

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Digest* should be addressed to the contact person for the rule. Questions about the *Digest* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

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

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between October 02, 2021, 12:00 a.m., and October 15, 2021, 11:59 p.m. are included in this, the November 01, 2021, issue of the *Utah State Digest*.

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

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least December 01, 2021. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through March 01, 2022, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R68-24	Filing ID 54002

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	350 N Redwood Road	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-982-2204	ambermbrown@utah.gov
Cody James	801-982-2376	codyjames@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R68-24. Industrial Hemp License for Growers
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
Changes are needed to add requirements regarding the treatment and remediation of non-compliant material to make this rule consistent with USDA industrial hemp requirements.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
Additional language is added to Section R68-24-12 to add specific requirements for remediation and disposal of non-compliant industrial hemp material in the possession of industrial hemp licensees, consistent with USDA rules.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
--

A) State budget:
These changes will not create anticipated cost or savings to the state budget. The Department of Agriculture and Food (Department) will be able to continue to administer the industrial hemp program with existing resources.
B) Local governments:
These changes should not impact local governments because they do not participate in the industrial hemp program.
C) Small businesses ("small business" means a business employing 1-49 persons):
These changes should not create additional quantifiable costs or savings to small businesses. While businesses that choose to remediate will have to pay for a second test, the cost of the test (\$65) will be less than the potential benefit from being able to sell additional biomass. The Department cannot quantify the amount of biomass that might be remediated and sold or what price would be paid for it.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These changes should not create additional quantifiable costs or savings to non-small businesses. While businesses that choose to remediate will have to pay for a second test, the cost of the test (\$65) will be less than the potential benefit from being able to sell additional biomass. The Department cannot quantify the amount of biomass that might be remediated and sold or what price would be paid for it.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
Other persons will not be impacted by this change because they do not function as industrial hemp licensees or administer the industrial hemp program.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
Industrial hemp licensing fees will remain the same. If a licensee chooses to remediate, they will need to pay \$65 for a second test. The Department is not able to estimate how many licensees will have non-compliant material and will choose to remediate.
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):
This rule will not have a fiscal impact on businesses in Utah. Craig W. Buttars, Commissioner

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Commissioner of the Utah Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 4-41-103(4)		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the

agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Commissioner	Date:	10/06/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R156-37f	Filing ID 54001

Agency Information

1. Department:	Commerce	
Agency:	Occupational and Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111-2316	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact person(s):		
Name:	Phone:	Email:
Jeff Henrie	801-530-6046	jahenrie@utah.gov

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

General Information

2. Rule or section catchline:
R156-37f. Controlled Substance Database Act Rule
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The Controlled Substance Database Act Rule is amended in accordance with changes made by H.B. 15 and S.B. 76 passed during the 2021 General Session. Additionally,

numerous formatting and other changes are made throughout this rule in accordance with Executive Order No. 2021-12 to clarify and update this rule.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

In accordance with Executive Order No. 2021-12, nonsubstantive formatting changes are made throughout this rule for clarity and to conform this rule to the current edition of the Utah Rulewriting Manual, and multiple changes are made throughout this rule to clarify existing processes and facilitate compliance and enforcement. For example, it is clarified that a valid search warrant under Subsection 58-37f-301(2)(l) includes a DEA administrative subpoena, and that the practitioner email address to be provided to the Controlled Substance Database (CSD) for a designee who will obtain CSD information on behalf of the practitioner cannot be a shared or group account address. Additionally, the requirement of a "color" copy ID is removed. Finally, Subsection 58-37f-301(12) regarding access to database information by a pharmacy technician or pharmacy intern is deleted as obsolete, as their access is now granted more seamlessly similar to other Division of Occupational and Professional Licensing (DOPL) licensees. The following substantive amendments are also made: First, H.B. 15 (2021) amended the Utah Code to require a practitioner to check the CSD before issuing a "high risk prescription," defined as an opiate or benzodiazepine prescription that is written for longer than 30 consecutive days; therefore, the new Subsection R156-37f-102(6) is added to reference the new definition of "high risk prescription" in Subsection 58-37-6(11)(a). Second, S.B. 76 (2021) added new Subsection 58-37f-301(2)(v), to grant access to the CSD to the Utah Medicaid Fraud Control Unit of the attorney general's office. Accordingly, a new Subsection R156-38f-301(13) is added to provide the procedures for secure CSD access for an employee of the Utah Medicaid Fraud Control Unit.

A rule hearing will be conducted before the Division electronically only with Google Meet. Join with Google Meet: meet.google.com/meq-uoqm-ori. You can join by phone at: (US) + 1 413-591-2481. (PIN: 205915837).

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

None of these amendments are expected to impact the state budget as the amendments are not expected to impact government practices or procedures beyond the mandates of H.B. 15 (2021) and S.B. 76 (2021).

B) Local governments:

The Division estimates that these amendments will have no measurable impact on local governments' revenues or expenditures as none of the amendments are expected to impact local governments' practices or procedures beyond the mandates of H.B. 15 (2021) and S.B. 76 (2021).

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

These proposed amendments are expected to have no measurable impact on small businesses' revenues or expenditures as they merely streamline and update this rule in accordance with Executive Order No. 2021-12 and conform this rule to the mandates of H.B. 15 (2021) and S.B. 76 (2021).

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

These proposed amendments are expected to have no measurable impact on non-small business revenues or expenditures as they merely streamline and update this rule in accordance with Executive Order No. 2021-12 and conform this rule to the mandates of H.B. 15 (2021) and S.B. 76 (2021).

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

These proposed amendments are expected to have no measurable impact on other persons as they merely streamline and update the rule in accordance with Executive Order No. 2021-12 and conform this rule to the mandates of H.B. 15 (2021) and S.B. 76 (2021).

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs expected for affected persons because these amendments only include changes for clarification of existing processes, which will only result in benefits for affected persons, and because the remaining amendments conform this rule to the mandates of 2021 H.B. 15 and S.B. 76.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

Small Businesses (less than 50 employees): The Division does not foresee any foreseeable impact on small businesses since these amendments are made to make the rule comport to H.B. 15 (2021) and S.B. 76 (2021). Thus, the fiscal impacts cannot be estimated due to the lack of data necessary for such a calculation. Further, the expressed measurable fiscal impact on small businesses' revenues are identified in the fiscal notes for H.B. 15

(2021) and S.B. 76 (2021).

Regulatory Impact to Non-Small Businesses (50 or more employees): This amended rule will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses. These costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

Margaret W. Busse, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 58-1-106(1)(a)	Subsection 58-37f-301(1)	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021	
B) A public hearing (optional) will be held:		
On:	At:	At:
11/10/2021	10:30 AM	A rule hearing will be conducted before the Division electronically only with Google Meet (see details in Box 4 above).

10. This rule change MAY become effective on:	12/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Mark B. Steinagel, Division Director	Date:	10/05/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-318	Filing ID 54024

Agency Information

1. Department:	Education
Agency:	Administration
Building:	Board of Education
Street address:	250 E 500 S
City, state and zip:	Salt Lake City, UT 84111

Mailing address: PO Box 144200		
City, state and zip: Salt Lake City, UT 84114-4200		
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	Angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R277-318. Teacher Salary Supplement Program
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being amended to clarify how renewals for the Teacher Salary Supplement Program (TSSP) will be processed due to S.B. 154 from the 2021 General Session which mandates that educators should not have to file for the supplement annually.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The amendments clarify how renewals for the TSSP will be processed. New language was added to Section R277-318-3 updating the application and eligibility requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule change may reduce administrative burdens for state government. The amendments simplify the teacher renewal process for TSSP.
B) Local governments:
This rule change may reduce administrative burdens for local governments. The amendments simplify the teacher renewal process for TSSP.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. The amendments to this rule affect the Utah State Board of Education (USr501-19 BE), local education agencies (LEAs), and teachers.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

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

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

This rule change may reduce administrative burdens for persons other than small businesses, businesses, or local government entities. The amendments simplify the teacher renewal process for TSSP.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

This rule change may reduce compliance costs for affected persons. The amendments simplify the teacher renewal process for TSSP.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. In addition, this rule change is not expected to have direct fiscal impact on small businesses. Sydnee Dickson, Superintendent

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Article X, Section 3	Section 53F-2-504	Subsection 53E-3-401(4)

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	12/01/2021

10. This rule change MAY become effective on:	12/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/14/2021
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NOTICE OF PROPOSED RULE			
TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R277-421	Filing ID	54025

Agency Information

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

General Information

2. Rule or section catchline:
R277-421. Out-of-State Tuition Reimbursement
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The purpose of the rule amendments are to reduce the burden on the Utah State Board of Education (USBE) to review out-of-state tuition agreements.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The amendments authorize the Superintendent to review out-of-state tuition agreements instead of the USBE.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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<p>A) State budget:</p> <p>This rule change is not expected to have significant fiscal impact on state government revenues or expenditures. The amendment removes the USBE's requirement to review out-of-state tuition agreements. Given the limited number of agreements and the relatively minimal amount of funds involved, the impact of this change should not be significant.</p>
<p>B) Local governments:</p> <p>This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. The amendments to this rule affect only USBE.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. The amendments to this rule affect only USBE.</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.</p>
<p>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):</p> <p>This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendments to rule affect only USBE.</p>
<p>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>There are no compliance costs for affected persons. The amendments to rule affect only USBE.</p>
<p>G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):</p> <p>There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses,</p>

they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. In addition, this rule change is not expected to have direct fiscal impacts on small businesses. Sydnee Dickson, Superintendent

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Article X, Section 3	Section 53G-6-305	Subsection 53E-3-401(4)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/14/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R277-502	Filing ID 54026

Agency Information

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

General Information

2. Rule or section catchline:
R277-502. Educator Licensing and Data Retention

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

This rule is no longer necessary given changes to the state educator licensing process and therefore, this rule is being repealed.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

This rule is being repealed in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

This rule repeal is not expected to have fiscal impact on state government revenues or expenditures. This rule is being repealed because new rules have made this rule obsolete.

B) Local governments:

This rule repeal is not expected to have fiscal impact on local governments' revenues or expenditures. This rule is being repealed because new rules have made this rule obsolete.

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

This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This rule is being repealed because new rules have made this rule obsolete.

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

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

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

NOTICES OF PROPOSED RULES

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule is being repealed because new rules have made this rule obsolete.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for affected persons. This rule is being repealed because new rules have made this rule obsolete.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. In addition, this rule change is not expected to have direct fiscal impacts on small businesses. Sydnee Dickson, Superintendent

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

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

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Article X, Section 3	Section 53E-6-201	Subsection 53E-3-401(4)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/14/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-746	Filing ID 54027

Agency Information

1. Department:	Education
Agency:	Administration
Building:	Board of Education

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

General Information

2. Rule or section catchline:
R277-746. Driver Education Programs for Utah Schools
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being amended because H.B. 18, Driver Education Amendments, from the 2021 General Session created the need for updates to the Drivers Education Manual, which is incorporated by reference in this rule.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The amendments remove certain education reporting requirements and requires the State Board to establish a policy or procedures to evaluate the impact a report required in a proposed rule may have on reporting requirements for local education agencies.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. The updated Drivers Education Manual was required due to H.B. 18 (2021).
B) Local governments:
This rule change is not expected to have independent fiscal impact on local governments' revenues or expenditures. The updated Drivers Education Manual was required due to H.B. 18 (2021).
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have independent fiscal impact on small businesses' revenues or

expenditures. The updated Drivers Education Manual was required due to H.B. 18 (2021).

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

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

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

This rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The updated Drivers Education Manual was required due to H.B. 18 (2021).

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no independent compliance costs for affected persons. The updated Drivers Education Manual was required due to H.B. 18 (2021).

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. In addition, this rule change is not expected to have direct fiscal impacts on small businesses. Sydnee Dickson, Superintendent

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024

NOTICES OF PROPOSED RULES

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Article X, Section 3	Subsection 53G-10-502(4)	Subsection 53E-3-401(4)

Incorporations by Reference Information

8. A) This rule adds, updates, or removes the following title of materials incorporated by references:	
	First Incorporation
Official Title of Materials Incorporated (from title page)	Driver Education for Utah High Schools Organization, Administration and Standards
Publisher	Utah State Board of Education

Date Issued	September 2021
Issue, or version	1

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	12/01/2021

10. This rule change MAY become effective on:	12/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/14/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R277-922	Filing ID 54028

Agency Information

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

General Information

2. Rule or section catchline:
R277-922. Digital Teaching and Learning Grant Program
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being amended to update the membership of the Digital Teaching and Learning Advisory Committee.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The amendments update Digital Teaching and Learning Advisory Committee duties and update requirements for school plans and reporting.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have independent fiscal impact on state government revenues or expenditures. The amendments make this rule consistent with H.B. 42 passed in the 2021 General Session.
B) Local governments:
This rule change is not expected to have independent fiscal impacts on local government revenues or expenditures. The amendments make the rule consistent with H.B. 42 (2021).
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have independent fiscal impacts on small business revenues or expenditures. The amendments make the rule consistent with H.B. 42 (2021).
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This proposed rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because there are no applicable non-small businesses and it does not require any expenditures of, or generate revenue for non-small businesses.

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

This rule change is not expected to have independent fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. The amendments make this rule consistent with H.B. 42 (2021).

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no independent compliance costs for affected persons. The amendments make this rule consistent with H.B. 42 (2021).

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (NAICS 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. In addition, this rule change is not expected to have direct fiscal impact on small businesses. Sydnee Dickson, Superintendent

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

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

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

B) Department head approval of regulatory impact analysis:
 The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Article X, Section 3	Section 53F-2-510	Subsection 53E-3-401(4)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 12/01/2021

10. This rule change MAY become effective on: 12/08/2021

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/14/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R315-101	Filing ID 54022

Agency Information

1. Department:	Environmental Quality	
Agency:	Waste Management and Radiation Control, Waste Management	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact person(s):		
Name:	Phone:	Email:
Tom Ball	801-536-0251	tball@utah.gov

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

General Information

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

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

Rule R315-101 is being amended to include the most up-to-date methods and procedures being used by industry to conduct cleanups of contaminated sites and risk assessments based on EPA guidance.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The current rule contains limited information and is not clear in its requirements resulting in confusion and inconsistent interpretations. The revised rule provides consistency in interpretations and requirements needed to conduct risk assessments.

The rule is being amended to provide several available approaches for conducting risk assessments allowing regulated entities to choose the approach that best fits their situation.

Contaminated groundwater is not adequately addressed in the current rule. This rule is being amended to adequately address groundwater at all contaminated sites.

The amended rule spells out a hierarchy of toxicological sources that are scientifically defensible for use in risk assessment evaluation.

The amended rule provides more details, requirements and information resources that are needed to conduct an

acceptable ecological risk assessment.

The amended rule defines what the Department of Environmental Quality (DEQ) considers to be an acceptable risk range and the target risk considered to be the point of departure. The amended rule also provides clear risk management options available depending on the level of risk. The interpretation of the term No Further Action (NFA) is well defined with regards to the level of risk at a site and the land use exposure scenario. The requirements for drafting a site management plan (SMP), as well as termination are clearly provided.

There is a section in the amended rule that contains a list of guidance documents and other resources that are incorporated by reference into this rule and a section that provides clear definitions of terms used in this rule.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

It is not anticipated that there will be any cost or savings to the state budget due to this rule amendment. There will be no change to the procedures and manpower used by the state to review risk assessments and cleanup plans that are based on the amended rule. Any state agency that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

B) Local governments:

It is not anticipated that there will be any cost or savings to local governments due to this rule amendment. Any local government that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

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

It is not anticipated that there will be any cost or savings to small businesses due to this rule amendment. Any small business that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

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

It is not anticipated that there will be any cost or savings to non-small businesses due to this rule amendment. Any non-small business that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

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

It is not anticipated that there will be any cost or savings to persons other than small businesses, non-small businesses, state, or local government entities due to this rule amendment. Any persons other than small businesses, non-small businesses, state, or local government entities that may be or may need to perform cleanups or risk assessments would be required to do so under the existing rule. This amendment does not add any requirements to this rule that would increase costs, nor does it remove any requirements that would decrease costs.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

Because this is an amendment to an existing rule and the changes to this rule do not significantly change how cleanups and risk assessments are conducted under this rule it is not anticipated that the compliance costs for affected persons will change due to the rule amendments.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

It is not anticipated that this rule amendment will have any additional fiscal impact on any businesses that are currently complying with this rule beyond the current costs of compliance. The changes that are being made include the most up-to-date methods and procedures being used by industry to conduct cleanups of contaminated sites and risk assessments. Kimberly D. Shelley, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

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

B) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Kimberly D. Shelley, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-6-105	Section 19-6-106	
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Incorporations by Reference Information

8. A) This rule adds, updates, or removes the following title of materials incorporated by references:

	First Incorporation
Official Title of Materials Incorporated (from title page)	Groundwater Statistics and Monitoring Compliance
Publisher	Interstate Technology Regulatory Council (ITRC)
Date Issued	December 2013

B) This rule adds, updates, or removes the following title of materials incorporated by references:

	Second Incorporation
Official Title of Materials Incorporated (from title page)	ECO-Risk Database
Publisher	Los Alamos National Laboratory (LANL)
Date Issued	2011

C) This rule adds, updates, or removes the following title of materials incorporated by references:

	Third Incorporation
Official Title of Materials Incorporated (from title page)	Toxicological Benchmarks for Wildlife: 1996 Revision
Publisher	Oakridge National Laboratory (ORNL)
Date Issued	1996
Issue, or version	1996

D) This rule adds, updates, or removes the following title of materials incorporated by references:

	Fourth Incorporation
Official Title of Materials Incorporated (from title page)	A Guide to the ORNL Ecotoxicological Screening Benchmarks: Background, Development, and Application
Publisher	Oakridge National Laboratory (ORNL)
Date Issued	May 1998
Issue, or version	Revision 1

E) This rule adds, updates, or removes the following title of materials incorporated by references:

	Fifth Incorporation
Official Title of Materials Incorporated (from title page)	Guidelines for the Health Risk Assessment of Chemical Mixtures
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	1986

F) This rule adds, updates, or removes the following title of materials incorporated by references:

Sixth Incorporation	
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual (Part A)
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	1989
Issue, or version	Interim Final

G) This rule adds, updates, or removes the following title of materials incorporated by references:

Seventh Incorporation	
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual Supplemental Guidance Standard Default Exposure Factors
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	March 25, 1991
Issue, or version	Interim Final

H) This rule adds, updates, or removes the following title of materials incorporated by references:

Eighth Incorporation	
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual (Part B Development of Risk-based Preliminary Remediation Goals)
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	December 1991
Issue, or version	Interim Final

I) This rule adds, updates, or removes the following title of materials incorporated by references:

Ninth Incorporation	
Official Title of Materials Incorporated (from title page)	Wildlife Exposure Factors Handbook, Volume I of II
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	December 1993

J) This rule adds, updates, or removes the following title of materials incorporated by references:

Tenth Incorporation	
Official Title of Materials Incorporated (from title page)	Supplemental Guidance to RAGS: Calculating the Concentration Term
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	May 1992

K) This rule adds, updates, or removes the following title of materials incorporated by references:

Eleventh Incorporation	
Official Title of Materials Incorporated (from title page)	Framework for Ecological Risk Assessment
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	February 1992

L) This rule adds, updates, or removes the following title of materials incorporated by references:

Twelfth Incorporation	
Official Title of Materials Incorporated (from title page)	Wildlife Exposure Factors Handbook, Appendix: Literature Review Database, Volume II of II
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	December 1993

M) This rule adds, updates, or removes the following title of materials incorporated by references:

Thirteenth Incorporation	
Official Title of Materials Incorporated (from title page)	Soil Screening Guidance Technical Background Document
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	May 1996

N) This rule adds, updates, or removes the following title of materials incorporated by references:

Fourteenth Incorporation	
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NOTICES OF PROPOSED RULES

Official Title of Materials Incorporated (from title page)	Ecological Risk Assessment Guidance for Superfund: Process for Designing and Conducting Ecological Risk Assessments
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	June 1997
Issue, or version	Interim Final

O) This rule adds, updates, or removes the following title of materials incorporated by references:

	Fifteenth Incorporation
Official Title of Materials Incorporated (from title page)	Guidelines for Ecological Risk Assessment
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	April 1998

P) This rule adds, updates, or removes the following title of materials incorporated by references:

	Sixteenth Incorporation
Official Title of Materials Incorporated (from title page)	Supplementary Guidance for Conducting Health Risk Assessment of Chemical Mixtures
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	August 2000

Q) This rule adds, updates, or removes the following title of materials incorporated by references:

	Seventeenth Incorporation
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Superfund Volume 1: Human Health Evaluation Manual (Part D, Standardized Planning, Reporting, and Review of Superfund Risk Assessments)
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	2001
Issue, or version	Final

R) This rule adds, updates, or removes the following title of materials incorporated by references:

	Eighteenth Incorporation
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Official Title of Materials Incorporated (from title page)	EPA Requirements for Quality Management Plans
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	2001

S) This rule adds, updates, or removes the following title of materials incorporated by references:

	Nineteenth Incorporation
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Superfund: Volume III - Part A, Process for Conducting Probabilistic Risk Assessment
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	December 2001

T) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twentieth Incorporation
Official Title of Materials Incorporated (from title page)	Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	2002

U) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-first Incorporation
Official Title of Materials Incorporated (from title page)	Guidance for Quality Assurance Project Plans
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	December 2002

V) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-second Incorporation
Official Title of Materials Incorporated (from title page)	Calculating Upper Confidence Limits for Exposure Point Concentrations at Hazardous Waste Sites
Publisher	United States Environmental Protection Agency (US EPA)

Date Issued	December 2002
Issue, or version	December 2002(a)

Date Issued	July 2004
Issue, or version	Final

W) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-third Incorporation
Official Title of Materials Incorporated (from title page)	Guidance for Developing Ecological Soil Screening Levels
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	November 2003
Issue, or version	February 2005

AA) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-seventh Incorporation
Official Title of Materials Incorporated (from title page)	Guidelines for Carcinogen Risk Assessment
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	March 2005
Issue, or version	March 2005(b)

X) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-fourth Incorporation
Official Title of Materials Incorporated (from title page)	Human Health Toxicity Values in Superfund Risk Assessment
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	December 2003

BB) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-eighth Incorporation
Official Title of Materials Incorporated (from title page)	Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	March 2005
Issue, or version	March 2005(c)

Y) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-fifth Incorporation
Official Title of Materials Incorporated (from title page)	User's Guide for Evaluating Subsurface Vapor Intrusion into Buildings
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	February 2004
Issue, or version	February 22, 2004

CC) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-ninth Incorporation
Official Title of Materials Incorporated (from title page)	Guidance on Systematic Planning Using the Data Quality Objectives Process
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	February 2006

Z) This rule adds, updates, or removes the following title of materials incorporated by references:

	Twenty-sixth Incorporation
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Superfund Volume 1: Human Health Evaluation Model (Part E, Supplemental Guidance for Dermal Risk Assessment)
Publisher	United States Environmental Protection Agency (US EPA)

DD) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirtieth Incorporation
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Superfund Volume 1: Human Health Evaluation Manual (Part F, Supplemental Guidance for Inhalation Risk Assessment)
Publisher	United States Environmental Protection Agency (US EPA)

NOTICES OF PROPOSED RULES

Date Issued	January 2009
Issue, or version	Final

EE) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-first Incorporation
Official Title of Materials Incorporated (from title page)	Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	March 2009
Issue, or version	Final

FF) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-second Incorporation
Official Title of Materials Incorporated (from title page)	Risk Assessment Guidance for Super Fund Volume 1: Human Health Evaluation Manual (Part C, Risk Evaluation of Remedial Alternatives)
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	December 1991
Issue, or version	Interim

GG) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-third Incorporation
Official Title of Materials Incorporated (from title page)	Exposure Factors Handbook: 2011 Edition
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	September 2011
Issue, or version	2011

HH) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-fourth Incorporation
Official Title of Materials Incorporated (from title page)	Superfund Vapor Intrusion FAQs
Publisher	United States Environmental Protection Agency (US EPA)

Date Issued	February 2012
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II) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-fifth Incorporation
Official Title of Materials Incorporated (from title page)	ProUCL Version 5.1 Technical Guide Statistical Software for Environmental Applications for Data Sets with and without Nondetect Observations
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	October 2015

JJ) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-sixth Incorporation
Official Title of Materials Incorporated (from title page)	Human Health Evaluation Manual, Supplemental Guidance: Update of Standard Default Exposure Factors
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	February 2014

KK) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-seventh Incorporation
Official Title of Materials Incorporated (from title page)	Vapor Intrusion Screening Level (VISL) Calculator User's Guide
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	May 2014

LL) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-eighth Incorporation
Official Title of Materials Incorporated (from title page)	OSWER Technical Guide for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Vapor Sources to Indoor Air
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	June 2015

MM) This rule adds, updates, or removes the following title of materials incorporated by references:

	Thirty-ninth Incorporation
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Official Title of Materials Incorporated (from title page)	Technical Guide for Addressing Petroleum Vapor Intrusion at Leaking Underground Storage Tank Sites
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	June 2015

NN) This rule adds, updates, or removes the following title of materials incorporated by references:

	Fortieth Incorporation
Official Title of Materials Incorporated (from title page)	Update of Ecological Soil Screening Level (Eco-SSL) Guidance and Contaminant Specific Documents
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	March 2005

OO) This rule adds, updates, or removes the following title of materials incorporated by references:

	Forty-first Incorporation
Official Title of Materials Incorporated (from title page)	Guidelines for Mutagenicity Risk Assessment
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	September 1986

PP) This rule adds, updates, or removes the following title of materials incorporated by references:

	Forty-second Incorporation
Official Title of Materials Incorporated (from title page)	Establishing Background Levels
Publisher	United States Environmental Protection Agency (US EPA)
Date Issued	September 1995

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/13/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Douglas J. Hansen, Division Director	Date:	10/14/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R392-102	Filing ID 54030

Agency Information

1. Department:	Health	
Agency:	Disease Control and Prevention, Environmental Services	
Room no.:	Second Floor	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142102	
City, state and zip:	Salt Lake City, UT. 84114-2102	
Contact person(s):		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov

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

General Information

2. Rule or section catchline:
R392-102. Food Truck Sanitation

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

Executive Order No. 2021-12 requires state agencies to amend rules that are inconsistent with the current edition of the Office of Administrative Rules' Rulewriting Manual for Utah. As required, the amendments to Rule R392-102 provide technical and conforming changes in accordance with the Rulewriting Manual for Utah.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The amendments to Rule R392-102 provide numerous nonsubstantive technical and conforming changes throughout the rule to correct improper formatting.

The Department has made three changes to the rule which are substantive, and they are:
 Subsection R392-102-3(4) was modified to clarify that it is the local health officer who is authorized to revoke or suspend a commissary permit, and not the Utah Department of Health.

Subsection R392-102-8(17)(a) was modified to include only sanitizing solutions that are chemical.

Subsection R392-102-10(5)(a) was modified to include the word, "or" as a coordinating conjunction.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

No anticipated cost or savings because the substantive changes reflect current practices, and therefore, have no fiscal impact.

B) Local governments:

No anticipated cost or savings because the substantive changes reflect current practices, and therefore, have no fiscal impact.

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

No anticipated cost or savings because the substantive changes reflect current practices, and therefore, have no fiscal impact. For example, small businesses already use only chemical sanitizing solutions.

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

No anticipated cost or savings because the substantive changes reflect current practices, and therefore, have no fiscal impact. For example, non-small businesses already use only chemical sanitizing solutions.

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

No anticipated cost or savings because the substantive changes reflect current practices, and therefore, have no fiscal impact.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

No anticipated cost or savings because the substantive changes reflect current practices, and therefore, have no fiscal impact.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

There is no fiscal impact to businesses because the substantive changes reflect current industry practices. Nathan Checketts, Interim Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Interim Executive Director of the Department of Health, Nathan Checketts, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 26-1-5	Subsection 26-1-30(9)	Subsection 26-1-30(23)
Section 26-7-1	Section 26-15-2	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Nathan Checketts, Interim Executive Director	Date:	10/15/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R392-104	Filing ID 54013

Agency Information

1. Department:	Health
Agency:	Disease Control and Prevention, Environmental Services
Room no.:	Second Floor
Building:	Cannon Health Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 142102
City, state and zip:	Salt Lake City, UT 84114-2102

Contact person(s):

Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov

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

General Information

2. Rule or section catchline:

R392-104. Feeding Disadvantaged Groups

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

Executive Order No. 2021-12 requires state agencies to amend rules that are inconsistent with the current edition of the Office of Administrative Rules' Rulewriting Manual for Utah. As required, the amendments to Rule R392-104 simplify the rule, remove outdated language and redundancies, and provide technical and conforming changes in accordance with the Rulewriting Manual for Utah.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The amendments to Rule R392-104 provide nonsubstantive technical and conforming changes throughout the rule and remove unnecessary and repetitive language.

Section R392-104-1 is a new section added to specify the statute under which this rule is authorized, and to explain the purpose of this rule.

Section R392-104-2 is a new section added to describe individuals and groups to whom this rule applies, and to specify exclusions to such.

In Section R392-104-3, added definitions for Certified food safety manager, Food Handler, and Food Handler Permit. Also, amended the definitions for Local Health Officer, Charitable Organization, and Event; and removed unnecessary definitions for Department, and Executive Director.

In Sections R392-104-4 through R392-104-6, the Department of Health (Department) has made nonsubstantive revisions including the rewording and restructuring of these sections to simplify the language and to clarify the intent to align more closely with the authorizing statute and the Rulewriting Manual for Utah.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:			
A) State budget:			
No anticipated cost or savings because no substantive changes have been made.			
B) Local governments:			
No anticipated cost or savings because no substantive changes have been made.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
No anticipated cost or savings because no substantive changes have been made.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
No anticipated cost or savings because no substantive changes have been made.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
No anticipated cost or savings because no substantive changes have been made.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
No anticipated cost or savings because no substantive changes have been made.			
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):			
There is no fiscal impact to businesses because this rule change does not include any substantive changes. Nathan Checketts, Interim Executive Director			
6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Interim Executive Director of the Utah Department of Health, Nathan Checketts, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection 26-1-30(23)	Section 26-15-5.1	Section 26-15a-105

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	12/01/2021
10. This rule change MAY become effective on:	12/08/2021

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Nathan Checketts, Interim Executive Director	Date:	10/12/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact

Utah Admin. Code Ref (R no.):	R392-303	Filing ID:	54031
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Agency Information

1. Department:	Health	
Agency:	Disease Control and Prevention, Environmental Services	
Room no.:	Second Floor	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142102	
City, state and zip:	Salt Lake City, UT 84114-2102	
Contact person(s):		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov

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

General Information

2. Rule or section catchline:
R392-303. Public Geothermal Pools and Bathing Places
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
Executive Order No. 2021-12 requires state agencies to amend rules that are inconsistent with the current edition of the Office of Administrative Rules' Rulewriting Manual for Utah. As required, the amendments to Rule R392-303 provide technical and conforming changes in accordance with the Rulewriting Manual for Utah.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The amendments to Rule R392-303 provide nonsubstantive technical and conforming changes throughout the rule and remove superfluous and repetitive language.

Section R392-303-1 is a new section added to specify the statute under which this rule is authorized, and to explain the purpose of the rule.

Section R392-303-2 is a new section added to describe individuals and groups to whom this rule applies, and to specify exclusions to such.

In Section R392-303-3, added definitions for Bather; Imminent health hazard; Local health department; Operator; and Plumbing Code. Also, amended definitions for Living unit; and Soaking tub; and removed unnecessary definitions for Executive director; and Semi-artificial bathing place.

In Sections R392-303-4 through R392-303-32, the Department of Health (Department) has made nonsubstantive revisions including the rewording and restructuring of these sections to simplify the language and to clarify the intent to align more closely with the authorizing statute and the Rulewriting Manual for Utah.

The Department also created new sections and moved existing provisions from other sections in this rule to improve readability and flow.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

No anticipated cost or savings because no substantive changes have been made.

B) Local government:

No anticipated cost or savings because no substantive changes have been made.

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

No anticipated cost or savings because no substantive changes have been made.

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

No anticipated cost or savings because no substantive changes have been made.

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

No anticipated cost or savings because no substantive changes have been made.

F) Compliance costs for affected persons:

No anticipated cost or savings because no substantive changes have been made.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

There is no fiscal impact to businesses because the rule change does not change any substantive requirements for businesses. Nathan Checketts, Interim Executive Director

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

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Interim Executive Director of the Department of Health, Nathan Checketts, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 26-15-2	Section 26-1-5	Subsection 26-1-30(23)
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Nathan Checketts, Interim Executive Director	Date:	10/15/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R414-320-16	Filing ID 54017

Agency Information

1. Department:	Health
Agency:	Health Care Financing, Coverage and Reimbursement Policy
Building:	Cannon Health Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 143102
City, state and zip:	Salt Lake City, UT 84114-3102

Contact person(s):		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R414-320-16. Benefits
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The purpose of this change is to update the maximum adult reimbursement rate for each month, and to clarify provisions for children.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
This amendment allots a new maximum reimbursement amount for adults up to \$300 each month and clarifies coverage and reimbursement for children. It also makes other clarifications and technical changes.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The Department of Health estimates an aggregate cost of \$120,000 to the state budget, with the increase in reimbursement to adult members of Utah's Premium Partnership for Health (UPP) Program.
B) Local governments:
There is no impact on local governments because they neither fund nor determine eligibility for the UPP Program.
C) Small businesses ("small business" means a business employing 1-49 persons):
Small businesses may see an increase in revenue, but there is no data to estimate what that increase might be.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses may see an increase in revenue, but there is no data to estimate what that increase might be.

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

Adult members of the UPP program may see an increase in total out-of-pocket savings if the UPP program is able to pay more of their monthly health care premiums.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs as this amendment can only result in out-of-pocket savings to adult members of the UPP program.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

There is no measurable impact on business by increasing the premium reimbursement amounts. Nate Checketts, Executive Director

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

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$120,000	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$120,000	\$0	\$0

NOTICES OF PROPOSED RULES

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Health, Nate Checketts, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 26-1-5	Section 26-18-3	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	12/01/2021

10. This rule change MAY become effective on:	12/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Nate Checketts, Executive Director	Date:	10/11/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R495-876	Filing ID 54006

Agency Information

1. Department:	Human Services
Agency:	Administration
Room no.:	DHS Administration Office
Building:	Multi-Agency State Office Building
Street address:	195 N 1950 W
City, state and zip:	Salt Lake City, UT 84116

Mailing address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R495-876. Provider Code of Conduct
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being changed in compliance with S.B. 127 passed in the 2021 General Session, Executive Order No. 2021-12, and based on stakeholder input. During the review of this rule, the Department of Human Services also discovered a number of minor issues that needed to be amended.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The majority of the substantive changes are being done to bring the rule into compliance with the new requirements imposed upon human services programs by S.B. 127 (2021). In order to comply with Executive Order No. 2021-12, many changes are also being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of the rule more clear. This repeal and replace also aligns outdated rules with current industry standards based on stakeholder input.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no aggregate anticipated cost or savings to state budget because all legislative changes have been accounted for through a fiscal note to supplement office resources for enforcement of this rule change.

B) Local governments:

There is no aggregate anticipated cost or savings to local government because the proposed rule only supports local governments requirements but does not impose any additional requirements on them.

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

The cost or savings impact on small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development. Any additional costs as a result of the new policies and procedures will be self-imposed.

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

The cost or savings impact on non-small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development and there are a number of ways programs may choose to comply.

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

There is no impact on persons due to the enactment of these proposed rule changes, as the Office of Licensing can only regulate small or non-small businesses meeting the statutory definition for licensure.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There will be no affected persons other than small or non-small businesses meeting the statutory definition for licensure.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024

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

B) Department head approval of regulatory impact analysis:

The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 62A-1-111		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact

Utah Admin. Code Ref (R no.):	R501-1	Filing ID	54007
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Agency Information

1. Department:	Human Services		
Agency:	Administration, Administrative Services, Licensing		
Building:	Multi Agency State Office Building		
Street address:	195 N 1950 W		
City, state and zip:	Salt Lake City, UT 84116		
Contact person(s):			
Name:	Phone:	Email:	
Janice Weinman	385-321-5586	jweinman@utah.gov	
Jonah Shaw	385-310-2389	jshaw@utah.gov	
Please address questions regarding information on this notice to the agency.			

General Information

2. Rule or section catchline:
R501-1. General Provisions for Licensing
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being changed in compliance with S.B. 127 passed in the 2021 General Session, Executive Order No. 2021-12, and based on stakeholder input. The Office of Licensing (Office) is consolidating Rule R501-2 into Rule R501-1 to apply to all licensed programs. During the review of this rule, the Office also discovered a number of minor issues that needed to be amended.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The majority of the substantive changes are being done to bring this rule into compliance with the new requirements imposed upon human services programs by S.B. 127 (2021). In order to comply with Executive Order No. 2021-12, many changes are also being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of this rule more clear. This repeal and reenact also aligns outdated rules with current industry standards based on stakeholder input.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

There is no aggregate anticipated cost or savings to state budget because all legislative changes have been accounted for through a fiscal note to supplement office resources for enforcement of this rule change.

B) Local governments:

There is no aggregate anticipated cost or savings to local governments because the proposed rule only supports local government requirements but does not impose any additional requirements on them.

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

The cost or savings impact on small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development. Any additional costs as a result of the new policies and procedures will be self-imposed.

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

The cost or savings impact on non-small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development and there a number of ways programs may choose to comply.

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

There is no impact on persons due to the enactment of these proposed rule changes, as the Office can only regulate small or non-small businesses meeting the statutory definition for licensure.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There will be no affected persons other than small or non-small businesses meeting the statutory definition for licensure.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 62A-2-101	Section 62A-2-106	Section 62A-2-123
Section 62A-2-124	Section 62A-2-125	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R501-8	Filing ID 54008

Agency Information

1. Department:	Human Services	
Agency:	Administration, Administrative Services, Licensing	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov

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

General Information

2. Rule or section catchline:

R501-8. Outdoor Youth Programs

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

This rule is being changed in compliance with S.B. 127 passed in the 2021 General Session, Executive Order No. 2021-12, and based on stakeholder input. During the review of this rule, the Office of Licensing (Office) also discovered a number of minor issues that needed to be amended.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The majority of the substantive changes are being done to bring this rule into compliance with the new requirements imposed upon human services programs by S.B. 127 (2021). In order to comply with Executive Order No. 2021-12, many changes are also being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of this rule more clear. This repeal and reenact also aligns outdated rules with current industry standards based on stakeholder input.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

There is no aggregate anticipated cost or savings to the state budget because all legislative changes have been accounted for through a fiscal note to supplement office resources for enforcement of this rule change.

B) Local governments:

There is no aggregate anticipated cost or savings to local governments because the proposed rule only supports local government requirements but does not impose any additional requirements on them.

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

The cost or savings impact on small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development. Any additional costs as a result of the new policies and procedures will be self-imposed.

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

The cost or savings impact on non-small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development and there a number of ways programs may choose to comply.

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

There is no impact on persons due to the enactment of these proposed rule changes, as the Office can only regulate small or non-small businesses meeting the statutory definition for licensure.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There will be no affected persons other than small or non-small businesses meeting the statutory definition for licensure.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 62A-2-106	Section 62A-2-101	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	12/01/2021

10. This rule change MAY become effective on:	12/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R501-15	Filing ID 54009

Agency Information

1. Department:	Human Services	
Agency:	Administration, Administrative Services, Licensing	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R501-15. Therapeutic Schools
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being changed in compliance with S.B. 127 passed in the 2021 General Session, Executive Order No. 2021-12, and based on stakeholder input. During the review of this rule, the Office of Licensing (Office) also discovered a number of minor issues that needed to be amended.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The majority of the substantive changes are being done to bring this rule into compliance with the new requirements imposed upon human services programs by S.B. 127 (2021). In order to comply with Executive Order No. 2021-12, many changes are also being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of this rule more clear. This repeal and reenact also aligns outdated rules with current industry standards based on stakeholder input.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
There is no aggregate anticipated cost or savings to state budget because all legislative changes have been accounted for through a fiscal note to supplement office resources for enforcement of this rule change.
B) Local governments:
There is no aggregate anticipated cost or savings to local governments because the proposed rule only supports local government requirements but does not impose any additional requirements on them.
C) Small businesses ("small business" means a business employing 1-49 persons):
The cost or savings impact on small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development. Any additional costs as a result of the new policies and procedures will be self-imposed.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The cost or savings impact on non-small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development and there a number of ways programs may choose to comply.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no impact on persons due to the enactment of these proposed rule changes, as the Office can only regulate small or non-small businesses meeting the statutory definition for licensure.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There will be no affected persons other than small or non-small businesses meeting the statutory definition for licensure.
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):
After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 62A-2-101	Section 62A-2-106	Section 62A-2-123
Section 62A-2-124	Section 62A-2-125	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 12/01/2021

10. This rule change MAY become effective on: 12/08/2021

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R501-19	Filing ID 54010

Agency Information

1. Department:	Human Services	
Agency:	Administration, Services, Licensing	Administrative
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov

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

General Information

2. Rule or section catchline:
R501-19. Residential Treatment Programs

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

The rule is being changed in compliance with S.B. 127 passed in the 2021 General Session, Executive Order No. 2021-12, and based on stakeholder input. During the review of this rule, the Office of Licensing (Office) also discovered a number of minor issues that needed to be amended.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The majority of the substantive changes are being done to bring this rule into compliance with the new requirements imposed upon human services programs by S.B. 127 (2021). In order to comply with Executive Order No. 2021-12, many changes are also being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of this rule more clear. This repeal and reenact also aligns outdated rules with current industry standards based on stakeholder input.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

There is no aggregate anticipated cost or savings to state budget because all legislative changes have been accounted for through a fiscal note to supplement office resources for enforcement of this rule change.

B) Local governments:

There is no aggregate anticipated cost or savings to local governments because the proposed rule only supports local government requirements but does not impose any additional requirements on them.

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

The cost or savings impact on small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development. Any additional costs as a result of the new policies and procedures will be self-imposed.

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

The cost or savings impact on non-small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development and there a number of ways programs may choose to comply.

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

There is no impact on persons due to the enactment of these proposed rule changes, as the Office can only regulate small or non-small businesses meeting the statutory definition for licensure.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There will be no affected persons other than small or non-small businesses meeting the statutory definition for licensure.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 62A-2-106	Section 62A-2-101	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R501-22	Filing ID 54011

Agency Information

1. Department:	Human Services
Agency:	Administration, Administrative Services, Licensing
Building:	Multi Agency State Office Building

Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Contact person(s):		
Name:	Phone:	Email:
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R501-22. Residential Support Programs
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The rule is being changed in compliance with S.B. 127 passed in the 2021 General Session, Executive Order No. 2021-12, and based on stakeholder input. During the review of this rule, the Office of Licensing (Office) also discovered a number of minor issues that needed to be amended.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The majority of the substantive changes are being done to bring this rule into compliance with the new requirements imposed upon human services programs by S.B. 127 (2021). In order to comply with Executive Order No. 2021-12, many changes are also being done to fix style issues to bring this rule text more in line with current rulewriting standards and to make the language of this rule more clear. This repeal and reenact also aligns outdated rules with current industry standards based on stakeholder input.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no aggregate anticipated cost or savings to state budget because all legislative changes have been accounted for through a fiscal note to supplement office resources for enforcement of this rule change.
B) Local governments:
There is no aggregate anticipated cost or savings to local governments because the proposed rule only supports

local government requirements but does not impose any additional requirements on them.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
The cost or savings impact on small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development. Any additional costs as a result of the new policies and procedures will be self-imposed.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
The cost or savings impact on non-small businesses is inestimable because licensed programs are allowed to demonstrate rule compliance through policy and procedure development and there a number of ways programs may choose to comply.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
There is no impact on persons due to the enactment of these proposed rule changes, as the Office can only regulate small or non-small businesses meeting the statutory definition for licensure.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There will be no affected persons other than small or non-small businesses meeting the statutory definition for licensure.			
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):			
After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director			
6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:	
Section 62A-2-106	Section 62A-2-101

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	12/01/2021

10. This rule change MAY become effective on:	12/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.	

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal			
Utah Admin. Code Ref (R no.):	R527-302	Filing ID	54004

Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state and zip:	Salt Lake City, UT 84102-4211	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact person(s):		
Name:	Phone:	Email:
Casey Cole	801-741-7523	cacole@utah.gov
Jonah Shaw	801-538-4225	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R527-302. Income Withholding Fees
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
Pursuant to Executive Order No. 2021-12, this rule is being repealed as a result of the review to become consistent with the current edition of the Office of Administrative Rules' Rulewriting Manual. The information provided in this rule is clearly provided in statute making this rule unnecessary.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
This rule is being repealed in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

The repeal of this rule is due to Executive Order No. 2021-12. It is technical in nature and does not reflect substantive changes to current practices or procedures. It is not anticipated that this repeal would create a fiscal cost or savings to the state budget.

B) Local governments:

The repeal of this rule is due to Executive Order No. 2021-12. It is technical in nature and does not reflect substantive changes to current practices or procedures. It is not anticipated that this repeal would create a fiscal cost or savings to local governments.

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

The repeal of this rule is due to Executive Order No. 2021-12. It is technical in nature and does not reflect substantive changes to current practices or procedures. It is not anticipated that this repeal would create a fiscal cost or savings to small businesses.

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

The repeal of this rule is due to Executive Order No. 2021-12. It is technical in nature and does not reflect substantive changes to current practices or procedures. It is not anticipated that this repeal would create a fiscal cost or savings to non-small businesses.

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

The repeal of this rule is due to Executive Order No. 2021-12. It is technical in nature and does not reflect substantive changes to current practices or procedures. It is not anticipated that this repeal would create a fiscal cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs associated with the repeal of this rule. It is technical in nature and does not reflect substantive changes to current practices or procedures.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses because this rule is being repealed. Tracy Gruber, Executive Director

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

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 62A-11-406	Section 78A-2-216	URCP Rule 64D
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NOTICES OF PROPOSED RULES

15 U.S.C. 1673(b)	Section 62A-1-111	Section 62A-11-107
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R527-378	Filing ID 54005

Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state and zip:	Salt Lake City, UT 84102-4211	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact person(s):		
Name:	Phone:	Email:
Mary Burgener	801-741-7465	mburgene@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Jonah Shaw	801-538-4225	jshaw@utah.gov

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

General Information

2. Rule or section catchline:
R527-378. Withholding of Social Security Benefits

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

Pursuant to Executive Order No. 2021-12, this rule is being amended to become consistent with the current edition of the Office of Administrative Rules' Rulewriting Manual.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

This rule is being amended to meet the standards found in the Administrative Rules' Rulewriting Manual, pursuant to Executive Order No. 2021-12.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:
The amendment to this rule is due to Executive Order No. 2021-12. Therefore, there are no anticipated costs or savings to the state budget due to this amendment.

B) Local governments:
The amendment to this rule is due to Executive Order No. 2021-12. Therefore, there are no anticipated costs or savings for local governments due to this amendment.

C) Small businesses ("small business" means a business employing 1-49 persons):
The amendment to this rule is due to Executive Order No. 2021-12. Therefore, there are no anticipated costs or savings to small businesses due to this amendment.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The amendment to this rule is due to Executive Order No. 2021-12. Therefore, there are no anticipated costs or savings to non-small businesses due to this amendment.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):
The amendment to this rule is due to Executive Order No. 2021-12. Therefore, there are no anticipated costs or savings to other persons due to this amendment.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

The amendment to this rule is due to Executive Order No. 2021-12. Therefore, there are no compliance costs due to this amendment.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

After conducting a thorough analysis, it was determined that this amendment will not result in a fiscal impact to businesses. Tracy Gruber, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 62A-11-107	Section 62A-1-111
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal		
Utah Admin. Code Ref (R no.):	R527-928	Filing ID 54016

Agency Information

1. Department:	Human Services	
Agency:	Recovery Services	
Street address:	515 E 100 S	
City, state and zip:	Salt Lake City, UT 84102-4211	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact person(s):		
Name:	Phone:	Email:
Scott Weight	801-741-7435	sweigh2@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov

Jonah Shaw	801-538-4225	jshaw@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R527-928. Lost Checks
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being repealed because Office of Recovery Services (ORS) does not currently provide any services to the greater Department of Human Services (DHS) related to DHS issued checks. The procedures contained in this rule do not represent the process for ORS issued checks. Similar issues for ORS are resolved by the financial institutions or with help from the Attorney General's Office relying on existing statute.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
This rule is repealed in its entirety.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule does not reflect the ORS process regarding lost checks and is therefore being repealed. It is not anticipated that this repeal would create a fiscal cost or savings to the state budget.
B) Local governments:
This rule does not reflect the ORS process regarding lost checks and is therefore being repealed. It is not anticipated that this repeal would create a fiscal cost or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule does not reflect the ORS process regarding lost checks and is therefore being repealed. It is not anticipated that this repeal would create a fiscal cost or savings to small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule does not reflect the ORS process regarding lost checks and is therefore being repealed. It is not anticipated that this repeal would create a fiscal cost or savings to non-small businesses.

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

This rule does not reflect the ORS process regarding lost checks and is therefore being repealed. It is not anticipated that this repeal would create a fiscal cost or savings to other persons.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs associated with the repeal of this rule, it is technical in nature and does not reflect substantive changes to current practices or procedures.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

After conducting a thorough analysis, it was determined that this proposal will not result in a fiscal impact to businesses because this rule is being repealed. Tracy Gruber, Executive Director

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0

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

B) Department head approval of regulatory impact analysis:
 The Executive Director of Human Services, Tracy Gruber, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 35A-3-601	Section 35A-3-603	Section 62A-11-104
Section 62A-11-107	Section 62A-1-111	Title 70A, Chapter 3

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 12/01/2021

10. This rule change MAY become effective on: 12/08/2021

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Tracy Gruber, Executive Director	Date:	10/04/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R590-79	Filing ID 53998

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R590-79. Life Insurance Disclosure Rule
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that need to be amended.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The majority of the changes are being done to fix style issues to bring this rule text more in line with current rulewriting standards. Others are changes to make the language of this rule more clear. The new Section R590-79-7 is being updated to use the Department's current language. Section R590-79-9 is being removed because penalties are already provided for in statute. Section R590-79-10 is being removed because this rule is already in force. The changes do not add, remove, or change any regulations or requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature and will not change how the Department functions.

B) Local governments:

There is no anticipated cost or savings to local governments. The changes are largely clerical in nature and will not affect local governments.

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

There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature and will not affect small businesses.

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

There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

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

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0

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

B) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Insurance, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201	Section 31A-22-425	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency

must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	10/04/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R590-83	Filing ID 53999

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R590-83. Unfair Discrimination on the Basis of Sex or Marital Status
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that need to be amended.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
The majority of the changes are being done to fix style issues to bring this rule text more in line with current rulewriting standards. Others are changes to make the

language of this rule more clear and Section R590-83-6 is being updated to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature and will not change how the Department functions.

B) Local governments:
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature and will not affect local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature and will not affect small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature and will not affect non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):
There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for any affected persons. The changes are largely clerical in nature.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses. Jonathan T. Pike, Commissioner

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in

NOTICES OF PROPOSED RULES

this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:
 The Commissioner of the Department of Insurance, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201	Section 31A-23a-402	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 12/01/2021

10. This rule change MAY become effective on: 12/08/2021

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R590-140	Filing ID 54018

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

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

General Information

2. Rule or section catchline:
R590-140. Reference Filings of Rate Service Organization Prospective Loss Costs
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that need to be amended.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

The majority of the changes are being done to fix style issues to bring this rule text more in line with current rulewriting standards. Other changes make the language of this rule more clear and updates the new Section R590-140-9 to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature and will not change how the Department functions.

B) Local governments:

There is no anticipated cost or savings to local governments. The changes are largely clerical in nature and will not affect local governments.

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

There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature and will not affect small businesses.

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

There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs for any affected persons. The changes are largely clerical in nature.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

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

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

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Insurance, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201		
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NOTICES OF PROPOSED RULES

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	10/13/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R590-161	Filing ID 54000

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R590-161. Disability Income Policy Disclosure

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

This rule is being changed in compliance with Executive Order No. 2021-12. During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
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The majority of the changes are being done to fix style issues to bring this rule text more in line with current rulewriting standards. Other changes remove an outdated provision, make the language of this rule more clear and update the new Section R590-161-5 to use the Department's current language. The changes do not add, remove, or change any regulations or requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
There is no anticipated cost or savings to the state budget. The changes are largely clerical in nature and will not change how the Department functions.

B) Local governments:
There is no anticipated cost or savings to local governments. The changes are largely clerical in nature and will not affect local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The changes are largely clerical in nature and will not affect small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. The changes are largely clerical in nature and will not affect non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no anticipated cost or savings to any other persons. The changes are largely clerical in nature.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
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There are no compliance costs for any affected persons. The changes are largely clerical in nature.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

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

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

B) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Insurance, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 31A-2-201		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on: 12/08/2021

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	10/04/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Repeal and Reenact		
Utah Admin. Code Ref (R no.):	R708-2	Filing ID 54012

Agency Information

1. Department:	Public Safety	
Agency:	Driver License	
Street address:	4501 S 2700 W	
City, state and zip:	Salt Lake City, UT 84129	
Mailing address:	PO Box 144501	
City, state and zip:	Salt Lake City, UT 84114-4501	
Contact person(s):		
Name:	Phone:	Email:
Kim Gibb	801-964-4482	kgibb@utah.gov
Tara Zamora	801-964-4483	tarazamora@utah.gov

Britani Flores	801-884-8313	bflores@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R708-2. Commercial Driver Training Schools
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
The purpose of this change is to clarify the requirements needed to obtain a license for a commercial driver training school. It clarifies the requirements needed to obtain a license to be an instructor and tester for commercial driver training schools. Language has been added to comply with H.B. 18 passed in the 2021 General Session. This rule has been completely restructured for cohesion.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
This filing condenses some information that was repetitive in the repealed rule. Rule sections have changed order from the repealed rule for cohesion and to enable a better understanding of the contents. Rule sections have been updated to reflect current technology by adding the Driver License Division's Driver Education Management System (DEMS) to update antiquated record keeping practices. Language regarding observation hours required for driver education has been modified to be in compliance with new legislation.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule change is not expected to have any fiscal impact on state government because this rule filing is to remove repetitive information, as well as change the order of the titles for ease of understanding. The requirements contained within this rule have not changed.
B) Local governments:
This rule change is not expected to have any fiscal impact on local governments because this rule filing is to remove repetitive information, as well as change the order of the titles for ease of understanding. The requirements contained within this rule have not changed.
C) Small businesses ("small business" means a business employing 1-49 persons):

This rule change is not expected to have any fiscal impact on small businesses because this rule filing is to remove repetitive information, as well as change the order of the titles for ease of understanding. The requirements contained within this rule have not changed.

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

This rule change is not expected to have any fiscal impact on non-small businesses because this rule filing is to remove repetitive information, as well as change the order of the titles for ease of understanding. The requirements contained within this rule have not changed.

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

This rule change is not expected to have any fiscal impact on other persons because this rule filing is to remove repetitive information, as well as change the order of the titles for ease of understanding. The requirements contained within this rule have not changed.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs associated with this rule.

G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

This rule change will not have an impact on businesses. The changes are being made in an effort to streamline the language in this rule in the interest of clarity. Nothing has changed procedurally, with the exception of the removal of the requirement that six hours of observation training be completed in order to successfully pass a driver education course, as is required due to the passage of H.B. 18 (2021). Jess L. Anderson, Commissioner

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

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:
Section 53-3-505

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
A) Comments will be accepted until: 12/01/2021

10. This rule change MAY become effective on: 12/08/2021
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title: Christopher Caras, Division Director	Date: 10/07/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment	
Utah Admin. Code Ref (R no.): R722-300	Filing ID: 54003

Agency Information

1. Department: Public Safety		
Agency: Criminal Investigations and Technical Services, Criminal Identification		
Street address: 3888 W 5400 S		
City, state and zip: Taylorsville, UT 84129		
Contact person(s):		
Name: Kim Gibb	Phone: 801-556-8198	Email: kgibb@utah.gov
Greg Willmore	801-965-4533	gwillmor@utah.gov
Nicole Borgeson	801-281-5072	nshepherd@utah.gov

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

General Information

2. Rule or section catchline: R722-300. Concealed Firearm Permit and Instructor Rule
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?): This filing is being submitted to incorporate changes made as a result of the passage of H.B. 216 from the 2021 General Session.
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule): A new provision is being added to allow a provisional permit holder to apply for a concealed carry permit within 90 days of their 21st birthday.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
This rule change is not expected to have any impact on state government revenues or expenditures because it only allows a provisional permit holder to apply 30 days sooner for a concealed carry permit.
B) Local governments:
This rule change is not expected to have any impact on local governments' revenues or expenditures because it does not affect government at the local level.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change is not expected to have any impact on small businesses' revenues or expenditures because it does not affect small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change is not expected to have any impact on non-small businesses' revenues or expenditures because it does not affect non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule change is not expected to have any impact on revenues or expenditures for persons other than small businesses, non-small businesses, state or local government entities because it only allows for a provisional permit holder to apply 30 days sooner for a concealed carry permit.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
This rule change will not result in any compliance costs for affected persons because it only allows for a provisional permit holder to apply 30 days sooner for a concealed carry permit.
G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):
This rule will not have any fiscal impact on businesses because this rule change only extends the period of time that is allowed for a provisional permit holder to apply for a concealed carry permit by 30 days. Jess L. Anderson, Commissioner

6. A) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
B) Department head approval of regulatory impact analysis:			
The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this fiscal analysis.			

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Sections 53-5-701 through 53-5-712		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	12/01/2021
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10. This rule change MAY become effective on:	12/08/2021
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

Agency Authorization Information

Agency head or designee, and title:	Greg Willmore, Division Director	Date:	10/07/2021
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End of the Notices of Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R277-318	Filing ID: 52811

Agency Information

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

General Information

2. Rule catchline:	R277-318. Teacher Salary Supplement Program	
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4) allows the Board to make rules to execute the Board's duties and responsibilities under the Utah	

Constitution and state law; and Section 53F-2-504 which directs the Board to make rules regarding the administration of the Teacher Salary Supplement Program.

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

No written comments were received.

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

This rule continues to be necessary because it establishes application and appeal procedures for administration of the Teacher Salary Supplement Program. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/07/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R277-421	Filing ID: 50412

Agency Information

1. Department:	Education
Agency:	Administration

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

General Information

2. Rule catchline:
R277-421. Out-of-State Tuition Reimbursement
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by the Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4) which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Section 53G-6-305 which outlines when a school district may pay out-of-state tuition for a resident student to attend a school district out of state.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule was approved by the State Board of Education for continuation and continues to be necessary because it establishes procedures for obtaining Board approval for reimbursement of out-of-state tuition expenses, calculating reimbursement costs, and recording out of state students in district records.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/07/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R277-438	Filing ID: 50428

Agency Information

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

General Information

2. Rule catchline:
R277-438. Dual Enrollment
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-501(1)(b)(i) which directs the Board to establish rules and minimum standards for access to programs; Subsection 53E-3-401(4) which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Section 53G-6-702 which governs dual enrollment.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule was approved by the State Board of Education for continuation and continues to be necessary because it provides consistent statewide procedures and criteria for a home school and private school student's participation in a public school course, co-curricular activity, or program.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/07/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R277-746	Filing ID: 50538

Agency Information

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

General Information

2. Rule catchline:
R277-746. Driver Education Programs for Utah Schools
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision of public education in the Board; Subsection 53E-3-401(4) which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Subsection 53G-10-502(4) which directs the Board to prescribe rules for driver education classes in the public schools.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule was approved by the State Board of Education for continuation and continues to be necessary because it incorporates by reference the Board's Driver Education manual, which specifies standards and procedures for local school districts conducting automobile driver education.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/07/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R277-922	Filing ID: 50554

Agency Information

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

General Information

2. Rule catchline:
R277-922. Digital Teaching and Learning Grant Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; Subsection 53E-3-401(4) which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Section 53F-2-510, the Digital Teaching and Learning Grant Program, which requires the Board to establish a qualifying grant program and adopt rules related to administration of the Digital Teaching and Learning Grant Program.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

No written comments were received.

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

This rule was approved by the State Board of Education for continuation and continues to be necessary because it establishes an application and grant review committee and process and gives direction to LEAs participating in the Digital Teaching and Learning Program.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	10/07/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R392-401	Filing ID: 50926

Agency Information

1. Department:	Health	
Agency:	Disease Control and Prevention, Environmental Services	
Room no.:	Second Floor	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142102	
City, state and zip:	Salt Lake City, UT 84114-2102	
Contact person(s):		
Name:	Phone:	Email:
Karl Hartman	801-538-6191	khartman@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R392-401. Roadway Rest Area Sanitation

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

This rule is authorized under Sections 26-1-5 and 26-15-2, and Subsection 26-1-30(23).

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

No comments received.

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

This rule sets standards for health, safety, and welfare of individuals and for the prevention of the spread of disease in or from a roadway rest area. Therefore, this rule should be continued. The Department received no comments in opposition to the continuation of this rule.

Agency Authorization Information

Agency head or designee, and title:	Nathan Checketts, Interim Executive Director	Date:	10/15/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R850-8	Filing ID: 52025

Agency Information

1. Department:	School and Institutional Trust Lands	
Agency:	Administration	
Room no.:	Suite 500	
Street address:	675 E 500 S	
City, state and zip:	Salt Lake City, UT 84102-2818	
Contact person(s):		
Name:	Phone:	Email:
Mike Johnson	801-538-5180	mjohnson@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:	
R850-8. Adjudicative Proceedings	
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	
Section 53C-I-304 requires the Board of Trustees (Board) for the School and Institutional Trust Lands Administration (SITLA) to establish due process rules for the resolution of conflicts regarding actions taken by the Board, director, and SITLA. This rule provides the procedures for aggrieved parties to petition for administrative or judicial review of the actions taken.	
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No written comments have been received by the agency concerning this rule since the previous five-year review filed in 10/18/2016.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
There continues to be a need for a mechanism for aggrieved parties to petition for redress of SITLA or Board actions which affect an interest held by the parties. This rule provides for a reasonable and effective way for the board to address challenges to agency and board actions. Therefore, this rule should be continued.	

Agency Authorization Information

Agency head or designee, and title:	Dave Ure, Director	Date:	10/07/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R926-5	Filing ID: 52140

Agency Information

1. Department:	Transportation
Agency:	Program Development
Room no.:	Administrative Suite, 1st Floor
Building:	Calvin Rampton
Street address:	4501 S 2700 W
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 148455

City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:	
R926-5. State Park Access Highways Improvement Program	
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	
Subsection 72-3-207(4) requires the Department of Transportation (Department) to make and maintain an administrative rule that administers the State Park Access Highways Improvement Program and establishes procedures for a county or municipality to apply for a grant of program money.	
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
The Department has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
The Department must continue Rule R926-5 because it satisfies Subsection 72-3-207(4) requirements, which remain in effect.	

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, PE, Executive Director	Date:	10/04/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R930-2	Filing ID: 52136

Agency Information

1. Department:	Transportation	
Agency:	Preconstruction	
Room no.:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R930-2 Public Hearings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 72-1-201 authorizes the Department of Transportation (Department) to make rules for the administration of the Department, state transportation systems, and programs. Public hearings are critical to the Department's ability to obtain feedback from the public that helps it plan, design, and construct the state's transportation systems in a way that harmonizes with the public's needs.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department has not received any written comments during and since the last five-year review of this rule from interested persons supporting or opposing this rule.
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5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

Since this rule facilitates the Department's ability to obtain feedback from the public that helps it plan, design, and construct the state's transportation systems in a way that harmonizes with the public's needs, this rule must be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, PE, Executive Director	Date:	10/05/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R930-3	Filing ID: 52138

Agency Information

1. Department:	Transportation	
Agency:	Preconstruction	
Room no.:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R930-3. Highway Noise Abatement
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 72-6-111(4) requires the Department of Transportation (Department) to make and maintain an administrative rule that establishes noise abatement measures for construction and maintenance of appurtenances. This rule satisfies those requirements.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There has not been a complaint documented that was specific to this rule. However, the Department received many comments regarding the policy which implements this rule in the Department's processes. These mainly concern the process of evaluating noise impacts and proposing noise abatement mitigation. These comments are generally procedural, resolved by communicating with constituents and clarifying the policy where necessary.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
The Department must continue Rule R930-3 because it satisfies Subsection 72-6-111(4) requirements, which remain in effect.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, PE, Executive Director	Date:	10/04/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R930-5	Filing ID: 53184

Agency Information

1. Department:	Transportation
Agency:	Preconstruction
Room no.:	Administrative Suite, 1st Floor
Building:	Calvin Rampton
Street address:	4501 S 2700 W
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 148455

City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R930-5 Establishment and Regulation of At-Grade Railroad Crossings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 54-4-15, Establishment and Regulation of Grade Crossings, grants the Department of Transportation (Department) express authority to make this rule and the Department has general authority to make this rule under Subsection 72-1-201(1)(h).
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department received written comments from an interested railroad that opposed a proposed change to Section R930-5-8 in November and December of 2020. The Department also received written comments from two municipalities that favored the change to Section R930-5-8 during the first half of 2021. The Department effectuated the proposed changes 03/25/2021.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R930-5 is critical to the Department's statutory duty to foster safety of at-grade railroad crossings and fulfills state law delegating authority to the Department to assign responsibility for railroad crossing improvements. This rule also incorporates by reference numerous federal regulations designed to enhance safety of at-grade railroad crossings. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, PE, Executive Director	Date:	10/05/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R930-6	Filing ID: 52145

Agency Information

1. Department:	Transportation	
Agency:	Preconstruction	
Room no.:	Administrative Suite, 1st Floor	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact person(s):		
Name:	Phone:	Email:
Linda Hull	801-965-4253	lhull@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Palmer	801-965-4197	jimpalmer@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R930-6 Access Management

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

Section 72-1-201 authorizes the Department of Transportation (Department) to make rules for the administration of the Department, state transportation systems, and programs. This rule serves to establish highway access management procedures and standards to protect Utah's state highway system. The state highway system constitutes a valuable resource and a major public investment. Controlling access to certain parts of the state's highway system facilitates traveler safety and reduces delay and congestion. Further, Subsections 72-2-117(8) and 72-3-109(2) require the development of a model access management policy for the location and construction of approach roads and driveways entering state highways. This rule fulfills that statutory mandate.

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

The Department has received a few written comments from parties concerning the efficiency of our access permit process and a desire for clarification on some technical definitions. Many of these comments addressed interactions with the Department prior to the 2019 amendments to this rule, which improved efficiency considerably, particularly through the implementation of a pre-application meeting.

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

This rule serves to establish highway access management procedures and standards to protect Utah's state highway system. Failure to manage access to and from state highways can cause an increase in accidents, increased traffic congestion, decline in operating speed, loss of traffic carrying capacity, and increased traffic delays. The Department must continue this rule for the sake of the public's convenience and safety.

Agency Authorization Information

Agency head or designee, and title:	Carlos M. Braceras, PE, Executive Director	Date:	10/05/2021
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR REVIEW EXTENSION (EXTENSION)** with the Office of Administrative Rules. The **EXTENSION** permits the agency to file the review up to 120 days beyond the anniversary date.

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

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

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Utah Admin. Code Ref (R no.):	R307-301	Filing ID: 50608

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact person(s):		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R307-301: Utah and Weber Counties: Oxygenated Gasoline Program as a Contingency Measure
3. Reason for requesting the extension and the new deadline date:
During the five-year review analysis, the Division of Air Quality (DAQ) staff determined that this rule may no longer be needed because the ordinary ethanol content of today's blended gasoline fuels substantially exceeds the 3% maximum ethanol blend required by this rule if the contingency measure were triggered. In addition, neither Utah or Weber County has exceeded the carbon monoxide standard since 2002 and other, more effective contingency measures remain in place should this trend reverse. This extension will give the DAQ staff time to coordinate with EPA in pursuit of a repeal of the rule. The new deadline is 05/27/2022.

Agency Authorization Information

Agency head or designee, and title:	Bryce C. Bird, Director	Date:	10/01/2021
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End of the Notices of Five-Year Review Extensions Section

NOTICES OF FIVE-YEAR EXPIRATIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). The Office of Administrative Rules (Office) is required to notify agencies of rules due for review at least 180 days prior to the anniversary date. If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR EXTENSION (EXTENSION)** with the Office. However, if the agency fails to file either the **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION** or the **EXTENSION** by the date provide by the Office, the rule expires.

Upon expiration of the rule, the Office files a **NOTICE OF FIVE-YEAR EXPIRATION (EXPIRATION)** to document the action. The Office is required to remove the rule from the *Utah Administrative Code*. The agency may no longer enforce the rule and it must follow regular rulemaking procedures to replace the rule if it is still needed.

The Office has filed **EXPIRATIONS** for each of the rules listed below which were not reviewed in accordance with Section 63G-3-305. These rules have expired and have been removed from the *Utah Administrative Code*.

The expiration of administrative rules for failure to comply with the five-year review requirement is governed by Subsection 63G-3-305(8).

NOTICE OF EXPIRED RULE		
Utah Admin. Code Ref (R no.):	R907-3	ID No. 52092

Agency Information

1. Department:	Transportation	
Agency:	Administration	
Street address:	4501 S 2700 W	
City, state, and zip:	Taylorsville, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-957-7102	rulesonline@utah.gov

General Information

2. Title of rule (catchline):	
R907-3. Administrative Procedure	
3. Effective Date:	10/08/2021
4. Summary:	
The five-year review and notice of continuation was not filed for this rule by the deadline. This rule has expired and will be removed from the Utah Administrative Code.	

End of the Notices of Notices of Five Year Expirations Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

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

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

Agriculture and Food

Plant Industry

No. 53755 (Amendment) R68-22: Industrial Hemp Research
Published: 08/15/2021
Effective: 10/01/2021

No. 53708 (Amendment) R68-26: Industrial Hemp Product Registration and Labeling
Published: 08/01/2021
Effective: 10/01/2021

No. 53704 (New Rule) R68-37: Industrial Hemp Cannabinoid Product Testing
Published: 08/01/2021
Effective: 10/01/2021

Auditor

Administration

No. 53561 (New Rule) R123-7: Required Governmental Entities' Posting of Financial Information to Transparent Utah, formerly known as the Utah Public Finance Website
Published: 06/15/2021
Effective: 10/05/2021

Commerce

Real Estate

No. 53856 (Amendment) R162-2c: Utah Residential Mortgage Practices and Licensing Rules
Published: 09/15/2021
Effective: 10/26/2021

No. 53635 (New Rule) R162-2h: Affiliated Title Business Rule
Published: 09/15/2021
Effective: 10/26/2021

Government Operations

Facilities Construction and Management

No. 53609 (Amendment) R23-31: Executive Residence Mansion
Published: 07/15/2021
Effective: 10/27/2021

Governor

Economic Opportunity

No. 53834 (Repeal) R357-1: Rural Fast Track Program
Published: 09/01/2021
Effective: 10/12/2021

No. 53838 (Amendment) R357-5: Motion Picture Incentive Rule
Published: 09/01/2021
Effective: 10/12/2021

No. 53835 (Repeal) R357-19: Business Resource Centers
Published: 09/01/2021
Effective: 10/12/2021

No. 53769 (Repeal) R357-20: Education Computing Partnerships
Published: 09/01/2021
Effective: 10/12/2021

No. 53890 (Amendment) R357-29: Rural County Grant Program Rule
Published: 09/15/2021
Effective: 10/26/2021

No. 53895 (New Rule) R357-42: Redeveloping Matching Grant Rule
Published: 09/15/2021
Effective: 10/26/2021

NOTICES OF RULE EFFECTIVE DATES

Health

Family Health and Preparedness, Primary Care and Rural Health

No. 53847 (Amendment) R434-100: Physician Visa Waivers

Published: 09/01/2021

Effective: 10/13/2021

Human Services

Administration

No. 53889 (Amendment) R495-882: Termination of Parental Rights

Published: 09/15/2021

Effective: 10/25/2021

Child and Family Services

No. 53851 (Repeal) R512-1: Description of Division Services, Eligibility, and Service Access

Published: 09/15/2021

Effective: 10/23/2021

No. 53852 (Repeal) R512-204: Child Protective Services, New Caseworker Training

Published: 09/15/2021

Effective: 10/23/2021

Recovery Services

No. 53888 (Amendment) R527-3: Definitions

Published: 09/15/2021

Effective: 10/25/2021

No. 53887 (Repeal) R527-37: Closure Criteria for Support Cases

Published: 09/15/2021

Effective: 10/25/2021

No. 53882 (Repeal) R527-253: Collection of Child Support Judgments

Published: 09/15/2021

Effective: 10/25/2021

Services for People with Disabilities

No. 53734 (New Rule) R539-11: Strategy Report Advisory Committee

Published: 08/01/2021

Effective: 10/22/2021

No. 53734 (Change in Proposed Rule) R539-11: Strategy Report Advisory Committee

Published: 09/15/2021

Effective: 10/22/2021

Insurance

Administration

No. 53857 (Amendment) R590-70: Insurance Holding Companies

Published: 09/15/2021

Effective: 10/25/2021

No. 53844 (Repeal) R590-76: Health Maintenance Organizations and Limited Health Plans

Published: 09/01/2021

Effective: 10/12/2021

No. 53841 (Repeal) R590-88: Prohibited Transactions Between Producers And Unauthorized Multiple Employer Trusts

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No. 53858 (Amendment) R590-103: Security Deposits

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No. 53859 (Amendment) R590-120: Surety Bond Forms

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No. 53878 (Amendment) R590-124: Loss Information Rule

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No. 53879 (Amendment) R590-127: Rate Filing Exemptions

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No. 53880 (Amendment) R590-129: Unfair Discrimination Based Solely Upon Blindness or Physical or Mental Impairment

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Title and Escrow Commission

No. 53842 (Amendment) R592-8: Application Process for an Attorney Exemption for Agency Title Insurance Producer Licensing

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No. 53845 (Amendment) R592-9: Assessment for Title Insurance Recovery, Education, and Research Fund

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No. 53843 (Amendment) R592-10: Title Insurance Regulation Assessment for Agency Title Insurance Producers and Title Insurers

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Natural Resources

Geological Survey

No. 53634 (Amendment) R638-1: Acceptance and Maintenance of Confidential Information

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Wildlife Resources
No. 53885 (Amendment) R657-10: Taking Cougar
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No. 53886 (Amendment) R657-41: Conservation and
Sportsman Permits
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End of the Notices of Rule Effective Dates Section