| | 30612 | R392-700 | NEW | 05/16/2008 | 2007-22/65 |
| **unarmed combat** | | | | | |
| Sports Authority (Utah), Pete Suazo Utah Athletic Commission | 31028 | R859-1 | AMD | 05/01/2008 | 2008-6/15 |
| | 31029 | R859-1-302 | AMD | 05/01/2008 | 2008-6/16 |
| **undercover identification** | | | | | |
| Public Safety, Criminal Investigations and Technical Services, Criminal Identification | 30929 | R722-320 | NSC | 05/14/2008 | Not Printed |
| | 31434 | R722-320 | 5YR | 05/14/2008 | 2008-11/127 |
| **underground storage tanks** | | | | | |
| Environmental Quality, Environmental Response and Remediation | 31486 | R311-200 | NSC | 06/18/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31487 | R311-201 | NSC | 06/18/2008 | Not Printed |
| | 31488 | R311-210 | NSC | 06/18/2008 | Not Printed |
| **unemployment compensation** | | | | | |
| Workforce Services, Unemployment Insurance | 31075 | R994-106-106 | AMD | 05/30/2008 | 2008-8/48 |
| | 31467 | R994-201 | 5YR | 05/20/2008 | 2008-12/64 |
| | 31468 | R994-202 | 5YR | 05/20/2008 | 2008-12/65 |
| | 31469 | R994-208 | 5YR | 05/20/2008 | 2008-12/65 |
| | 31547 | R994-306 | 5YR | 06/10/2008 | 2008-13/151 |
| | 31548 | R994-307 | 5YR | 06/10/2008 | 2008-13/152 |
| | 30771 | R994-508 | AMD | 02/15/2008 | 2007-24/30 |
| | 31546 | R994-508 | 5YR | 06/10/2008 | 2008-13/153 |
| | 31020 | R994-508-117 | NSC | 03/11/2008 | Not Printed |
| | 31071 | R994-508-118 | NSC | 04/14/2008 | Not Printed |
| **uninsured employers** | | | | | |
| Labor Commission, Industrial Accidents | 31251 | R612-9-1 | NSC | 05/05/2008 | Not Printed |
| **units** | | | | | |
| Environmental Quality, Radiation Control | 31170 | R313-12-1 | NSC | 05/05/2008 | Not Printed |
| | 30774 | R313-12-111 | AMD | 04/11/2008 | 2007-24/8 |
| | 30774 | R313-12-111 | CPR | 04/11/2008 | 2008-5/34 |
| **universal individual health application** | | | | | |
| Insurance, Administration | 31335 | R590-247 | NEW | 06/30/2008 | 2008-10/124 |
| **used oil** | | | | | |
| Environmental Quality, Solid and Hazardous Waste | 30907 | R315-15-1 | AMD | 03/13/2008 | 2008-3/16 |
| | 30908 | R315-15-10 | AMD | 03/13/2008 | 2008-3/19 |
| | 30909 | R315-15-11 | AMD | 03/13/2008 | 2008-3/21 |
| | 30910 | R315-15-12 | AMD | 03/13/2008 | 2008-3/23 |
| | 30911 | R315-15-17 | AMD | 03/13/2008 | 2008-3/29 |
| **USTAR** | | | | | |
| Education, Administration | 31578 | R277-492 | NEW | 08/07/2008 | 2008-13/25 |
| **Utah Housing Opportunity Restricted Account** | | | | | |
| Commerce, Real Estate | 31000 | R162-12 | NEW | 04/07/2008 | 2008-5/11 |
| **utility regulation** | | | | | |
| Public Service Commission, Administration | 31101 | R746-405 | 5YR | 04/01/2008 | 2008-8/57 |
| **vacations** | | | | | |
| Human Resource Management, Administration | 31192 | R477-7 | AMD | 07/01/2008 | 2008-10/95 |
| **variances** | | | | | |
| Environmental Quality, Air Quality | 30960 | R307-102 | 5YR | 02/08/2008 | 2008-5/40 |
| | 31462 | R307-102 | NSC | 06/18/2008 | Not Printed |
| **vehicle replacement** | | | | | |
| Administrative Services, Fleet Operations | 30618 | R27-4 | AMD | 03/06/2008 | 2007-22/9 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **vending machines** | | | | | |
| Education, Administration | 30848 | R277-719 | NEW | 02/07/2008 | 2008-1/12 |
| **veterinary medicine** | | | | | |
| Commerce, Occupational and Professional Licensing | 31396 | R156-28 | AMD | 07/10/2008 | 2008-11/56 |
| **viatical** | | | | | |
| Insurance, Administration | 31523 | R590-222 | 5YR | 06/02/2008 | 2008-12/58 |
| | 31500 | R590-222 | AMD | 08/04/2008 | 2008-12/36 |
| **victim compensation** | | | | | |
| Crime Victim Reparations, Administration | 31322 | R270-1 | NSC | 05/05/2008 | Not Printed |
| | 30593 | R270-1-11 | AMD | 01/02/2008 | 2007-22/33 |
| | 31013 | R270-1-22 | AMD | 05/19/2008 | 2008-6/3 |
| | 31504 | R270-1-23 | AMD | 07/28/2008 | 2008-12/12 |
| | 31529 | R270-1-24 | AMD | 08/11/2008 | 2008-13/8 |
| **victims of crime** | | | | | |
| Crime Victim Reparations, Administration | 31322 | R270-1 | NSC | 05/05/2008 | Not Printed |
| | 31529 | R270-1-24 | AMD | 08/11/2008 | 2008-13/8 |
| **victims of crimes** | | | | | |
| Crime Victim Reparations, Administration | 30593 | R270-1-11 | AMD | 01/02/2008 | 2007-22/33 |
| | 31013 | R270-1-22 | AMD | 05/19/2008 | 2008-6/3 |
| | 31504 | R270-1-23 | AMD | 07/28/2008 | 2008-12/12 |
| **violations** | | | | | |
| Natural Resources, Wildlife Resources | 31223 | R657-26 | NSC | 05/05/2008 | Not Printed |
| **visitors** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31447 | R525-4 | 5YR | 05/19/2008 | 2008-12/56 |
| **vocational education** | | | | | |
| Education, Rehabilitation | 31042 | R280-200 | 5YR | 03/03/2008 | 2008-7/65 |
| **wages** | | | | | |
| Labor Commission, Antidiscrimination and Labor, Labor | 31247 | R610-1 | NSC | 05/05/2008 | Not Printed |
| | 31149 | R610-1-4 | AMD | 06/13/2008 | 2008-9/48 |
| | 31245 | R610-2 | NSC | 05/05/2008 | Not Printed |
| | 30942 | R610-2-6 | AMD | 03/24/2008 | 2008-4/19 |
| | 31243 | R610-3 | NSC | 05/05/2008 | Not Printed |
| | 30876 | R610-3-4 | EMR | 01/03/2008 | 2008-3/70 |
| | 30941 | R610-3-4 | AMD | 03/24/2008 | 2008-4/20 |
| | 31148 | R610-3-10 | AMD | 06/13/2008 | 2008-9/50 |
| Workforce Services, Unemployment Insurance | 31469 | R994-208 | 5YR | 05/20/2008 | 2008-12/65 |
| **warrants** | | | | | |
| Pardons (Board Of), Administration | 31658 | R671-510 | 5YR | 07/03/2008 | 2008-15/103 |
| | 31657 | R671-512 | 5YR | 07/03/2008 | 2008-15/103 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **waste disposal** | | | | | |
| Environmental Quality, Radiation Control | 30865 | R313-15 | AMD | 03/17/2008 | 2008-2/10 |
| Environmental Quality, Solid and Hazardous Waste | 30990 | R315-301 | 5YR | 02/14/2008 | 2008-5/48 |
| | 30986 | R315-302 | 5YR | 02/14/2008 | 2008-5/49 |
| | 30992 | R315-303 | 5YR | 02/14/2008 | 2008-5/49 |
| | 30991 | R315-305 | 5YR | 02/14/2008 | 2008-5/50 |
| | 30985 | R315-306 | 5YR | 02/14/2008 | 2008-5/51 |
| | 30993 | R315-307 | 5YR | 02/14/2008 | 2008-5/51 |
| | 30995 | R315-308 | 5YR | 02/14/2008 | 2008-5/52 |
| | 30994 | R315-309 | 5YR | 02/14/2008 | 2008-5/52 |
| | 30996 | R315-310 | 5YR | 02/14/2008 | 2008-5/53 |
| | 30983 | R315-311 | 5YR | 02/14/2008 | 2008-5/53 |
| | 30997 | R315-312 | 5YR | 02/14/2008 | 2008-5/54 |
| | 30999 | R315-314 | 5YR | 02/14/2008 | 2008-5/55 |
| | 30989 | R315-315 | 5YR | 02/14/2008 | 2008-5/55 |
| | 30988 | R315-316 | 5YR | 02/14/2008 | 2008-5/56 |
| | 30984 | R315-317 | 5YR | 02/14/2008 | 2008-5/57 |
| | 30987 | R315-318 | 5YR | 02/14/2008 | 2008-5/57 |
| Environmental Quality, Water Quality | 30639 | R317-1-4 | AMD | 02/04/2008 | 2007-22/52 |
| | 30637 | R317-13 | NEW | 02/04/2008 | 2007-22/61 |
| **waste to energy plant** | | | | | |
| Environmental Quality, Air Quality | 30703 | R307-223 | AMD | 02/08/2008 | 2007-23/38 |
| | 30968 | R307-223 | 5YR | 02/08/2008 | 2008-5/45 |
| **wastewater** | | | | | |
| Environmental Quality, Water Quality | 30638 | R317-3-11 | AMD | 02/04/2008 | 2007-22/57 |
| | 30636 | R317-14 | NEW | 02/04/2008 | 2007-22/62 |
| | 31103 | R317-101 | 5YR | 04/02/2008 | 2008-9/53 |
| **water** | | | | | |
| Public Service Commission, Administration | 31044 | R746-330 | 5YR | 03/07/2008 | 2008-7/66 |
| | 31095 | R746-331 | 5YR | 04/01/2008 | 2008-8/55 |
| | 31091 | R746-332 | 5YR | 04/01/2008 | 2008-8/55 |
| **water funding** | | | | | |
| Natural Resources, Water Resources | 30855 | R653-2 | NEW | 02/25/2008 | 2008-2/20 |
| | 30940 | R653-2 | NSC | 02/25/2008 | Not Printed |
| **water pollution** | | | | | |
| Environmental Quality, Water Quality | 30639 | R317-1-4 | AMD | 02/04/2008 | 2007-22/52 |
| | 30638 | R317-3-11 | AMD | 02/04/2008 | 2007-22/57 |
| | 30948 | R317-9 | 5YR | 02/01/2008 | 2008-4/42 |
| | 30637 | R317-13 | NEW | 02/04/2008 | 2007-22/61 |
| **water quality** | | | | | |
| Environmental Quality, Water Quality | 30638 | R317-3-11 | AMD | 02/04/2008 | 2007-22/57 |
| | 31103 | R317-101 | 5YR | 04/02/2008 | 2008-9/53 |
| Public Service Commission, Administration | 31044 | R746-330 | 5YR | 03/07/2008 | 2008-7/66 |

| KEYWORD<br>AGENCY | FILE NUMBER | CODE REFERENCE | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|---|---|---|---|---|---|
| **water rights** | | | | | |
| Natural Resources, Water Rights | 31130 | R655-5 | 5YR | 04/08/2008 | 2008-9/54 |
| | 31431 | R655-14 | AMD | 07/08/2008 | 2008-11/104 |
| **waterslides** | | | | | |
| Health, Epidemiology and Laboratory Services, Environmental Services | 31097 | R392-302 | AMD | 05/22/2008 | 2008-8/6 |
| **weapons** | | | | | |
| Human Services, Substance Abuse and Mental Health, State Hospital | 31031 | R525-6 | NEW | 05/01/2008 | 2008-6/7 |
| | 31348 | R525-6 | NSC | 05/01/2008 | Not Printed |
| Natural Resources, Parks and Recreation | 31012 | R651-612 | NSC | 03/10/2008 | Not Printed |
| **weed control** | | | | | |
| Agriculture and Food, Plant Industry | 31544 | R68-9 | 5YR | 06/09/2008 | 2008-13/147 |
| | 31128 | R68-9 | AMD | 07/02/2008 | 2008-9/8 |
| **white-collar contests** | | | | | |
| Sports Authority (Utah), Pete Suazo Utah Athletic Commission | 31028 | R859-1 | AMD | 05/01/2008 | 2008-6/15 |
| | 31029 | R859-1-302 | AMD | 05/01/2008 | 2008-6/16 |
| **wildland fire fund** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31108 | R652-121 | NSC | 05/01/2008 | Not Printed |
| **wildland urban interface** | | | | | |
| Natural Resources, Forestry, Fire and State Lands | 31109 | R652-122-100 | NSC | 05/01/2008 | Not Printed |
| **wildlife** | | | | | |
| Natural Resources, Wildlife Resources | 31219 | R657-2 | NSC | 05/05/2008 | Not Printed |
| | 31047 | R657-3 | 5YR | 03/11/2008 | 2008-7/65 |
| | 31053 | R657-3 | AMD | 05/08/2008 | 2008-7/45 |
| | 31220 | R657-3 | NSC | 05/05/2008 | Not Printed |
| | 30829 | R657-5 | AMD | 02/07/2008 | 2008-1/18 |
| | 30777 | R657-12 | AMD | 01/22/2008 | 2007-24/19 |
| | 31221 | R657-12-1 | NSC | 05/05/2008 | Not Printed |
| | 30676 | R657-13 | AMD | 01/07/2008 | 2007-23/61 |
| | 31048 | R657-13-3 | AMD | 05/08/2008 | 2008-7/47 |
| | 30904 | R657-13-4 | AMD | 03/10/2008 | 2008-3/43 |
| | 31807 | R657-19 | 5YR | 08/12/2008 | Not Printed |
| | 31222 | R657-22-1 | NSC | 05/05/2008 | Not Printed |
| | 30828 | R657-23 | AMD | 02/07/2008 | 2008-1/25 |
| | 30955 | R657-23-5 | AMD | 04/07/2008 | 2008-5/31 |
| | 31223 | R657-26 | NSC | 05/05/2008 | Not Printed |
| | 31224 | R657-27-11 | NSC | 05/05/2008 | Not Printed |
| | 30906 | R657-33 | AMD | 03/10/2008 | 2008-3/44 |
| | 31398 | R657-34 | 5YR | 05/08/2008 | 2008-11/125 |
| | 31401 | R657-37 | 5YR | 05/08/2008 | 2008-11/126 |
| | 31400 | R657-42 | 5YR | 05/08/2008 | 2008-11/126 |
| | 31049 | R657-42-8 | AMD | 05/08/2008 | 2008-7/48 |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| | 31051 | R657-53 | AMD | 05/08/2008 | 2008-7/50 |
| | 31228 | R657-53 | NSC | 05/05/2008 | Not Printed |
| | 31508 | R657-53 | 5YR | 06/02/2008 | 2008-12/61 |
| | 30903 | R657-58 | NEW | 03/10/2008 | 2008-3/47 |
| | 31052 | R657-58 | NSC | 03/26/2008 | Not Printed |
| | 31625 | R657-59 | EMR | 06/27/2008 | 2008-14/129 |
| | 31624 | R657-60 | EMR | 06/27/2008 | 2008-14/137 |
| | 31805 | R657-60 | EMR | 08/13/2008 | Not Printed |
| **wildlife law** | | | | | |
| Natural Resources, Wildlife Resources | 30777 | R657-12 | AMD | 01/22/2008 | 2007-24/19 |
| | 31221 | R657-12-1 | NSC | 05/05/2008 | Not Printed |
| | 30676 | R657-13 | AMD | 01/07/2008 | 2007-23/61 |
| | 31048 | R657-13-3 | AMD | 05/08/2008 | 2008-7/47 |
| | 30904 | R657-13-4 | AMD | 03/10/2008 | 2008-3/43 |
| | 31222 | R657-22-1 | NSC | 05/05/2008 | Not Printed |
| | 31224 | R657-27-11 | NSC | 05/05/2008 | Not Printed |
| | 30903 | R657-58 | NEW | 03/10/2008 | 2008-3/47 |
| | 31052 | R657-58 | NSC | 03/26/2008 | Not Printed |
| | 31624 | R657-60 | EMR | 06/27/2008 | 2008-14/137 |
| | 31805 | R657-60 | EMR | 08/13/2008 | Not Printed |
| **witness fees** | | | | | |
| Labor Commission, Adjudication | 31250 | R602-1 | NSC | 05/05/2008 | Not Printed |
| **woodburning** | | | | | |
| Environmental Quality, Air Quality | 31388 | R307-302-3 | AMD | 08/07/2008 | 2008-11/91 |
| **workers' compensation** | | | | | |
| Administrative Services, Risk Management | 31347 | R37-2 | AMD | 06/23/2008 | 2008-10/8 |
| Labor Commission, Adjudication | 31236 | R602-2-1 | NSC | 05/05/2008 | Not Printed |
| | 30811 | R602-2-4 | AMD | 02/07/2008 | 2008-1/14 |
| | 31238 | R602-3 | NSC | 05/05/2008 | Not Printed |
| | 30810 | R602-3-3 | AMD | 02/07/2008 | 2008-1/16 |
| | 31643 | R602-4 | EMR | 07/01/2008 | 2008-14/127 |
| Labor Commission, Industrial Accidents | 31235 | R612-1 | NSC | 05/05/2008 | Not Printed |
| | 31234 | R612-2 | 5YR | 04/28/2008 | 2008-10/148 |
| | 31333 | R612-2-5 | AMD | 07/01/2008 | 2008-10/130 |
| | 31230 | R612-3 | 5YR | 04/28/2008 | 2008-10/149 |
| | 30594 | R612-4-2 | AMD | 01/01/2008 | 2007-22/76 |
| | 31229 | R612-5 | 5YR | 04/28/2008 | 2008-10/149 |
| | 31231 | R612-7 | 5YR | 04/28/2008 | 2008-10/150 |
| | 31251 | R612-9-1 | NSC | 05/05/2008 | Not Printed |
| | 31252 | R612-10 | NSC | 05/05/2008 | Not Printed |
| | 31734 | R612-11 | NSC | 08/11/2008 | Not Printed |
| | 31565 | R612-11 | NEW | 08/11/2008 | 2008-13/85 |
| | 31564 | R612-12 | NEW | 08/11/2008 | 2008-13/86 |
| | 31735 | R612-12-2 | NSC | 08/11/2008 | Not Printed |

| KEYWORD<br>AGENCY | FILE<br>NUMBER | CODE REFERENCE | ACTION | EFFECTIVE<br>DATE | BULLETIN<br>ISSUE/PAGE |
|---|---|---|---|---|---|
| **working toward employment** | | | | | |
| Workforce Services, Employment Development | 31034 | R986-400-406 | AMD | 05/01/2008 | 2008-6/20 |
| **youth** | | | | | |
| Human Services, Administration, Administrative Services, Licensing | 31017 | R501-16 | 5YR | 02/22/2008 | 2008-6/25 |
| **zoological animals** | | | | | |
| Natural Resources, Wildlife Resources | 31047 | R657-3 | 5YR | 03/11/2008 | 2008-7/65 |
| | 31053 | R657-3 | AMD | 05/08/2008 | 2008-7/45 |
| | 31220 | R657-3 | NSC | 05/05/2008 | Not Printed |