

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed August 02, 2022, 12:00 a.m. through August 15, 2022, 11:59 p.m.

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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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# EXECUTIVE DOCUMENTS

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

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

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## EXECUTIVE ORDER 2022-05

**WHEREAS**, on August 23, 2022, a State of Emergency exists in Utah due to severe thunderstorms with heavy rain and the impacts from flash flooding in Emery, Grand, and Wayne Counties;

**WHEREAS**, numerous damaging flood events have impacted multiple counties throughout the state of Utah between August 19th through August 21st, with some communities being flooded multiple times;

**WHEREAS**, there has been significant damage to homes, businesses, roadways, and other public infrastructure;

**WHEREAS**, historic drought conditions, record low water levels, low soil moisture, high temperatures, and prolonged dry conditions have contributed to hardened ground surfaces increasing flash flood and debris flow risk;

**WHEREAS**, storm impacts such as flash flooding and debris flows are a threat to public safety;

**WHEREAS**, the potential for future and additional flooding in these and surrounding counties still exists;

**WHEREAS**, declaring a state of emergency will facilitate the protection of persons and property from the impacts of the severe storm and expedite the use of state level resources, as well as the deployment of federal and interstate resources, if required;

**WHEREAS**, many local communities have declared local states of emergency and have requested resources and support from the state of Utah's departments and agencies to assist them in dealing with these flood emergencies;

**WHEREAS**, the declaration of emergency will also permit the state of Utah to request and receive mutual aid assistance from other states through the Emergency Management Assistance Compact, if required;

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

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

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

1. The continued execution of the State Emergency Operations Plan, and assistance from state government to political subdivisions as needed and coordinated by the Department of Public Safety.

EXECUTIVE DOCUMENTS

**THIS ORDER** is effective immediately and shall remain in effect for 30 days unless the Legislature extends the state of emergency.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done in Salt Lake City, Utah, on this, the 23rd day of August, 2022.

(State Seal)

**Spencer J. Cox**  
Governor

ATTEST:

**Deidre M. Henderson**  
Lieutenant Governor

**End of the Executive Documents Section**

## NOTICES OF PROPOSED RULES

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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 August 02, 2022, 12:00 a.m., and August 15, 2022, 11:59 p.m. are included in this, the September 01, 2022, 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 October 03, 2022. 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 December 30, 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.

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

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R68-22	Filing ID: 54791

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Street address:</b>	4315 S 2700 W, TSOB, South Bldg, Floor 2	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Cody James	801-982-2376	codyjames@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R68-22. Industrial Hemp Research
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Changes are needed to make this rule consistent with current statute following passage of H.B. 385 during the 2022 General Session which transferred management of the industrial hemp cultivation program to the USDA. Accordingly, industrial hemp cultivation focused research will no longer be regulated or licensed by the Department of Agriculture and Food (Department). The bill also removed references to an industrial hemp research certificate from the Utah Code and therefore, research will now follow under the Department's current licensing of industrial hemp cultivators.
<b>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):</b>
This rule text has been updated to remove references to industrial hemp cultivation throughout, as well as change the name of the Industrial Hemp (Cultivation or

Processing) Research permit to the Industrial Hemp Research License. Additionally, definitions have been updated to make those listed consistent with current statute. The transportation section has been removed and replaced with language consistent with changes the Department recently filed to Rule R68-25, the Industrial Hemp Processor rule.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This change will save the Department an estimated \$2,500 per year because the Department will no longer be inspecting industrial hemp cultivation research.
<b>B) Local governments:</b>
Local governments do not participate in industrial hemp research and will not be impacted by these changes.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
Small businesses should not be impacted by this change because the regulation of industrial hemp research is not changing.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
Non-small businesses should not be impacted by this change because the regulation of industrial hemp research is not changing.
<b>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>):</b>
Other persons should not be impacted by this change because the regulation of industrial hemp research is not changing.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
Compliance costs are not changing because compliance requirements and fees charged by the Department are not changing.
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$2,500	\$2,500	\$2,500
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$2,500</b>
<b>Net Fiscal Benefits</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$2,500</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Utah Department of Agriculture and Food, Craig W. Butters, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

<b>6. 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:</b>		
Section 4-41-103		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	10/03/2022

<b>9. This rule change MAY become effective on:</b>	10/10/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W Butters, Commissioner	<b>Date:</b>	08/08/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R68-37</b>	<b>Filing ID:</b> <b>54782</b>

**Agency Information**

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Plant Industry	
<b>Street address:</b>	4315 S 2700 W, TSOB, South Bldg, Floor 2	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	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**

<b>2. Rule or section catchline:</b>
R68-37. Industrial Hemp Cannabinoid Product Testing
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Changes are needed to clarify the requirements of this rule to ensure consumer safety, based on feedback from program staff.
<b>4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the</b>

substantive differences between the repealed rule and the reenacted rule):

The requirements of Section R68-37-5 are clarified to require that the cannabinoid profile is listed on each cannabinoid product. Additionally, language is added to prohibit vitamin E acetate in inhalable products.

**Fiscal Information**

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

**A) State budget:**

These changes clarify the requirements of this rule and will not have a fiscal impact on the state.

**B) Local governments:**

Local governments do not manufacture or regulate cannabinoid products and will not be impacted.

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

Small businesses should not be impacted by these changes because they are clarifying the requirements of the program to be consistent with current practice. Any needed changes will be small.

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

Non-small businesses should not be impacted by these changes because they are clarifying the requirements of the program to be consistent with current practice. Any needed changes will be small.

**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**):

Other persons should not be impacted by these changes because they are clarifying the requirements of the program to be consistent with current practice. Any needed changes will be small.

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

Compliance costs for affected persons will not be impacted because the changes are clarifying in nature and any necessary changes will be negligible.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Commissioner of the Utah Department of Agriculture and Food, Craig W. Butters, has reviewed and approved this regulatory impact analysis.			

**Citation Information**

**6. 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 4-41-204(2)		
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	08/05/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	R277-120	<b>Filing ID:</b>
		54797

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-120. Licensing of Material Developed with Public Education Funds
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-120 is being amended in order to incorporate requirements from the 2022 General Session, H.B. 374.
<b>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):</b>
The amendments specifically clarify that public funds may not be used to produce sensitive materials.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. It simply incorporates the definition of sensitive materials due to recent legislation. Fiscal impacts were already included in the fiscal note of the bill.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. It simply incorporates the definition of sensitive materials due to recent legislation. Fiscal impacts were already considered in the fiscal note and there is no impact to LEAs.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects the Utah State Board of Education (USBE) and Local Education Agencies (LEAs).
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
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.
<b>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):</b>
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. It only affects USBE and LEAs.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no compliance costs for affected persons. It simply incorporates the definition of sensitive materials due to recent legislation and the fiscal impact was already addressed in the bill's fiscal note.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	Subsection 53E-3-501(1)(e)(i)
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**Public Notice Information**

**8. 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:** 10/03/2022

**9. This rule change MAY become effective on:** 10/10/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-121</b>	<b>Filing ID:</b> <b>54798</b>

**Agency Information**

<b>1. Department:</b>	Education	
<b>Agency:</b>	Administration	
<b>Building:</b>	Board of Education	
<b>Street address:</b>	250 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
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:**  
R277-121. Board Waiver of Administrative Rules

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

Rule R277-121 is being amended in order to clarify that the Utah State Board of Education (USBE) may rescind a waiver from compliance with administrative rules.

**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 specifically state that during periodic review, with notice, the USBE may rescind a waiver granted under Rule R277-121.

**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 fiscal impact on state government revenues or expenditures. The USBE simply gains the ability to rescind a waiver during a review. There are no cost increases associated with this change for USBE as this would be done in the course of normal processes and procedures.

**B) Local governments:**

This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This change does add an ability for USBE to rescind a waiver for a Local Education Agency (LEA) during a review. Rescinding a waiver could have a fiscal impact to an LEA, but this impact is inestimable because the reasons for waivers vary wildly, and most do not have a fiscal impact for LEAs.

**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 only affects USBE and LEAs.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This only affects USBE and LEAs.

**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 only affects USBE and LEAs and provides a process change with no additional compliance costs.

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

**Regulatory Impact Table**

Fiscal Cost	FY2023	FY2024	FY2025
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Fiscal Benefits	FY2023	FY2024	FY2025
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New		
<b>Rule or Section Number:</b>	<b>R277-313</b>	<b>Filing ID:</b> <b>54799</b>

**Agency Information**

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

**General Information**

**2. Rule or section catchline:**

R277-313. Student Support License Areas of Concentration

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

Rule R277-313 is being created in order to specify responsibilities of licensees under the scope of 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):**

This new rule specifically identifies functions, which may be provided by school counselors, school psychologists, and school social workers, and identifies responsibilities, which may only be provided by licensees with specific license areas of concentration.

**Fiscal Information**

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

**A) State budget:**

This new rule is not expected to have fiscal impact on state government revenues or expenditures. The Utah State Board of Education (USBE) is authorized to provide licensing guidelines and this rule provides guidance for student support licensing that needed clarification. This does not add requirements, but instead focuses existing requirements in one place for ease of reference.

**B) Local governments:**

This new rule is not expected to have fiscal impact on local governments' revenues or expenditures. This rule does not add costs for Local Education Agencies (LEAs) but provides guidance to LEAs for student support employees.

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

This new rule is not expected to have fiscal impacts on small business revenues or expenditures. This rule only affects LEAs and USBE.

**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 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 new rule is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule only affects USBE and LEAs.

**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 provides updated guidance for LEAs on student support licensing.

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

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Net Benefits</b>	<b>Fiscal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-320</b>	<b>Filing ID:</b> <b>54800</b>

**Agency Information**

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S
<b>City, state and zip:</b>	Salt Lake City, UT 84111
<b>Mailing address:</b>	PO Box 144200
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-320. Grow Your Own Teacher and School Counselor Pipeline Program
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-320 is being amended in order to incorporate changes to the Grow Your Own Program as a result of the Legislature passed in the 2022 General Session, S.B. 251.
<b>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):</b>
The amendments specifically incorporate provision for stipends to school counselor assistants.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule change adds language for school counselor assistants and a stipend amount. It does not change the program appropriation but gives Local Education Agencies (LEAs) more options to use the grant funding.
<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. LEAs now have an additional option for expending grant funds.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
This rule change is not expected to have fiscal impacts on small businesses' revenues or expenditures. This only affects the Utah State Board of Education (USBE) and LEAs.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
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.

<b>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):</b>
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 only affects USBE and LEAs.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
There are no compliance costs for affected persons. This only adds an option for LEAs for school counselor assistants. There are no additional compliance costs.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

**6. 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 53E-3-401(4)	Section 53F-5-218
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-326</b>	<b>Filing ID:</b> <b>54801</b>

**Agency Information**

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S

<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 144200	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R277-326. Early Learning Professional Learning Grant Program

<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-326 is being amended in order to incorporate changes required as a result of the Legislature passed in the 2022 General Session, S.B. 127.

<b>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):</b>
The amendments specifically establish criteria for hiring early learning literacy coaches and update requirements for professional learning grant provisions. The title has also been changed to recognize that this rule now includes provisions for the new program.

**Fiscal Information**

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

<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule adds language for early literacy coaches due to new legislation. All costs were accounted for in the fiscal note of the bill.

<b>B) Local governments:</b>
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule change does not independently impact Local Education Agency (LEA) budgets. All costs were accounted for in the fiscal note of the bill.

<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
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This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This only impacts the Utah State Board of Education (USBE) and LEAs.

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

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

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

This rule change is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule only affects USBE and LEAs.

**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 simply adds language and processes for newly funded early literacy coaches. All costs were accounted for in the fiscal note of the bill.

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

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	Section 53F-5-214
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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**9. This rule change MAY become effective on:**

10/10/2022  
 NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Repeal		
Rule or Section Number:	R277-514	Filing ID: 54802

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-514. Deaf Education in Public Schools
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-514 is being repealed because it has been replaced by provisions in Rules R277-301, R277-304, and R277-309.
<b>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):</b>
This rule is being repealed in its entirety.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. The repeal does not impact the Utah State Board of Education (USBE) fiscally. The provisions in the rule have been moved to the rules listed in Box 3 of this form.

<b>B) Local governments:</b>			
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This repeal does not impact Local Education Agency (LEA) budgets. The provisions in the rule have been moved to the rules listed in Box 3 of this form.			
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>			
This rule change is not expected to have fiscal impact on small businesses' revenues or expenditures. This repeal only applies to USBE and LEAs.			
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>			
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.			
<b>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):</b>			
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 repeal only applies to USBE and LEAs.			
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>			
There are no compliance costs for affected persons. This repeal does not add any costs. The provisions in this rule have been moved to the rules listed in Box 3 of this form.			
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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:</b>		
Article X, Section 3	Subsection 53E-3-401(4)	Subsection 53E-3-501(1)(a)

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	10/03/2022
<b>9. This rule change MAY become effective on:</b>	10/10/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New			
<b>Rule or Section Number:</b>	<b>R277-618</b>	<b>Filing ID:</b>	<b>54803</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-618. Homeless Teen Center Grant Program
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Rule R277-618 is being created due to S.B. 2 passed in the 2022 General Session that appropriated \$3,500,000 for a grant program to create homeless teen centers at several schools around the state. See line 649 of S.B. 2, where the \$3,500,000 is part of the overall "Contracts and Grant" line-item total.
<b>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):</b>
This rule establishes the criteria for ranking applications for a homeless teen center grant submitted by a Local Education Agency (LEA); the funding limits for the grant and allowable uses of awarded money; and the required data collection from an awardee for measuring success of the grant.

**Fiscal Information**

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

**A) State budget:**

This new rule is not expected to have fiscal impact on state government revenues or expenditures. This adds guidelines for a new grant program. Funds for this grant were appropriated in the 2022 General Session, S.B. 2 and no additional impacts are estimated.

**B) Local governments:**

This new rule is not expected to have fiscal impact on local governments' revenues or expenditures. This adds guidelines for a new grant program. Funds for this grant were appropriated in the 2022 General Session, S.B. 2 and no additional impacts are estimated.

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

This new rule is not expected to have fiscal impact on small businesses' revenues or expenditures. This only affects the Utah State Board of Education (USB) and LEAs.

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This new rule 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 new rule is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule only affects USBE and LEAs.

**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 only affects LEAs using the grant program. This adds guidelines for a new grant program. Funds for this grant

were appropriated in the 2022 General Session, S.B. 2 and no additional impacts are estimated.

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

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** New

<b>Rule or Section Number:</b>	<b>R277-629</b>	<b>Filing ID:</b>	<b>54804</b>
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**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-629. Paid Professional Hours for Educators
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>

Rule R277-629 is being created in order to implement the program created by the Legislature passed in the 2022 General Session, H.B. 396.

**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 new rule specifically creates criteria for calculating and distributing funds under the new program.

**Fiscal Information**

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

**A) State budget:**

This new rule is not expected to have fiscal impact on state government revenues or expenditures. This rule clarifies distribution for a new funding source.

**B) Local governments:**

This new rule is not expected to have fiscal impact on local governments' revenues or expenditures. This rule clarifies distribution for a new funding source.

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

This new rule is not expected to have fiscal impact on small business revenues or expenditures. This rule only affects the Utah State Board of Education (USBE) and Local Education Agencies (LEAs).

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This new rule 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 new rule is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule only affects LEAs and USBE.

**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 does not add any compliance costs separate from the new funding source.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	Section 53F-7-203
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> New		
<b>Rule or Section Number:</b>	<b>R277-919</b>	<b>Filing ID:</b> <b>54805</b>

**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-919. Regulatory Sandbox Innovation Schools

**3. Purpose of the new rule or reason for the change** (Why is the agency submitting this filing?):  
 Rule R277-919 is being created due to requirements to enact a rule as outlined by the Legislature in the 2022 General Session under S.B. 191.

**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 new rule specifically outlines the requirements for a Local Education Agency (LEA) and innovation school to establish performance measures and data collection methods for measuring success. This rule also outlines the application criteria and process for an innovation school to utilize the optional financial flexibility that is established by S.B. 191 (2022). These criteria include showing maintenance of effort for existing programs, use of funds, and an itemized spending plan.

**Fiscal Information**

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

**A) State budget:**  
 This new rule is not expected to have fiscal impact on state government revenues or expenditures. This rule provides guidance due to new legislation.

**B) Local governments:**  
 This new rule is not expected to have fiscal impact on local governments' revenues or expenditures. This rule simply provides guidance to LEAs on new legislation.

**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 only impacts LEAs and the Utah State Board of Education (USBE).

**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 new rule 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 fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule only impacts LEAs and USBE.

**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 provide requirements for an optional program and this rule provides guidance for LEAs choosing to participate.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	Subsection 53G-7-221(9)
Subsection 53G-7-222(4)		

**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R277-920</b>	<b>Filing ID:</b> <b>54806</b>

**Agency Information**

<b>1. Department:</b>	Education
<b>Agency:</b>	Administration
<b>Building:</b>	Board of Education
<b>Street address:</b>	250 E 500 S
<b>City, state and zip:</b>	Salt Lake City, UT 84111
<b>Mailing address:</b>	PO Box 144200
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4200

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-920. School Improvement Implementation of the School Turnaround and Leadership Development Act

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

Rule R277-920 is being amended due to the passage of the Legislature in the 2022 General Session of S.B. 245, School Turnaround Program Revisions.

**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, more specifically:
- 1) replace references to the "school turnaround" program with "school improvement";
  - 2) eliminate references to "low performing school" and replacing them with "springboard school" and/or "elevate school";
  - 3) add a defined term for Utah's Federal ESSA Plan into the rule, to clarify that identification and exit criteria for the federal school improvement programs are subject to our ESSA State Plan;
  - 4) eliminate provisions in the rule that applied to the 2014-15 cohort only (now that all the schools from the 2014-15 cohort have exited the program); and
  - 5) repeal two sections of the rule because those sections have also been removed from Utah Code.

**Fiscal Information**

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

<b>A) State budget:</b>
This rule change is not expected to have fiscal impact on state government revenues or expenditures. This rule updates verbiage and makes technical changes to school improvement programs.

NOTICES OF PROPOSED RULES

<b>B) Local governments:</b>			
This rule change is not expected to have fiscal impact on local governments' revenues or expenditures. This rule only affects Local Education Agencies (LEAs) in school improvement and does not add costs.			
<b>C) Small businesses</b> ("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 only affects the Utah State Board of Education (USBE) and LEAs.			
<b>D) Non-small businesses</b> ("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.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):			
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 only affects LEAs and USBE.			
<b>F) Compliance costs for affected persons</b> (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 change makes verbiage changes that do not add costs for USBE or LEAs.			
<b>G) Regulatory Impact Summary Table</b> (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.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The State Superintendent of the Utah State Board of Education, Sydnee Dickson, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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:</b>		
Article X, Section 3	Subsection 53E-3-401(4)	Title 53E, Chapter 5, Part 3

**Incorporations by Reference Information**

<b>7. Incorporations by Reference :</b>	
<b>A) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	2021-2022 Addendum Template for the Consolidated State Plan due to COVID-19 under the Elementary and Secondary Education Act of 1965
<b>Publisher</b>	U.S. Department of Education
<b>Issue Date</b>	December 2021
<b>Issue or Version</b>	Issue 1

**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** New

<b>Rule or Section Number:</b>	R277-931	<b>Filing ID:</b>	54807
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**Agency Information**

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

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

**General Information**

<b>2. Rule or section catchline:</b>
R277-931. Required Provision of Period Products in Schools

<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
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Rule R277-931 is being enacted due to the passage of the Legislature, in the 2022 General Session, of H.B. 162, Period Products in Schools.

**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):

There have been questions about whether bathrooms used exclusively by students in kindergarten or younger should be exempt from the requirement to install dispensers for period products. This new rule specifically states that, for purposes of making period products available to students in all female or unisex restrooms, the phrase "each female or unisex restroom within an elementary school facility" does not include a female or unisex restroom used exclusively by students in kindergarten or younger.

**Fiscal Information**

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

**A) State budget:**

This new rule is not expected to have fiscal impact on state government revenues or expenditures. This rule simply clarifies that period products are not needed in younger grades.

**B) Local governments:**

This new rule is not expected to have fiscal impact on local governments' revenues or expenditures. This rule simply clarifies that period products are not needed for kindergarten and younger bathrooms.

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

This new rule is not expected to have fiscal impact on small businesses' revenues or expenditures. This rule only affects the Utah State Board of Education (USBE) and Local Education Agencies (LEAs).

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

There are no non-small businesses in the industry in question, Elementary and Secondary Schools (North American Industry Classification System (NAICS) 611110). Because there are no non-small businesses, they do not account for any service delivery for Elementary and Secondary Schools. Therefore, non-small businesses are not expected to receive increased or decreased revenues per year. This new rule 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 new rule is not expected to have fiscal impact on revenues or expenditures for persons other than small businesses, businesses, or local government entities. This rule only affects USBE and LEAs.

**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. There are no costs associated with the clarification that period products are not needed for kindergarten and younger.

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

**Regulatory Impact Table**

Fiscal Cost	FY2023	FY2024	FY2025
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2023	FY2024	FY2025
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and 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**

**6. 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 53E-3-401(4)	Section 53G-4-413
Section 53G-5-414		

**Public Notice Information**

**8. 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:** 10/03/2022

**9. This rule change MAY become effective on:** 10/10/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Repeal		
<b>Rule or Section Number:</b>	<b>R432-30</b>	<b>Filing ID:</b> <b>54790</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services
<b>Agency:</b>	Family Health and Preparedness, Licensing
<b>Building:</b>	Martha Hughes Cannon Building
<b>Street address:</b>	288 N 1460 W
<b>City, state and zip:</b>	Salt Lake City, UT 84116
<b>Mailing address:</b>	PO Box 141000
<b>City, state and zip:</b>	Salt Lake City, UT 84114-1000

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jonah Shaw	385-310-2389	jshaw@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R432-30. Adjudicative Procedure
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
With the consolidation of the Department of Health and Human Services (Department), the Department is working to align the administrative hearing procedures. This repeal is to ensure the administrative hearing procedures are established and consolidated for the Department of Health and Human Services. With language changes in the amendment to Rule R497-100, this rule is no longer necessary.
<b>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):</b>
This repeal, along with the amendment to Rules R497-100, align and consolidate the administrative hearing procedures for the Department of Health and Human Services. This rule is repealed entirely.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There are no anticipated costs or savings because these changes will not impact existing operations. This repeal will not substantively impact existing operations.
<b>B) Local governments:</b>
There are no anticipated costs or savings because these changes do not impact local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
There are no anticipated costs or savings because these changes do not impact small businesses.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
There are no anticipated costs or savings because these changes do not impact 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 are no anticipated costs or savings because these changes do not impact 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 anticipated compliance costs for affected persons. These changes will not substantively impact existing operations.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

NOTICES OF PROPOSED RULES

The Executive Director of the Department of Health and Human Services, Tracy Gruber, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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 26-21-5	Title 26, Chapter 21	
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	07/24/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R590-160-8</b>	<b>Filing ID:</b> <b>54783</b>

**Agency Information**

<b>1. Department:</b>	Insurance
<b>Agency:</b>	Administration
<b>Room number:</b>	Suite 2300
<b>Building:</b>	Taylorville State Office Building
<b>Street address:</b>	4315 S 2700 W
<b>City, state and zip:</b>	Taylorville, UT 84129
<b>Mailing address:</b>	PO Box 146901
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901

Contact persons:		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov

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

**General Information**

<b>2. Rule or section catchline:</b>
R590-160-8. Agency Review

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

This section is being amended to remove a reference to Section 63G-4-302, which allows an agency to reconsider an agency review. The availability of agency review reconsideration is at the agency's discretion, and the Department of Insurance (Department) has decided to no longer provide reconsideration.

**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 section removes a reference to Section 63G-4-302, and corrects a misspelling.

**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. Reconsideration of an agency review is requested infrequently, so this rule change will not have any effect on the budget.

**B) Local governments:**  
There is no anticipated cost or savings to local governments. The amendment applies to the relationship between the Department and its licensees, and does not involve local governments in any way.

**C) Small businesses ("small business" means a business employing 1-49 persons):**  
There is no anticipated cost or savings to small businesses. A small business will no longer have the option to request reconsideration of an agency review. This will have no impact on 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. A non-small business will no longer have the option to request reconsideration of an agency review. This will have no impact on 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 person. A person will no longer have the option to request reconsideration of an agency review. This will have no impact on 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 for any affected persons. This rule amendment merely removes the option to pursue action beyond an agency review.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

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

**Citation Information**

**6. 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 63G-4-102	Section 63G-4-203
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	08/05/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	R850-23	<b>Filing ID:</b> 54812

**Agency Information**

<b>1. Department:</b>	School and Institutional Trust Lands
<b>Agency:</b>	Administration
<b>Room number:</b>	Suite 500
<b>Street address:</b>	675 E 500 S
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Stephanie Barber	801-538-5156	sbarberrenteria@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R850-23. Sand, Gravel and Cinders Permits
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The change in this rule is to include the listing of the Renewable Energy Lease application types in Subsection R850-23-500(2)(c). Renewable Energy Leases on Trust Lands have historically been reviewed and processed under differing rules and requirements based on their location. (i.e., as Surface Leases, Development Leases, or Mineral Leases). The proposed rule changes clarify and classify all Renewable Energy Projects (solar, wind, geothermal, and green hydrogen) into their own category for both continuity and clarification, that rule has been submitted as Rule R850-170 Renewable Energy Lease Agreements.  Further rule changes are to follow the Utah Rulewriting Manual.
<b>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):</b>
This change will add the reference to the new type of renewable energy lease prompted by the new Rule R850-170 Renewable Energy Lease Agreements, and will correct minor rulewriting errors.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The purpose of the rule amendment is to reference the new Rule R850-170 as related to competitive bid evaluation criteria. The changes are administrative only. Therefore, the state budget is not impacted by any cost or savings because of this rule change.

<b>B) Local governments:</b>			
The purpose of the rule amendment is to reference the new Rule R850-170 as related to competitive bid evaluation criteria. The rule changes are administrative only. Therefore, local governments are not impacted by any cost or savings because of this rule change.			
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>			
The purpose of the rule amendment is to reference the new Rule R850-170 as related to competitive bid evaluation criteria. Small businesses will not be affected by adding the reference to renewable energy rule practices related to competitive bid evaluation criteria. The changes are administrative only.			
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>			
The purpose of the rule amendment is to reference the new Rule R850-170 as related to competitive bid evaluation criteria. The rule amendment will not impact non-small businesses because the changes are administrative only.			
<b>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>):</b>			
The purpose of the rule amendment is to reference the new Rule R850-170 as related to competitive bid evaluation criteria. Other persons will not see any changes with this clarification. The changes are administrative only. Therefore, individuals are not impacted by any cost or savings because of this rule change.			
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>			
The purpose of the rule amendment is to reference the new Rule R850-170 as related to competitive bid evaluation criteria. Compliance costs are not impacted by this amendment as the changes do not require the additional purchase of any item or service by any entity.			
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
Renewable Energy leases have always been allowed on Trust Lands but were being tracked through differing lease types. These rule changes allow for Renewable Energy Leases (wind, solar, geothermal, and green hydrogen) to be tracked and processed as Renewable Energy leases, thus simplifying both the application and approval process, as well as tracking of renewable energy projects. Michelle McConkie, Director			

**Citation Information**

**6. 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:**

28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)(ii)	Subsection 53C-4-101(1)
Article X	Article XX	Subsection 53C-2-201(1)(a)

**Public Notice Information**

**8. 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:** 10/03/2022

**9. This rule change MAY become effective on:** 10/10/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Michelle McConkie, Director	<b>Date:</b>	08/15/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R850-50</b>	<b>Filing ID:</b> <b>54813</b>

**Agency Information**

<b>1. Department:</b>	School and Institutional Trust Lands	
<b>Agency:</b>	Administration	
<b>Room number:</b>	Suite 500	
<b>Street address:</b>	675 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Stephanie Barber	801-538-5156	sbarberreneria@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R850-50. Range Improvement
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The change in this rule is to include the listing of the Renewable Energy Lease application types in Subsection R850-50-1300(1). Renewable Energy Leases on Trust Lands have historically been reviewed and processed under differing rules and requirements based on their location (i.e., as Surface Leases, Development Leases, or Mineral Leases). The proposed rule changes clarify and classify all Renewable Energy Projects (solar, wind, geothermal, and green hydrogen) into their own category

for both continuity and clarification, that rule has been submitted as R850-170 Renewable Energy Lease Agreements.

Further rule changes are to follow the Utah 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 change will add the reference to the new type of renewable energy lease prompted by the new Rule R850-170 Renewable Energy Lease Agreements, and will correct minor rulewriting errors.

**Fiscal Information**

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

**A) State budget:**

The purpose of the rule amendment gives the agency the right for grazing permit leased lands to also allot for renewable energy leases on the same land parcel. The changes are administrative only. Therefore, the state budget is not impacted by any cost or savings because of this rule change.

**B) Local governments:**

The purpose of the rule amendment gives the agency the right for grazing permit leased lands to also allot for renewable energy leases on the same land parcel. The changes are administrative only. Therefore, local governments are not impacted by any cost or savings because of this rule change.

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

The purpose of the rule amendment gives the agency the right for grazing permit leased lands to also allot for renewable energy leases on the same land parcel. Small businesses are not affected by the rule changes as to any cost or savings related to shared leasing areas involving grazing permits and renewable energy leases. The changes are administrative only.

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

The purpose of the rule amendment gives the agency the right for grazing permit leased lands to also allot for renewable energy leases on the same land parcel. The rule amendment will not impact non-small businesses because the changes are administrative only.

**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 purpose of the rule amendment gives the agency the right for grazing permit leased lands to also allot for renewable energy leases on the same land parcel. The changes are administrative only. Therefore, individuals are not impacted by any cost or savings because of this rule change.

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

The purpose of the rule amendment gives the agency the right for grazing permit leased lands to also allot for renewable energy leases on the same land parcel. Compliance costs are not impacted by this amendment as the changes do not require the additional purchase of any item or service by any entity.

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

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>
Renewable Energy leases have always been allowed on Trust Lands but were being tracked through differing lease types. These rule changes allow for Renewable Energy Leases (wind, solar, geothermal, and green hydrogen) to be tracked and processed as Renewable Energy leases, thus simplifying both the application and approval process, as well as tracking of renewable energy projects. Michelle McConkie, Director

**Citation Information**

<b>6. 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:</b>		
28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Subsection 53C-1-302(1)(a)(ii)	Subsection 53C-5-102
Article X	Article XX	Subsection 53C-2-201(1)(a)

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	10/03/2022

<b>9. This rule change MAY become effective on:</b>	10/10/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Michelle McConkie, Director	<b>Date:</b>	08/15/2022
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	R850-140	<b>Filing ID:</b> 54814

**Agency Information**

<b>1. Department:</b>	School and Institutional Trust Lands
<b>Agency:</b>	Administration
<b>Room number:</b>	Suite 500
<b>Street address:</b>	675 E 500 S

<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Stephanie Barber	801-538-5156	sbarberrenteria@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R850-140. Development Property
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The change in this rule is to include the listing of the Renewable Energy Lease application types in Section R850-140-1000. Renewable Energy Leases on Trust Lands have historically been reviewed and processed under differing rules and requirements based on their location. (ie: as Surface Leases, Development Leases, or Mineral Leases). The proposed rule changes clarify and classify all Renewable Energy Projects (solar, wind, geothermal, and green hydrogen) into their own category for both continuity and clarification, that rule has been submitted as R850-170 Renewable Energy Lease Agreements.
Further rule changes are to follow the Utah Rulewriting Manual.
<b>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):</b>
This change will add the reference to the new type of renewable energy lease prompted by the new Rule R850-170, Renewable Energy Lease Agreements, and will correct minor rulewriting errors.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The purpose of the rule amendment is to reference the exemption of the new Rule R850-170 as applied to development property activities. Rule 850-170 surface related business practices are not affected by the Rule R850-140 practices. The changes are administrative only. Therefore, the state budget is not impacted by any cost or savings because of this rule change.

<p><b>B) Local governments:</b></p> <p>The purpose of the rule amendment is to reference the exemption of the new Rule R850-170 as applied to development property activities. The rule changes are neutral for local governments. Rule R850-170 surface related business practices are not affected by the Rule R850-140 practices. The changes are administrative only. Therefore, local governments are not impacted by any cost or savings because of this rule change.</p>
<p><b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):</p> <p>The purpose of the rule amendment is to reference the exemption of the new Rule R850-170 as applied to development property activities. Small businesses are not affected by the rule changes as to any cost or savings on managing and conveying development property under Rule R850-140. The changes are administrative only.</p>
<p><b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):</p> <p>The purpose of the rule amendment is to reference the exemption of the new Rule R850-170 as applied to development property activities. The rule changes have no cost or savings on managing and conveying development property under Rule R850-140. The rule amendment will not impact non-small businesses because the changes are administrative only.</p>
<p><b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</p> <p>The purpose of the rule amendment is to reference the exemption of the new Rule R850-170 as applied to development property activities. Rule 850-170 surface related business practices are not affected by the Rule R850-140 practices. The changes are administrative only. Therefore, individuals are not impacted by any cost or savings because of this rule change.</p>
<p><b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):</p> <p>The purpose of the rule amendment is to reference the exemption of the new Rule R850-170 as applied to development property activities. Compliance costs are not impacted by this amendment as the changes do not require the additional purchase of any item or service by any entity.</p>
<p><b>G) Regulatory Impact Summary Table</b> (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.)</p>

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2023	FY2024	FY2025
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
Renewable Energy leases have always been allowed on Trust Lands but were being tracked through differing lease types. These rule changes allow for Renewable Energy Leases (wind, solar, geothermal, and green hydrogen) to be tracked and processed as Renewable Energy leases, thus simplifying both the application and approval process, as well as tracking of renewable energy projects. Michelle McConkie, Director			

**Citation Information**

<b>6. 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:</b>		
28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Section 53C-2-201	Section 53C-4-103
Article X	Article XX	Subsection 53C-4-101(1)

**Public Notice Information**

**8. 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:** 10/03/2022

**9. This rule change MAY become effective on:** 10/10/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Michelle McConkie, Director	<b>Date:</b>	08/15/2022
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**NOTICE OF PROPOSED RULE**

**TYPE OF RULE:** Amendment

<b>Rule or Section Number:</b>	<b>R909-19</b>	<b>Filing ID:</b>	<b>54809</b>
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**Agency Information**

<b>1. Department:</b>	Transportation		
<b>Agency:</b>	Motor Carrier		
<b>Room no.:</b>	Administrative Suite, 1st Floor		
<b>Building:</b>	Calvin Rampton		
<b>Street address:</b>	4501 S 2700 W		
<b>City, state and zip:</b>	Taylorsville, UT 84129		
<b>Mailing address:</b>	PO Box 148455		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-8455		
<b>Contact person(s):</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Leif Elder	801-580-8296	lelder@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 or section catchline:**

R909-19. Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation, and Certification

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

The Utah Department of Transportation (UDOT) is proposing changes to this rule for two reasons:

First: According to the U.S. Energy Information Administration Rocky Mountain, PADD4, website accessed on 07/20/2022, average retail prices for regular gasoline prices increased by more than 31% from \$3.434 on 07/05/2021, to \$5.001 on 07/04/2022. Section R909-19-14, Non-consent Fuel Surcharge Fee, allows tow truck motor carriers to charge a fuel surcharge when the daily Rocky Mountain Average reaches \$3.25 per gallon. Under the current rule, a tow truck motor carrier may charge a surcharge of 5% of the base tow rate, and an additional 5% is allowed for each \$0.25 per gallon increase. With gasoline prices hovering at or above \$5 per gallon, tow truck motor carriers can overcharge for non-consent tows.

The Motor Carrier Advisory Board reviewed this situation and recommended changing this rule to lower the surcharge rate tow truck motor carriers may charge for non-consent tows. This proposed change reduces that rate from 5% to 3%.

Second: In the 2022 General Session, the Utah Legislature passed S.B. 109, Towing Amendments, that will be effective 10/22/2022. S.B. 109 changes are:

- a) requires submission of a certain form to the Motor Carrier Division (Division) and notification of the owner of a vehicle if the vehicle is removed;
- b) amends provisions related to the sale or transfer of a vehicle, vessel, or outboard motor that has been impounded that has not been claimed or recovered by the owner or lienholder;
- c) grants rulemaking authority to prescribe the format and contents of the form to be submitted to the Division;
- d) allows a tow truck motor carrier to charge an after-hour fee if an owner requests the release of a vehicle after normal business hours; and
- e) prohibits a tow truck motor carrier or tow truck operator from sharing personal information of or referring other services to a person for whom the tow truck motor carrier or tow truck operator has performed a tow service; among other things.

**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 proposed change reduces the non-consent fuel surcharge fee rate tow truck motor carriers may charge when the daily Rocky Mountain Average reaches \$3.25 per gallon from 5% to 3%. This proposed rule change also makes changes required by S.B. 109 (2022) that will be effective 10/15/2022.

**Fiscal Information**

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

**A) State budget:**

Changes to the Utah Code the Legislature made with S.B. 109 (2022) require the Department to regulate tow truck motor carriers. These changes will not conceivably increase the annual cost of regulating this industry, as Section R909-19-8 required the Division to complete a biennial audit of each tow truck motor carrier. The biennial audits are currently completed by the tow truck investigator with the Division.

**B) Local governments:**

Changes to the Utah Code the Legislature made with S.B. 109 (2022) require local governments and UDOT/Motor Carrier Division to coordinate with tow truck motor carriers. These changes will not conceivably increase the cost to local governments. Section R909-19-8 requires that every tow truck motor carrier receive a biennial certification (audit) that includes a review of invoices from tows. Additionally, the tow truck motor carrier engaged in or transacting business for tow truck services is audited for insurance, tow truck operators, tow vehicles, office postings, certified letter notification, background checks of drivers, and MCS-150.

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

Reducing the surcharge rate tow truck motor carriers may charge for non-consent tows from 5% to 3% may affect some small tow truck motor carriers. There are too many variables with the fluctuation of gas prices, how many tows may occur, and the mileage of each tow completed by a tow truck motor carrier. The many variables make it difficult to quantify the reduction in income for a small tow truck motor carrier. Rule R909-14 calculates the fuel surcharge by using the average per gallon of gasoline or diesel costs found on the U.S. Energy Information Administration's website at <https://www.eia.gov/>. For example: In July 2022, the cost of a non-consent tow of one hour for one day includes: Tow fee - \$179, Storage - \$40, Admin Fee - \$37.50, and Fuel Surcharge - \$89.50. The total cost for a one-day tow is \$345. As fuel costs per gallon dropped in August 2022, the cost for the Fuel Surcharge has been reduced to \$62.65 for a total tow

charge of \$318.65. The loss to a small business (tow truck motor carrier) could be calculated as \$26.85 per tow for the week of August 22, 2022. As fuel prices continue to decrease or increase, it is very difficult to quantify how much the small business motor carrier will lose or gain in revenue.

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

There are no "non-small business" tow truck businesses in Utah. The largest tow truck motor carrier in the state of Utah does not employ 50 or more persons.

**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**):

Reducing the surcharge rate tow truck motor carriers may charge for non-consent tows from 5% to 3% likely will affect other persons who own vehicles towed, but there are too many variables to quantify the reduction in cost because of ever-changing gas prices. The part of S.B. 109 (2022) that allows a truck motor carrier to charge an after-hour fee if an owner requests the release of a vehicle after normal business hours will affect the vehicle owner. This rate has been set at \$75 per tow. It is difficult to accurately quantify the costs these changes will lead to for vehicle owners. A vehicle owner who wants a vehicle released after hours has a choice. A vehicle owner can avoid the after-hours release cost by asking for the vehicle's release during regular hours rather than paying this allowed fee.

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

There are approximately 1,200 non-consent tows performed each month that include police tows, or private property impounds, such as from an apartment complex, or from private property. Tow truck motor carriers will be limited to charging a 3% fuel surcharge rather than 5%.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Transportation, Carlos M. Braceras, PE, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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:</b>		
Section 72-9-601	Section 72-9-602	Section 72-9-603
Section 72-9-604	Section 53-1-106	Section 41-6a-1405

**Public Notice Information**

<b>8. 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.)</b>	
<b>A) Comments will be accepted until:</b>	10/03/2022

<b>9. This rule change MAY become effective on:</b>	10/10/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Carlos M. Braceras, PE, Executive Director	<b>Date:</b>	08/12/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Amendment			
<b>Rule or Section Number:</b>	<b>R920-50</b>	<b>Filing ID:</b>	<b>54810</b>

**Agency Information**

<b>1. Department:</b>	Transportation	
<b>Agency:</b>	Operations, Traffic and Safety	
<b>Room no.:</b>	Administrative Suite, 1st Floor	
<b>Building:</b>	Calvin Rampton	
<b>Street address:</b>	4501 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 148455	
<b>City, state and zip:</b>	Salt Lake City, Utah 84114-8455	
<b>Contact person(s):</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Leif Elder	801-580-8296	lelder@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**

<b>2. Rule or section catchline:</b>
R920-50. Ropeway Operation Safety
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
A new ANSI B77.2 standard has been published and an inconsistency between the traditional registration practices and the registration process in Title 72, Chapter 11, has been identified. These proposed changes account for the new ANSI standard and eliminate the inconsistency.

**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):

Adopts the latest ANSI B77.2 standard as the governing standard for funiculars.

Adjusts the registration submittals to better comply with the registration information in Title 72, Chapter 11, and improve the effectiveness of the inspections.

Brings all ropeways in the state up to the same level requirement for start warning alarms. The start warning alarm provides maintenance workers a warning that the machinery is about to start moving.

**Fiscal Information**

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

**A) State budget:**

The Department of Transportation (Department) does not anticipate that this proposed rule change will affect the state's budget. These proposed changes do not require changes to the actions by the Committee or Department staff to regulate ropeway safety in Utah

**B) Local governments:**

The Department does not anticipate that this proposed rule change will affect local governments because it does not apply to local governments unless they operate a passenger ropeway.

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

These proposed changes may affect small businesses operating passenger ropeways' budgets. However, any effect the proposed changes might have will be negligible and impossible to estimate.

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

These proposed changes may affect non-small businesses operating passenger ropeways' budgets. However, any effect the proposed changes might have will be negligible and impossible to estimate.

**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 changes will not affect persons other than small businesses, non-small businesses, state, or local government entities because this rule does not apply to other persons or entities.

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

These proposed changes will not change compliance costs for those already affected by this rule.

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

**Regulatory Impact Table**

Fiscal Cost	FY2023	FY2024	FY2025
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Fiscal Benefits	FY2023	FY2024	FY2025
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Executive Director of the Department of Transportation, Carlos M. Braceras, PE, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. 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 72-11-210

**Incorporations by Reference Information**

7. Incorporations by Reference :	
<b>A) This rule adds, updates, or removes the following title of materials incorporated by references:</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	ANSI B77.2 Funiculars – Safety Requirements
<b>Publisher</b>	American National Standards Institute, Inc. (ANSI)
<b>Issue Date</b>	September 30, 2020
<b>Issue or Version</b>	ANSI B77.2-2020

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	10/03/2022

<b>9. This rule change MAY become effective on:</b>	10/10/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Carlos M. Braceras, PE, Executive Director	<b>Date:</b>	08/15/2022
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NOTICE OF PROPOSED RULE		
<b>TYPE OF RULE:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R926-16</b>	<b>Filing ID:</b> <b>54808</b>

**Agency Information**

<b>1. Department:</b>	Transportation
<b>Agency:</b>	Program Development
<b>Room no.:</b>	Administrative Suite, 1st Floor
<b>Building:</b>	Calvin Rampton
<b>Street address:</b>	4501 S 2700 W
<b>City, state and zip:</b>	Taylorville, UT 84129
<b>Mailing address:</b>	PO Box 148455
<b>City, state and zip:</b>	Salt Lake City, UT 84114-8455

Contact person(s):		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@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**

<b>2. Rule or section catchline:</b>
R926-16. Unsolicited Proposals for Transportation Infrastructure Public-Private Partnerships
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The updates and revisions are being made to the current rule to align it with the Department of Transportation's (Department) updated processes.
<b>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):</b>
Since the Department promulgated this rule, it received two unsolicited proposals. With these changes, the Department is implementing lessons learned based upon those two experiences. In some parts, this rule was too detailed, and in other areas, this rule was not sufficiently precise and unclear. As a result, this proposed amendment makes several substantive changes and many grammatical changes for consistency. Changes include clarifying the timelines for reviewing proposals, clarifying the fee structure, and revising the Stage One Screening review criteria to be more consistent with the industry. Language is also incorporated based upon concurrent changes the Transportation Commission makes to Rule R940-5, Approval of Highway Facilities on Sovereign Lands. Those changes will eliminate conflicts between these two rules.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The Department does not anticipate this proposed rule change will impact the state's budget because it changes an existing rule to make it more concise, practical, and straightforward for the Department to enforce.

<b>B) Local governments:</b>			
The Department does not anticipate this proposed rule change will impact local governments because it changes an existing rule to make it more concise, practical, and straightforward for the Department to enforce, and this rule does not apply to local governments.			
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):			
These proposed changes will not impact the budgets of small businesses. The fee component of this rule will not increase or decrease due to these proposed changes.			
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):			
These proposed changes will not impact the budgets of non-small businesses. The fee component of this rule will not increase or decrease due to these proposed changes.			
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):			
These proposed changes will not impact the budgets of persons other than small businesses, non-small businesses, state, or local government entities. The fee component of this rule will not increase or decrease due to these proposed changes.			
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):			
Compliance costs for affected persons will not change because of these proposed rule changes. The fee component of this rule will not increase or decrease due to these proposed changes.			
<b>G) Regulatory Impact Summary Table</b> (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.)			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
The Executive Director of the Department of Transportation, Carlos M. Braceras, PE, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. 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:</b>		
Subsection 72-1-201(1)(h)	Section 63G-6a-712.	

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (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.)	
<b>A) Comments will be accepted until:</b>	10/03/2022

<b>9. This rule change MAY become effective on:</b>	10/10/2022
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Carlos M. Braceras, PE, Executive Director	<b>Date:</b>	08/12/2022
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Rule or Section Number:	R990-300	Filing ID: 54811

**Agency Information**

<b>1. Department:</b>	Workforce Services	
<b>Agency:</b>	Housing and Community Development	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda B. McPeck	801-526-9653	ampeck@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R990-300. Evaluation Process for Plan for Moderate Income Housing Reports
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
The passage of H.B. 462, Utah Housing Affordability Amendments, during the 2022 General Session modified the requirements for political subdivisions' annual moderate income housing report to the Housing and Community Development Division (Division) within the Department of Workforce Services (Department) and required to Department to make rules describing the review process for the reports.
<b>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):</b>
The rule change describes the revised rule process for moderate income housing reports and makes other changes in conformance with the modifications to the reports found in H.B. 462 (2022).

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
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<b>A) State budget:</b>			
The rule change is not expected to have any fiscal impact on state government revenues or expenditures because any fiscal impact would have been addressed in the fiscal note of H.B. 462 (2022).			
<b>B) Local governments:</b>			
The rule change is not expected to have any fiscal impact on local governments' revenues or expenditures because any fiscal impact would have been addressed in the fiscal note of H.B. 462 (2022).			
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>			
The rule change is not expected to have any fiscal impact on small businesses' revenues or expenditures because any fiscal impact would have been addressed in the fiscal note of H.B. 462 (2022).			
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>			
The rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because any fiscal impact would have been addressed in the fiscal note of H.B. 462 (2022).			
<b>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>):</b>			
The rule change is not expected to have any fiscal impact on other persons revenues or expenditures because any fiscal impact would have been addressed in the fiscal note of H.B. 462 (2022).			
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>			
This rule change requires no action or compliance by any persons beyond that required in H.B. 462 (2022).			
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>			
<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

After conducting a thorough analysis, it was determined that this new rule will not result in a fiscal impact beyond what was addressed in the fiscal note of H.B. 462 (2022). The Executive Director of the Department of Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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-8-803	Section 10-9a-408	Section 17-27a-408
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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<b>9. This rule change MAY become effective on:</b>	10/10/2022
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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.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	08/11/2022
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF RULE:</b> Repeal		
<b>Rule or Section Number:</b>	<b>R990-400</b>	<b>Filing ID:</b> <b>54792</b>

**Agency Information**

<b>1. Department:</b>	Workforce Services	
<b>Agency:</b>	Housing and Community Development	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amanda B. McPeck	801-526-9653	ampeck@utah.gov

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

**General Information**

**2. Rule or section catchline:**

R990-400. Pandemic Housing Assistance

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

During the 2020 Third Special Session, the Legislature passed S.B. 3006, which, among other things, established the COVID-19 Residential Housing Assistance program and authorized the Department of Workforce Services (Department) to make rules for the program. S.B. 3006 (2020) contained a repeal date and by its terms was repealed 05/31/2021. Because this rule is obsolete and no longer necessary, the Department proposes to repeal 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):**

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:**

There are no aggregate anticipated costs or savings to the state budget that were not already accounted for by the fiscal note to S.B. 3006 (2020 Third Special Session).

**B) Local governments:**

There are no aggregate anticipated costs or savings to local governments that were not already accounted for by the fiscal note to S.B. 3006 (2020 Third Special Session).

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

There are no aggregate anticipated costs or savings to small businesses that were not already accounted for by the fiscal note to S.B. 3006 (2020 Third Special Session).

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

There are no aggregate anticipated costs or savings to non-small businesses that were not already accounted for by the fiscal note to S.B. 3006 (2020 Third Special Session).

**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 are no aggregate anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities that were not already accounted for by the fiscal note to S.B. 3006 (2020 Third Special Session).

**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 anticipated compliance costs for affected persons. The repeal of this rule requires no action or compliance by any person.

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

**Regulatory Impact Table**

Fiscal Cost	FY2023	FY2024	FY2025
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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Executive Director of the Department of Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. 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 35A-8-2302(3)		
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**Public Notice Information**

**8. 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.)

<b>A) Comments will be accepted until:</b>	10/03/2022
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**9. This rule change MAY become effective on:**

10/10/2022  
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

NOTICES OF PROPOSED RULES

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	08/10/2022
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**End of the Notices of Proposed Rules Section**

## NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a **120-DAY (EMERGENCY) RULE** when it finds that regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references.

A **120-DAY RULE** is effective when filed with the Office of Administrative Rules, or on a later date designated by the agency. A **120-DAY RULE** is effective for 120 days or until it is superseded by a permanent rule. Because of its temporary nature, a **120-DAY RULE** is not codified as part of the *Utah Administrative Code*.

The law does not require a public comment period for **120-DAY RULES**. However, when an agency files a **120-DAY RULE**, it may file a **PROPOSED RULE** at the same time, to make the requirements permanent.

Emergency or **120-DAY RULES** are governed by Section 63G-3-304, and Section R15-4-8.

NOTICE OF EMERGENCY (120-DAY) RULE		
<b>Rule or Section Number:</b>	R501-1	<b>Filing ID: 54781</b>
<b>Effective Date:</b>	08/03/2022	

### Agency Information

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Administration, Administrative Services, Licensing	
<b>Building:</b>	MASOB	
<b>Street address:</b>	195 N 1950 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Janice Weinman	385-321-5586	jweinman@utah.gov
Jonah Shaw	385-310-2389	jshaw@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

### General Information

<b>2. Rule or section catchline:</b>
R501-1. General Provisions for Licensing

<b>3. Purpose of the new rule or reason for the change</b> (Why is the agency submitting this filing?):
The reason for this change is to comply with requirements of providers outlined in S.B. 239 passed in the 2022 General Session.
<b>4. Summary of the new rule or change</b> (What does this filing do?):
This filing updates congregate care weekly voice to voice communication requirements to allow a modification plan to be submitted to the office; adds requirement for congregate care programs to only accept transport of youth to Utah if registered with Utah; and amends language that was deemed confusing from the previous rule update.
<b>5A) The agency finds that regular rulemaking would:</b>
<input type="checkbox"/> cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/> cause an imminent budget reduction because of budget restraints or federal requirements; or
<input checked="" type="checkbox"/> place the agency in violation of federal or state law.
<b>B) Specific reasons and justifications for this finding:</b>
S.B. 239 became effective on 05/04/2022. In Subsection 62A-2-126(4), it requires the Office of Licensing within the Department of Health and Human Services (DHHS) to make rules to adhere to the requirements of that section.

**Fiscal Information**

**6. 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, as the legislature built collection of fees into the statute to pass on to the registrants which will allow the Office of Licensing (Office) to recover the costs associated with setting up a transportation company registry. The Office cannot proceed with standard rulemaking to enforce this as it is effective and is required for operations now.

**B) Local governments:**

There is no aggregate anticipated cost or savings to local governments because this rule does not impose any additional requirements upon them.

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

The Office has determined that small business transportation companies will be impacted by this rule change. The Office has no idea how many transportation companies exist or how many employees each may have, which prevents the Office for providing an aggregate anticipated cost for them.

These entities will be required to submit an application, pay a registration fee, and complete the Utah DHHS background clearances for all individuals transporting youth to Utah congregate care programs. The fees assessed will cover the following added tasks to the staff: creating applications and posting publicly, messaging to programs regarding the new requirement and registry process, manually processing applications, collecting proof of insurance and business licenses, entering applications and background clearances (via two databases), developing and monitoring databases, and managing public inquiries and educating the registrants.

An additional manual task will be enlisting the Management Information Center (MIC) to develop a means to collect data to inform the legislator of the outcome of this registry. Cost to each company during this first year of registrations will be \$500 per agency application (as approved by the Executive Director's office of DHHS). Individual background clearances will already be covered by the already built-in \$9 per application fee.

**D) Persons other than 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**):

Persons who may incur a cost would be employees of the transportation companies if the company does not pay for their background clearance. The Office does not have any data to reference to estimate how many companies exist or how many may absorb or pass on their fee costs to their employees. All clearances for employees and associates of licensees in Utah incur a \$42.50 per application cost to cover Department of Public Safety (\$33.50) and Office processing (\$9).

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

Flat registration one-time fee of \$500 per company (which could be an individual or a grouping of individuals) with \$42.50 per employee for background clearances.

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

As determined in Sections (C) through (F) of this analysis, the DHHS cannot effectively estimate the impact on these providers, but the DHHS acknowledges that there will be costs associated with these rule changes. Tracy Gruber, Executive Director

**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-2-123

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy Gruber, Executive Director	<b>Date:</b>	08/02/2022
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**End of the Notices of 120-Day (Emergency) Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the 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](http://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

<b>Rule Number:</b>	R70-540	<b>Filing ID:</b> 50168
<b>Effective Date:</b>	08/02/2022	

### Agency Information

<b>1. Department:</b>	Agriculture and Food	
<b>Agency:</b>	Regulatory Services	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129-2128	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	ambermbrown@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Kelly Pehrson	801-982-2200	kwpehrson@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

### General Information

<b>2. Rule catchline:</b>	R70-540. Food Establishment Registration
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### 3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

This rule is authorized under Subsection 4-5-301(1)(a) which requires the Department of Agriculture and Food to establish rules related to registration of food establishments to protect public health and ensure a safe food supply.

### 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 is necessary because it sets guidelines related to the registration of food establishments in Utah that will help protect public health and ensure a safe food supply for consumers in the state. These guidelines include: registration categories, registration requirements, and conditions under which a registration can be denied, suspended, or revoked. Therefore, this rule should be continued.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Craig W. Buttars, Commissioner	<b>Date:</b>	08/02/2022
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## FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

<b>Rule Number:</b>	R105-1	<b>Filing ID:</b> 50203
<b>Effective Date:</b>	08/04/2022	

**Agency Information**

<b>1. Department:</b>	Attorney General	
<b>Agency:</b>	Administration	
<b>Room number:</b>	Suite 230	
<b>Building:</b>	Capitol Complex	
<b>Street address:</b>	350 N State Street	
<b>City, state and zip:</b>	Salt Lake City, UT 84114	
<b>Mailing address:</b>	PO Box 142320	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-2320	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Ric Cantrell	801-538-9600	rcantrell@agutah.gov
David Sonnenreich	801-845-6862	dsonnenreich@agutah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R105-1. Attorney General's Selection of Outside Counsel, Expert Witnesses, and Other Litigation Support Services
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
The Attorney General's Office is an Independent Procurement Unit for purposes of retaining outside counsel and procuring litigation support services, including retaining expert witnesses, pursuant to Subsection 63G-6a-106(4). Rulemaking is necessary in order to supplement the Utah Procurement Code and other statutory authority due to the unique needs of procurements in litigation, such as hiring confidential experts or paying for routine but expensive items such as court reporters. Explicit rulemaking authority includes Subsection 63G-6a-506(2) and Section 67-5-32.
<b>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:</b>
No written comments were received.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary in order to allow for the efficient management of complex and expensive litigation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Ric Cantrell, Chief of Staff	<b>Date:</b>	08/03/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R277-120</b>	<b>Filing ID:</b>	<b>53396</b>
<b>Effective Date:</b>	<b>08/14/2022</b>		

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
R277-120. Licensing of Material Developed with Public Education Funds
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (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 53E-3-501(1)(e)(i), which directs the Board to encourage school productivity and cost effectiveness measures.
<b>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:</b>
There were no written 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 is necessary because staff has reviewed this rule and determined that it is important to continue the requirements for licensing of courseware and materials produced with public education funds; and to promote a policy that education materials produced with public funds be openly, publicly, and freely accessible for use by others. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION			
<b>Rule Number:</b>	R277-121	<b>Filing ID:</b>	52556
<b>Effective Date:</b>	08/14/2022		

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>	R277-121. Board Waiver of Administrative Rules
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (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-7-202, which allows the Board to grant an LEA's request for a waiver from a Board rule.

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

There were no written 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 is necessary because staff has reviewed this rule and determined that it is important to continue to establish procedures for an LEA to request a waiver from a Board rule. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Angie Stallings, Deputy Superintendent of Policy	<b>Date:</b>	08/14/2022
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION			
<b>Rule Number:</b>	R317-1	<b>Filing ID:</b>	53968
<b>Effective Date:</b>	08/15/2022		

**Agency Information**

<b>1. Department:</b>	Environmental Quality		
<b>Agency:</b>	Water Quality		
<b>Building:</b>	Multi-Agency State Office Building		
<b>Street address:</b>	195 N 1950 W, DEQ, 3rd floor		
<b>City, state and zip:</b>	Salt Lake City, UT 84116		
<b>Mailing address:</b>	PO Box 144870		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4870		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jake VanderLaan	801-536-4350	jvander@utah.gov	
Judy Etherington	801-536-4344	jetherington@utah.gov	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

**2. Rule catchline:**

R317-1. Definitions and General Requirements

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

Subsection 19-5-104(1) authorizes the Board to make rules which implement or effectuate the powers and duties of the Board. Subsection 19-5-104(3)(e) authorizes the Utah Water Quality Board to establish and conduct a continuing planning process for control of water pollution, including the specification and implementation of maximum daily loads of pollutants. Section 19-5-105.3 provides a pathway for a permittee to challenge a decision by the Water Quality Division (Division) through an Independent Peer Review process and outlines a process for the Division to conduct an Independent Scientific when the Director determines that a Division decision may have a significant financial impact on stakeholders or when an action may be precedent-setting or controversial.

**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:**

This rule has been amended six times since the last five-year review. All amendments were subject to public comment. Public comments received during those rulemaking actions since the last five-year review addressed technical issues specific to those amendments. The Division has not received written comments since the last five-year review specifically supporting or opposing this rule on the whole. Comments received during hearings and the public comment period for rule changes have been addressed through preparation of responsiveness summaries by Division and have been presented to the Water Quality Board for their consideration during the rulemaking process.

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

This rule provides definitions and general requirements necessary for implementation of the Utah Water Quality Act (Act). It is central to the implementation of the Act, in that it provides the general framework for control of water pollution, including the requirements for construction permits, compliance with state Water Quality Standards, and requirements for waste discharges. Section R317-1-7 defines which waterbodies have TMDL determinations completed for them and adopts by reference the limits and recommendations contained therein. Incorporating TMDLs into this rule by reference is important for implementing pollution controls and attaining water quality standards including the regulatory requirements set forth in stormwater and wastewater discharge permits and voluntary implementation of best management practices for nonpoint sources of pollution. Section R317-1-10 is required by Section 19-5-105.3 and provides a clear and

consistent process for the Division to engage in independent scientific review. The Division has not received written comments since the last five-year review opposing this rule. This rule is essential to the implementation of water quality protection programs under the Utah Water Quality Act and compliance with the federal Clean Water Act. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	John Mackey, Director	<b>Date:</b>	08/15/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R410-14</b>	<b>Filing ID:</b>	<b>50947</b>
<b>Effective Date:</b>	<b>08/12/2022</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Health Care Financing	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 143102	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-3102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801-538-6641	cdevashrayee@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 catchline:**

R410-14. Administrative Hearing Procedures

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

Section 26B-1-213 authorizes the Department of Health and Human Services (Department) to hold hearings and administer the hearing process in conjunction with other state agencies. In addition, 42 CFR 431 Subpart E sets forth notice requirements and hearing procedures for the Department to implement.

**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 did not receive any written comments regarding 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 has determined that this rule is necessary because it implements procedures for notification, reinstatement, continuation, availability, review, orders, interpretation, recordings, telephonic hearings, grievances, travel costs, forms, witnesses, and subpoenas. Therefore, this rule should be continued.

The Department has identified necessary changes to this rule, and additional amendments to entity names and provisions for superior agency review will be forthcoming due to the recent consolidation of the Department of Health and Human Services.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	08/12/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R765-134</b>	<b>Filing ID:</b>	<b>53422</b>
<b>Effective Date:</b>	<b>08/11/2022</b>		

**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)		
<b>Agency:</b>	Administration		
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway		
<b>Street address:</b>	60 S 400 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84101		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov	
Geoffrey T. Landward	801-321-7136	glandward@ushe.edu	
<b>Please address questions regarding information on this notice to the agency.</b>			

**General Information**

**2. Rule catchline:**

R765-134. Informal Adjudicative Procedures Under the Administrative Procedures Act

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

This rule is authorized by Subsection 63G-4-102(6). This subsection permits an agency to enact a rule that affects or governs an adjudicative proceeding.

**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 to summarize.

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

This rule is justified because there is a continuing need for the Utah Board of Higher Education to provide rules and procedures for the application of Title 63G, Chapter 4, Administrative Procedures Act, and associated regulations by the institutions in the state's system of higher education. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Designee and Assistant Attorney General	<b>Date:</b>	08/19/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R765-993</b>	<b>Filing ID:</b>	<b>53431</b>
<b>Effective Date:</b>	<b>08/11/2022</b>		

**Agency Information**

<b>1. Department:</b>	Higher Education (Utah Board of)		
<b>Agency:</b>	Administration		
<b>Building:</b>	Utah Board of Higher Education Building, The Gateway		
<b>Street address:</b>	60 S 400 W		
<b>City, state and zip:</b>	Salt Lake City, UT 84101		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Kevin V. Olsen	801-556-3461	kvolsen@agutah.gov	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Geoffrey T. Landward	801-321-7136	glandward@ushe.edu
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R765-993. Records Access and Management
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized by Subsection 63G-2-204(3). This subsection permits an agency to make rules specifying where and to whom requests for access shall be directed.
<b>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:</b>
No written comments have been received to summarize.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is justified because there is a continuing need for the Utah Board of Higher Education to provide rules and procedures relating to records access and management matters pursuant to Title 63G, Chapter 2, Government Record Access and Management Act. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Kevin V. Olsen, Designee and Assistant Attorney General	<b>Date:</b>	08/19/2022
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R850-100</b>	<b>Filing ID:</b>	<b>53408</b>
<b>Effective Date:</b>	<b>08/08/2022</b>		

**Agency Information**

<b>1. Department:</b>	School and Institutional Trust Lands
<b>Agency:</b>	Administration
<b>Room number:</b>	Suite 500

<b>Street address:</b>	675 E 500 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84102-2818	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Mike Johnson	801-538-5180	mjohnson@utah.gov
Lisa Wells	801-538-5154	lisawells@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule catchline:</b>
R850-100. Trust Land Management Planning
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 53C-2-20 I requires the Director of the School and Institutional Trust Lands Administration to develop rules that describe the planning and opportunity for public participation prior to conducting any agency actions. This rule provides the guidelines for that planning.
<b>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:</b>
No written comments have been received by the agency regarding this rule since the last five-year notice of review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The statute requires that the agency develop rules setting forth planning procedures to be undertaken regarding trust lands. This rule provides the necessary planning guidelines to ensure that the agency is in compliance with its fiduciary responsibilities and that interested parties are given an opportunity to participate in that planning. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Michelle McConkie, Director	<b>Date:</b>	08/03/2022
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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		
<b>Rule Number:</b>	<b>R307-214</b>	<b>Filing ID: 53314</b>
<b>New Deadline Date:</b>	<b>01/06/2023</b>	

### Agency Information

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

### General Information

<b>2. Rule catchline:</b>
R307-214. National Emission Standards for Hazardous Air Pollutants
<b>3. Reason for requesting the extension:</b>
The Air Quality Board was unable to meet in August. This extension will allow time for Board consideration of the five-year review at the September meeting, which will occur after the 09/09/2022 deadline.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Bryce C. Bird, Director	<b>Date:</b>	08/09/2022
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**End of the Notices of Five-Year Review Extensions Section**



## NOTICES OF RULE EFFECTIVE DATES

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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.

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### Agriculture and Food

#### Marketing and Development

No. 54637 (Repeal) R65-12: Utah Small Grains and Oilseeds Marketing Order  
Published: 06/15/2022  
Effective: 08/01/2022

#### Plant Industry

No. 54596 (Amendment) R68-4: Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products  
Published: 06/01/2022  
Effective: 08/01/2022

No. 54609 (Amendment) R68-23: Utah Firewood Quarantine  
Published: 06/01/2022  
Effective: 08/01/2022

No. 54706 (Amendment) R68-25: Industrial Hemp Program for Processors  
Published: 07/15/2022  
Effective: 08/23/2022

No. 54705 (Amendment) R68-26: Industrial Hemp Product Registration and Labeling  
Published: 07/15/2022  
Effective: 08/23/2022

No. 54700 (Amendment) R68-29: Quality Assurance Testing on Cannabis  
Published: 07/15/2022  
Effective: 08/23/2022

#### Regulatory Services

No. 54640 (Amendment) R70-201: Compliance Procedures  
Published: 06/15/2022  
Effective: 08/01/2022

No. 54646 (Amendment) R70-310: Grade A Pasteurized Milk

Published: 06/15/2022  
Effective: 08/01/2022

No. 54676 (Amendment) R70-320: Minimum Standards for Milk for Manufacturing Purposes, its Production and Processing

Published: 07/01/2022  
Effective: 08/08/2022

No. 54677 (Amendment) R70-410: Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes

Published: 07/01/2022  
Effective: 08/08/2022

### Education

#### Administration

No. 54716 (New Rule) R277-125: Small School District Capital Projects  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54710 (Amendment) R277-309: Appropriate Licensing and Assignment of Teachers  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54711 (Amendment) R277-415: School Nurses Matching Funds  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54722 (Amendment) R277-726: Statewide Online Education Program  
Published: 07/15/2022  
Effective: 08/22/2022

## NOTICES OF RULE EFFECTIVE DATES

No. 54713 (New Rule) R277-918: Education Innovation Program  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54714 (Amendment) R277-922: Digital Teaching and Learning Grant Program  
Published: 07/15/2022  
Effective: 08/22/2022

### Government Operations

#### Fleet Operations

No. 54618 (Amendment) R27-1: Definitions  
Published: 06/15/2022  
Effective: 08/15/2022

### Health and Human Services

#### Administration (Health)

No. 54662 (New Rule) R380-65: Public Health Emergency Protocols  
Published: 06/15/2022  
Effective: 08/24/2022

No. 54664 (New Rule) R380-66: Medical Rationing Procedures  
Published: 06/15/2022  
Effective: 08/24/2022

Health Care Financing, Coverage and Reimbursement Policy  
No. 54619 (Amendment) R414-40: Private Duty Nursing Services  
Published: 06/01/2022  
Effective: 08/24/2022

### Higher Education (Utah Board of)

#### Administration

No. 54661 (New Rule) R765-119: Utah Board of Higher Education Qualifications  
Published: 06/15/2022  
Effective: 08/19/2022

### Insurance

#### Administration

No. 54692 (Repeal and Reenact) R590-93: Replacement of Life Insurance and Annuities  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54701 (Amendment) R590-131: Accident and Health Coordination of Benefits Rule  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54693 (Amendment) R590-162: Actuarial Opinion and Memorandum Rule  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54694 (Amendment) R590-178: Securities Custody  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54695 (Amendment) R590-207: Health Producer Commissions for Small Employer Groups  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54702 (Amendment) R590-219: Credit Scoring  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54696 (Amendment) R590-247: Universal Health Insurance Application Rule  
Published: 07/01/2022  
Effective: 08/08/2022

### Money Management Council

#### Administration

No. 54723 (Amendment) R628-17: Limitations on Commercial Paper and Corporate Notes  
Published: 07/15/2022  
Effective: 08/23/2022

### Natural Resources

#### Oil, Gas and Mining; Oil and Gas

No. 54721 (Amendment) R649-1: Tar Sands Change  
Published: 07/15/2022  
Effective: 08/24/2022

### State Parks

No. 54736 (New Rule) R651-104: State Park Designations  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54708 (Amendment) R651-601: Definitions as Used in These Rules  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54707 (Amendment) R651-603: Animals  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54734 (Amendment) R651-606: Camping  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54678 (Amendment) R651-612: Veteran's with Disabilities Honor Pass  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54729 (Amendment) R651-633: Special Closures or Restrictions  
Published: 07/15/2022  
Effective: 08/22/2022

Wildlife Resources

No. 54689 (Amendment) R657-54: Season Dates, Bag and Possession Limits, and Areas Open  
Published: 07/01/2022  
Effective: 08/08/2022

School and Institutional Trust Lands

Administration

No. 54687 (Amendment) R850-3: Applicant Qualifications, Application Forms, and Application Processing  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54686 (Amendment) R850-5: Payments, Royalties, Audits, and Reinstatements  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54685 (Repeal) R850-27: Geothermal Steam  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54683 (Repeal and Reenact) R850-30: Special Use Leases  
Published: 07/01/2022  
Effective: 08/08/2022

No. 54684 (New Rule) R850-170: Renewable Energy Lease Agreements  
Published: 07/01/2022  
Effective: 08/08/2022

Transportation

Administration

No. 54704 (Repeal and Reenact) R907-1: Administrative Procedures  
Published: 07/15/2022  
Effective: 08/22/2022

Workforce Services

Homeless Services

No. 54724 (Repeal) R988-200: Homeless Shelter Cities Mitigation Restricted Account  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54725 (New Rule) R988-400: Homeless Shelter Cities Mitigation Restricted Account  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54726 (New Rule) R988-500: Overflow Plan Requirements  
Published: 07/15/2022  
Effective: 08/22/2022

No. 54727 (New Rule) R988-600: Administration of COVID-19 Homeless Housing and Services Grant Program  
Published: 07/15/2022  
Effective: 08/22/2022

**End of the Notices of Rule Effective Dates Section**