

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed November 16, 2023, 12:00 a.m. through December 01, 2023, 11:59 p.m.

Number 2023-24  
December 15, 2023

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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Utah state digest.

Semimonthly.

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

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## 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 November 16, 2023, 12:00 a.m., and December 01, 2023, 11:59 p.m. are included in this, the December 15, 2023, 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 January 17, 2024. 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 April 15, 2024, 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 FILING: Amendment		
Rule or Section Number:	R35-1	Filing ID: 56201

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Records Committee	
<b>Street address:</b>	346 S Rio Grande St	
<b>City, state and zip:</b>	Salt Lake City, UT 84101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Rebekkah Shaw	801-531-3851	rshaw@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R35-1. State Records Committee Appeal Hearing Procedures
<b>3. Purpose of the new rule or reason for the change:</b>
The changes here are intended to clarify how the Committee's orders are created, specifically that the order can include legal analysis not mentioned during deliberation.
<b>4. Summary of the new rule or change:</b>
A rewording of Section R35-1-3 is to clarify the petitioner has the burden of proof to show the governmental entity's search effort was not reasonable.
A rewording of Subsection R35-1-5(2) is to explain how the Committee's orders are created.

**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 substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.
<b>B) Local governments:</b>
There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

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

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

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

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

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

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

**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 substantive changes being made regarding the fiscal impact of this rule. All other changes are to clarify current practice.

**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	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 Director of the Department of Government Operations, Marvin Dodge, 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 63G-2-502(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>	01/17/2024
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<b>9. This rule change MAY become effective on:</b>	01/24/2024
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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>	Kenneth Williams, Director and State Archivist	<b>Date:</b>	10/16/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R35-2</b>	<b>Filing ID:</b> <b>56201</b>

**Agency Information**

<b>1. Department:</b>	Government Operations
<b>Agency:</b>	Records Committee

<b>Street address:</b>	346 S Rio Grande St	
<b>City, state and zip:</b>	Salt Lake City, UT 84101	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Rebekkah Shaw	801-531-3851	rshaw@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

**2. Rule or section catchline:**

R35-2. Scheduling and Declining Hearings

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

This change is to bring this rule more in line with statute, see Subsection 63G-2-403(4)(b).

**4. Summary of the new rule or change:**

An update for Subsections R35-2-2(1)(a) and R35-2-3(1)(a) removes a second member of the Committee when the Executive Secretary recommends an appeal be denied.

**Fiscal Information**

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

**A) State budget:**

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

**B) Local governments:**

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

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

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

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

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

**E) Persons other than small businesses, non-small businesses, state, or local government entities** ("person" means any individual, partnership, corporation,

association, governmental entity, or public or private organization of any character other than an **agency**):

There are no substantive changes being made regarding the fiscal impact of this rule. The changes clarify current practice.

**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 substantive changes being made regarding the fiscal impact of this rule. All other changes are to clarify current practice.

**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	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 Director of the Department of Government Operations, Marvin Dodge, 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 63G-2-502(2)	Subsection 63G-2-403(4)(b) (ii)(B)	
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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>	01/17/2024
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<b>9. This rule change MAY become effective on:</b>	01/24/2024
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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>	Kenneth Williams, Director and State Archivist	<b>Date:</b>	10/16/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b>	Repeal		
<b>Rule or Section Number:</b>	<b>R156-60</b>	<b>Filing ID:</b>	<b>56209</b>

**Agency Information**

<b>1. Department:</b>	Commerce		
<b>Agency:</b>	Professional Licensing		
<b>Building:</b>	Heber M. Wells Building		
<b>Street address:</b>	160 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316		
<b>Mailing address:</b>	PO Box 146741		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jana Johansen	801-530-6628	janajohansen@utah.gov	

**Please address questions regarding information on this notice to the persons listed above.**

**General Information**

<p><b>2. Rule or section catchline:</b></p> <p>R156-60. Mental Health Professional Practice Act Rule</p>
<p><b>3. Purpose of the new rule or reason for the change:</b></p> <p>The Division of Professional Licensing (Division) in collaboration with the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board makes this filing with the intent that the Mental Health Professional Practice Act Rule be repealed (Rule R156-60) and the provisions of this rule added in each of the professions existing rules, specifically Rules R156-60a, R156-60b, R156-60c, and R156-60d.</p> <p>(EDITOR'S NOTES: The proposed amendment to Rule R156-60a is under ID 56210, the proposed amendment to Rule R156-60b is under ID 56211, the proposed amendment to Rule R156-60c is under ID 56216, and the proposed amendment to Rule R156-60d is under ID 56217 all in this issue, December 15, 2023, of the Bulletin.)</p>
<p><b>4. Summary of the new rule or change:</b></p> <p>This rule is being repealed in its entirety due to statute changes in H.B. 250 passed in the 2023 General Session.</p> <p><b>Public Hearing Information:</b>                  There will be a public hearing on 01/16/2024 at 9:00 AM at the Heber Wells Building, 160 E 300 S, Conference Room 474, Salt Lake City, UT. Also available via Google Meet (see below).</p> <p>Google Meeting link:  <a href="https://meet.google.com/yfq-psko-xgt">meet.google.com/yfq-psko-xgt</a></p> <p>Or join by phone:                  (US) +1 304-691-0096                  PIN: 605869246</p>

**Fiscal Information**

<p><b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b></p>
<p><b>A) State budget:</b></p> <p>The proposed changes are not expected to have any fiscal impact on state government revenues or expenditures.</p> <p>The requested changes reflect a repeal and moving provisions of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.</p>

<p><b>B) Local governments:</b></p> <p>The proposed changes are not expected to have any fiscal impact on local governments' revenues or expenditures.</p> <p>The requested changes reflect a repeal and moving provisions of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.</p>
<p><b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):</p> <p>The proposed changes are not expected to have any fiscal impact on small businesses' revenues or expenditures.</p> <p>The requested changes reflect a repeal and moving provisions of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.</p>
<p><b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):</p> <p>The proposed changes are not expected to have any fiscal impact on non-small businesses' revenues or expenditures.</p> <p>The requested changes reflect a repeal and moving provisions of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.</p> <p>None of these changes substantively change the processes for affected persons, so there is no fiscal impact.</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 <b>agency</b>):</p> <p>The proposed changes are not expected to have any fiscal impact on affected persons.</p> <p>The requested changes reflect a repeal and moving provisions of current industry standards as approved by the Clinical Mental Health Licensing Board, Marriage and Family Therapist Licensing Board, Social Worker Licensing Board, and the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.</p>

None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

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

As described above in Box 5(E) for other persons, the proposed changes are not expected to have any compliance costs for affected persons.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division proposes repealing this rule and moving the provisions of this rule into existing rules (R156-60a, R156-60b, R156-60c, and R156-60d) separated for types of mental health professionals.

The new provisions will incorporate part of this repealed rule, amend the separate rules in response to the statutory changes made by H.B. 250 (2023). The amendments incorporate parts of the repealed rule, contain the proposed amendments, make nonsubstantive formatting changes to streamline and to update the rules, clarify and update definitions, and comply with the Rulewriting Manual for Utah.

**Small Businesses (less than 50 employees):**

Due to the repeal of this rule and as noted in the separate rules submitted concurrently, the Division does not expect any foreseeable impact on small businesses in the mental health professions in the state of Utah. The proposed amendments are to conform to the requirements of H.B. 250 (2023).

The changes are to move the provisions of this rule due to the repeal of this rule (Rule R156-60) into the other rules to update and encompass current statutory requirements and practices in the profession.

Further, the Division does not foresee any negative impact on small businesses since grammatical and formatting amendments are made to make the other rules comport with the Rulewriting Manual for Utah.

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

The Division finds that the non-small businesses in the mental health professions in the state of Utah will not suffer a negative fiscal impact from the repeal of Rule R156-60 and the proposed incorporation of Rule R156-60 into Rules R156-60a, R156-60b, R156-60c, and R156-60d, along with the statutory amendments.

However, these amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses.

Further, any of these costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

**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 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-60-101
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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>	01/17/2024	
<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
01/16/2024	9:00 AM	See information in Box 4 above.

<b>9. This rule change MAY become effective on:</b>	01/24/2024
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>	Mark B. Steinagel, Division Director	<b>Date:</b>	11/20/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R156-60a</b>	<b>Filing ID:</b> <b>56210</b>

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Professional Licensing	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jana Johansen	801-530-6628	janajohansen@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R156-60a. Social Worker Licensing Act Rule
<b>3. Purpose of the new rule or reason for the change:</b>
The Division of Professional Licensing (Division) in collaboration with Social Worker Licensing Board makes

this filing with the intent that the amendments being proposed incorporate changes due to H.B. 250 passed during the 2023 General Session, merge provisions found in Rule R156-60, which is being recommended for repeal, and correct grammar and formatting errors.

**4. Summary of the new rule or change:**

Amendment to Section R156-60a-101 adds the remainder of a sentence that was missed in the last revision.

Amendment to Section R156-60a-102 adds definitions from the Mental Health Practice Act Rule R156-60 (being repealed) which will provide clarity and continuity for readers. This section also includes grammar and formatting corrections.

Amendment to Section R156-60a-302a corrects grammar and citation number.

Amendment to Section R156-60a-302b corrects grammar and citation number.

Amendment to Section R156-60a-302c adds provisions regarding supervision being repealed with the Mental Health Practice Act Rule. In addition, grammar, formatting, and citation corrections are proposed.

Amendments to Section R156-60a-302d reflect changes enacted with H.B. 250 (2023), as well as make grammar and citation corrections.

Amendments to Section R156-60a-302e remove this section as it is better incorporated in a later section of the rule.

Amendments to Section R156-60a-302f include the removal of the original Section R156-60a-302f which reflects changes made by H.B. 250 (2023). The proposed Section R156-60a-302f clarifies what constitutes the required suicide prevention course, as well as incorporating provisions from the repealed Rule R156-60.

Amendments to Section R156-60a-303 correct grammar.

Amendments to Section R156-60a-304 add provisions regarding continuing education being repealed with the Mental Health Practice Act Rule.

Amendments to Section R156-60a-305a add provisions regarding supervisor eligibility being repealed with the Mental Health Practice Act Rule.

Amendments to Section R156-60a-305b add provisions regarding supervised experience, supervision contracts, and the duties and responsibilities of a supervisor and supervisee being repealed with the Mental Health Practice Act Rule.

Amendments to Section R156-60a-502 correct formatting, grammar, and citations.

Amendments to R156-60a-601 remove this section as it is incorporated in Section R156-60a-302b.

(EDITOR'S NOTE: The proposed repeal of Rule R156-60 is under ID 56209 in this issue, December 15, 2023, of the Bulletin.)

**Public Hearing Information:**

There will be a public hearing on 01/16/2024 at 9:00 AM at the Heber Wells Building, 160 E 300 S, Conference Room 474, Salt Lake City, UT. Also available via Google Meet (see below).

Google Meeting link:  
meet.google.com/yfq-psko-xgt

Or join by phone:  
(US) +1 304-691-0096  
PIN: 605869246

**Fiscal Information**

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

**A) State budget:**

The proposed changes are not expected to have any fiscal impact on state government revenues or expenditures.

The requested changes reflect current industry standards as approved by the Social Worker Licensing Board and will continue to ensure that the minimum required standards have been met.

**B) Local governments:**

The proposed changes are not expected to have any fiscal impact on local governments' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Social Worker Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on small businesses' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Social Worker Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on non-small businesses' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Social Worker Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

**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 proposed changes are not expected to have any fiscal impact on affected persons.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Social Worker Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on affected persons.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Social Worker Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

**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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division proposes these amendments in response to the statutory changes made by H.B. 250 (2023). Because Rule R156-60 is being repealed, these proposed amendments reenact the provisions as they apply to social workers, make nonsubstantive formatting changes to streamline and to update this rule, clarify and update definitions and comply with the Rulewriting Manual for Utah.

**Small Businesses (less than 50 employees):**

The Division does not expect any foreseeable impact on small businesses in the practice of social work in the state of Utah. The proposed amendments are to conform to the requirements of H.B. 250 (2023). The changes are to amend this rule due to the repeal of Rule R156-60, update

this rule to encompass current statutory requirements and practices in the profession.

Further, the Division does not foresee any negative impact on small businesses since grammatical and formatting amendments are made to make this rule comport to the Rulewriting Manual for Utah.

**Non-Small Businesses (50 or more employees):**

The Division finds that the non-small businesses in the social work industry in the state of Utah will not suffer a negative fiscal impact from the proposed rule amendments.

However, these amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses.

Further, any of these costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

**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 58-60-201	Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Model Standards of Practice for Child Custody Evaluation
<b>Publisher</b>	Association of Family and Conciliation Courts (AFCC)
<b>Issue Date</b>	May 2006

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

<b>Official Title of Materials Incorporated (from title page)</b>	NASW (National Association of Social Workers), ASWB (Association of Social Worker Boards), CSWE (Council on Social Work Education) and CSWA (Clinical Social Work Association) Standards for Technology in Social Work Practice
<b>Publisher</b>	National Association of Social Workers (NASW)
<b>Issue Date</b>	2017

**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:** 01/17/2024

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

<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
01/16/2024	9:00 AM	See information in Box 4 above.

**9. This rule change MAY become effective on:** 01/24/2024

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>	Mark B. Steinagel, Division Director	<b>Date:</b>	11/20/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R156-60b</b>	<b>Filing ID:</b>	<b>56211</b>
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**Agency Information**

<b>1. Department:</b>	Commerce		
<b>Agency:</b>	Professional Licensing		
<b>Building:</b>	Heber M. Wells Building		
<b>Street address:</b>	160 E 300 S		
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316		
<b>Mailing address:</b>	PO Box 146741		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Jana Johansen	801-530-6628	janajohansen@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

**2. Rule or section catchline:**  
R156-60b. Marriage and Family Therapist Licensing Act Rule

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

The Division of Professional Licensing (Division) in collaboration with Marriage and Family Therapist Licensing Board makes this filing with the intent that the amendments being proposed incorporate changes due to H.B. 166 passed during the 2023 General Session, merge provisions found in Rule R156-60, the Mental Health Practice Act Rule, which is being recommended for repeal, and correct grammar and formatting errors.

**4. Summary of the new rule or change:**

Amendment to Section R156-60b-102 adds definitions from the Mental Health Practice Act Rule R156-60 (being repealed) which will provide clarity and continuity for readers. This section also includes grammar, citation, and formatting corrections.

Amendment to Section R156-60b-302b adds provisions regarding experience being repealed with the Mental Health Practice Act Rule. In addition, grammar, formatting, and citation corrections are proposed. Amendments in this section also reflect changes enacted with H.B. 166 (2023) as well.

Amendments to Section R156-60b-302d add sections of the Metal Health Practice Act Rule and clarifies what constitutes the required suicide prevention course, as well as incorporating provisions from the repealed Rule R156-60. Removal of the original section is also included as it is being incorporated into Section R156-60b-305a.

Amendments to Section R156-60b-303 correct grammar and clarifies requirements that the Board historically uses to determine reinstatement.

Amendments to Section R156-60b-304 add provisions regarding continuing education being repealed with the Mental Health Practice Act Rule.

Amendments to Section R156-60b-305a add provisions regarding supervisor eligibility being repealed with the Mental Health Practice Act Rule.

Amendments to Section R156-60b-305b add provisions regarding supervised experience, supervision contracts, and the duties and responsibilities of a supervisor and supervisee being repealed with the Mental Health Practice Act Rule.

Amendment to Section R156-60b-306 removes section that is incorporated into Section R156-60b-303. Amendments to Section R156-60b-502 correct formatting, grammar, and citations.



(EDITOR'S NOTE: The proposed repeal of Rule R156-60 is under ID 56209 in this issue, December 15, 2023, of the Bulletin.)

**Public Hearing Information:**

There will be a public hearing on 01/16/2024 at 9:00 AM at the Heber Wells Building, 160 E 300 S, Conference Room 474, Salt Lake City, UT. Also available via Google Meet (see below).

Google Meeting link:  
meet.google.com/yfq-psko-xgt

Or join by phone:  
(US) +1 304-691-0096  
PIN: 605869246

**Fiscal Information**

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

**A) State budget:**

The proposed changes are not expected to have any fiscal impact on state government revenues or expenditures.

The requested changes reflect current industry standards as approved by the Marriage and Family Therapist Licensing Board and will continue to ensure that the minimum required standards have been met.

**B) Local governments:**

The proposed changes are not expected to have any fiscal impact on local governments' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Marriage and Family Therapist Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on small businesses' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Marriage and Family Therapist Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on non-small businesses' revenues or expenditures. This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Marriage and Family Therapist Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

**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 proposed changes are not expected to have any fiscal impact on affected persons.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Marriage and Family Therapist Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

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

As described above in Box 5(E) for other persons, the proposed changes are not expected to have any compliance costs for affected persons.

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

**Regulatory Impact Table**

Fiscal Cost	FY2024	FY2025	FY2026
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

NOTICES OF PROPOSED RULES

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division in collaboration with the Marriage and Family Therapist Licensing Board proposes these amendments in response to the statutory changes made in H.B. 166 (2023). Because Rule R156-60 is being repealed, these proposed amendments add the provisions to this rule as they apply to marriage and family therapists, make nonsubstantive grammar and formatting changes to streamline and update this rule, and comply with the Rulewriting Manual for Utah.

**Small Businesses (less than 50 employees):**  
The Division does not expect any foreseeable impact on small businesses in the practice of marriage and family therapy industry in the state of Utah. The proposed amendments are to conform to the requirements of H.B. 166 (2023). The changes are to move the provisions of Rule R156-60, due to the repeal of Rule R156-60, to update this rule to encompass current statutory requirements and practices in the profession.

Further, the Division does not foresee any negative impact on small businesses since grammatical and formatting amendments are made to make this rule comport to the Rulewriting Manual for Utah.

**Non-Small Businesses (50 or more employees):**  
The Division finds that the non-small businesses in the marriage and family therapy industry in the state of Utah will not suffer a negative fiscal impact from the proposed rule amendments.

However, these amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses.

Further, any of these costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

**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 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-60-301
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Model Standards of Practice for Child Custody Evaluation
<b>Publisher</b>	Association of Family and Conciliation Courts (AFCC)
<b>Issue Date</b>	May 2006

**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>	01/17/2024	
<b>B) A public hearing (optional) will be held:</b>		
<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
01/16/2024	9:00 AM	See information in Box 4 above.

<b>9. This rule change MAY become effective on:</b>	01/24/2024
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>	Mark B. Steinagel, Division Director	<b>Date:</b>	11/20/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R156-60c	Filing ID: 56216

**Agency Information**

<b>1. Department:</b>	Commerce	
<b>Agency:</b>	Professional Licensing	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jana Johansen	801-530-6628	janajohansen@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R156-60c. Clinical Mental Health Counselor Licensing Act Rule
<b>3. Purpose of the new rule or reason for the change:</b>
The Division of Professional Licensing (Division) in collaboration with Clinical Mental Health Licensing Board makes this filing with the intent that the amendments being proposed incorporate changes due to H.B. 166 passed during the 2023 General Session, merge provisions found in Rule 156-60, Mental Health Practice Act Rule, which is being recommended for repeal, and correct grammar and formatting errors.
<b>4. Summary of the new rule or change:</b>
Amendment to Section R516-60c-102 adds definitions from the Mental Health Practice Act Rule (R156-60, being repealed) which will provide clarity and continuity for readers. This section also includes grammar and formatting corrections.
Amendment to Section R516-60c-302a adds provisions regarding experience being repealed with the Mental Health Practice Act Rule. In addition, grammar, formatting, and citation corrections are proposed. Amendments in this section also reflect changes enacted with H.B. 166 (2023) as well.
Amendments to Section R516-60c-302b make a correction to grammar.

Amendments to Section R516-60c-302c make grammar and citation corrections.

Amendments to Section R516-60c-302d add sections of the Metal Health Practice Act Rule and clarify what constitutes the required suicide prevention course, as well as incorporating provisions from the repealed Rule R516-60.

Amendments to Section R516-60c-303 correct grammar and clarify requirements that the Board historically uses to determine reinstatement.

Amendments to Section R516-60c-304 add provisions regarding continuing education being repealed with the Mental Health Practice Act Rule.

Amendments to Section R516-60c-305a add provisions regarding supervisor eligibility being repealed with the Mental Health Practice Act Rule.

Amendments to Section R516-60c-305b add provisions regarding supervised experience, supervision contracts, and the duties and responsibilities of a supervisor and supervisee being repealed with the Mental Health Practice Act Rule.

Amendment to Section R156-60c-306 removes section that is incorporated into Section R156-60c-303.

Amendments to Section R516-60c-502 corrects formatting, grammar, and citations.

(EDITOR'S NOTE: The proposed repeal of Rule R156-60 is under ID 56209 in this issue, December 15, 2023, of the Bulletin.)

**Public Hearing Information:**

There will be a public hearing on 01/16/2024 at 9:00 AM at the Heber Wells Building, 160 E 300 S, Conference Room 474, Salt Lake City, UT. Also available via Google Meet (see below).

Google Meeting link:  
meet.google.com/yfq-psko-xgt

Or join by phone:  
(US) +1 304-691-0096  
PIN: 605869246

**Fiscal Information**

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

**A) State budget:**

The proposed changes are not expected to have any fiscal impact on state government revenues or expenditures.

The requested changes reflect current industry standards as approved by the Clinical Mental Health Licensing Board and will continue to ensure that the minimum required standards have been met.

**B) Local governments:**

The proposed changes are not expected to have any fiscal impact on local governments' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Clinical Mental Health Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively changes the processes so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on small businesses' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Clinical Mental Health Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on non-small businesses revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Clinical Mental Health Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

**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 proposed changes are not expected to have any fiscal impact on affected persons.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Clinical Mental Health Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

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

As described above in Box 5(E) for other persons, the proposed changes are not expected to have any compliance costs for affected persons.

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

**Regulatory Impact Table**

<b>Fiscal Cost</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division in collaboration with the Clinical Mental Health Licensing Board proposes these amendments in response to the statutory changes made in H.B. 166 (2023). The changes are to move the provisions of Rule R156-60, due to the repeal of Rule R156-60, to update this rule to encompass current statutory requirements and practices as they apply to clinical mental health counselors, make nonsubstantive grammar and formatting changes to streamline and to update this rule, and comply with the Rulewriting Manual for Utah.

**Small Businesses (less than 50 employees):**  
The Division does not expect any foreseeable impact on small businesses in the practice of clinical mental health counselors in the state of Utah.

The proposed amendments are to conform to the requirements of H.B. 166 (2023). The changes are to move the provisions of Rule R156-60, due to the repeal of Rule R156-60, to update this rule to encompass current statutory requirements and practices in the profession.

Further, the Division does not foresee any negative impact on small businesses since grammatical and formatting amendments are made to make the rule comport to the Rulewriting Manual for Utah.

**Non-Small Businesses (50 or more employees):**  
The Division finds that the non-small businesses in the clinical mental health counselor industry in the state of Utah will not suffer a negative fiscal impact from the proposed rule amendments.

However, these amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses.

Further, any of these costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

**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 58-60-401	Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Model Standards for Practice of Child Custody Evaluation
<b>Publisher</b>	Association of Family and Conciliation Courts (AFCC)
<b>Issue Date</b>	May 2006

**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:** 01/17/2024

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

<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
01/16/2024	9:00 AM	See information in Box 4 above.

**9. This rule change MAY become effective on:** 01/24/2024

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>	Mark B. Steinagel, Division Director	<b>Date:</b>	11/27/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b>	Amendment		
<b>Rule or Section Number:</b>	R156-60d	<b>Filing ID:</b>	56217

**Agency Information**

<b>1. Department:</b>	Commerce
<b>Agency:</b>	Professional Licensing
<b>Building:</b>	Heber M. Wells Building
<b>Street address:</b>	160 E 300 S

NOTICES OF PROPOSED RULES

<b>City, state and zip:</b>	Salt Lake City, UT 84111-2316	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6741	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jana Johansen	801-530-6628	janajohansen@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R156-60d. Substance Use Disorder Counselor Act Rule
<b>3. Purpose of the new rule or reason for the change:</b>
The Division of Professional Licensing (Division) in collaboration with the Substance Use Disorder Counselor Licensing Board makes this filing with the intent that the amendments being proposed incorporate changes due to S.B. 208 which passed in the 2023 General Session, merge provisions found in Rule R156-60, Mental Health Practice Act Rule, which is being recommended for repeal, and correct grammar and formatting errors.
<b>4. Summary of the new rule or change:</b>
Amendments to Section R156-60d-101 combine Sections R156-60d-103 and R156-60d-104 of this rule.  Amendment to Section R156-60d-102 adds definitions from the Mental Health Practice Act Rule (R156-60, being repealed) which will provide clarity and continuity for readers. This section also includes grammar, citation, and formatting corrections.  Amendments to Section R156-60d-302a correct grammar, and incorporate provisions found in Rule R156-60.  Amendment to Section R156-60d-302b adds provisions regarding experience being repealed with the Mental Health Practice Act Rule. In addition, grammar, formatting, and citation corrections are proposed.  Amendments to Section R156-60d-302d add sections of the Metal Health Practice Act Rule and clarify what constitutes the required suicide prevention course, as well as incorporating reenacted provisions from the repealed Rule R156-60.  Amendments to Section R156-60d-303 correct grammar and clarify requirements that the Board historically uses to determine reinstatement.

Amendments to Section R156-60d-304 add provisions regarding continuing education being repealed with the Mental Health Practice Act Rule.

Amendment to Section R156-60d-30t removes section that is incorporated into Section R156-60d-303.

Amendments to Section R156-60d-502 incorporate conduct found across the behavioral health professions for continuity. It also corrects formatting, grammar, and citations.

(EDITOR'S NOTE: The proposed repeal of Rule R156-60 is under ID 56209 in this issue, December 15, 2023, of the Bulletin.)

**Public Hearing Information:**

There will be a public hearing on 01/16/2024 at 9:00 AM at the Heber Wells Building, 160 E 300 S, Conference Room 474, Salt Lake City, UT. Also available via Google Meet (see below).

Google Meeting link:  
meet.google.com/yfq-psko-xgt

Or join by phone:  
(US) +1 304-691-0096  
PIN: 605869246

**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 proposed changes are not expected to have any fiscal impact on state government revenues or expenditures.  The requested changes reflect current industry standards as approved by the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.
<b>B) Local governments:</b>
The proposed changes are not expected to have any fiscal impact on local governments' revenues or expenditures.  This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.  None of these changes substantively changes the processes so there is no fiscal impact.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):

The proposed changes are not expected to have any fiscal impact on small businesses' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

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

The proposed changes are not expected to have any fiscal impact on non-small businesses' revenues or expenditures.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes so there is no fiscal impact.

**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 proposed changes are not expected to have any fiscal impact on affected persons.

This rule has been amended to provide technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah and current industry standards as approved by the Substance Use Disorder Counselor Licensing Board and will continue to ensure that the minimum required standards have been met.

None of these changes substantively change the processes for affected persons, so there is no fiscal impact.

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

As described above in Box 5(E) for other persons, the proposed changes are not expected to have any compliance costs for affected persons.

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

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

**Regulatory Impact Table**

Fiscal Cost	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

The Division in collaboration with the Substance Use Disorder Counselor Licensing Board proposes these amendments in response to the statutory changes made in S.B. 208 (2023). Because Rule R156-60 is being repealed, these proposed amendments move provisions from Rule R156-60 into this rule as they apply to clinical mental health counselors, make nonsubstantive grammar and formatting changes to streamline and to update this rule, and to comply with the Rulewriting Manual for Utah.

**Small Businesses (less than 50 employees):**

The Division does not expect any foreseeable impact on small businesses in the practice of substance use disorder counselor in the state of Utah. The proposed amendments are to conform to the requirements of S.B. 208 (2023).

The changes add provisions from the repeal of Rule R156-60, update this rule to encompass current statutory requirements and practices in the profession.

Further, the Division does not foresee any negative impact on small businesses since grammatical and formatting amendments are made to make this rule comport to the Rulewriting Manual for Utah.

**Non-Small Businesses (50 or more employees):**

The Division finds that the non-small businesses in the substance use disorder counselor industry in the state of Utah will not suffer a negative fiscal impact from the proposed rule amendments.

However, these amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses.

Further, any of these costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

**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 58-60-501	Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Deletes: NAADAC, the Association for Addiction Professionals NAADAC and NCC AP Code of Ethics
<b>Publisher</b>	Association for Addiction Professionals
<b>Issue Date</b>	October 9, 2016

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

<b>Official Title of Materials Incorporated (from title page)</b>	Adds: Code of Ethics of the NAADAC the Association for Addiction Professionals and the NCC AP
<b>Publisher</b>	Association for Addiction Professionals
<b>Issue Date</b>	January 1, 2021, edition

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

<b>Official Title of Materials Incorporated (from title page)</b>	Adds: Model Standards for Practice of Child Custody Evaluation
<b>Publisher</b>	Association of Family and Conciliation Courts (AFCC)
<b>Issue Date</b>	May 2006

**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:** 01/17/2024

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

<b>Date:</b>	<b>Time:</b>	<b>Place</b> (physical address or URL):
01/16/2024	9:00 AM	See information in Box 4 above.

**9. This rule change MAY become effective on:** 01/24/2024

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>	Mark B. Steinagel, Division Director	<b>Date:</b>	11/27/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R356-6</b>	<b>Filing ID:</b>	<b>56220</b>
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**Agency Information**

<b>1. Department:</b>	Governor
<b>Agency:</b>	Criminal and Juvenile Justice (State Commission on)
<b>Room number:</b>	E330
<b>Building:</b>	Senate Building (at State Capitol)
<b>Street address:</b>	350 N State Street
<b>City, state and zip:</b>	Salt Lake City, UT 84114



<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Angelo Perillo	801-538-1047	aperillo@utah.gov
Ken Matthews	801-538-1058	kmatthews@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R356-6. Electronic Meetings
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of these amendments is to ensure that all of the public bodies created under the Commission on Criminal and Juvenile Justice are subject to the same requirements for conducting an electronic meeting.  Currently, this rule only applies to those public bodies created in Title 63M, Chapter 7. These changes would also make this rule applicable to the public bodies created in Section 36-29-111, Section 64-13e-105, Section 77-37-5, Section 78A-10a-302, Section 78A-10a-402, and Section 78B-22-401.
<b>4. Summary of the new rule or change:</b>
The proposed changes to this rule add definitions in conformity with those found in Rule R356-7, including the definition of a designee and a representative.  It also adds a definition of what it means to appear "electronically". These definitions are then applied consistently throughout this rule which has resulted in minor changes. However, the substantive provisions of this rule have not changed.

**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 program will create no cost burden or savings for the state budget. The new language will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.
<b>B) Local governments:</b>
This program will create no cost burden or savings for local governments. The new language will not change the way electronic meetings are being conducted today. It will not

add any additional time or tasks that could lead to new costs.

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

This program will create no cost burden or savings for small businesses. The new language will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

This program will create no cost burden or savings for non-small businesses. The new language will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

This program will create no cost burden or savings for other persons. The new language will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new costs.

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

There should be no costs or saving for any affected persons as a result of this rule. The new language will not change the way electronic meetings are being conducted today. It will not add any additional time or tasks that could lead to new 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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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

NOTICES OF PROPOSED RULES

<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 State Commission on Criminal and Juvenile Justice, Tom Ross, 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 52-4-202		

**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>	01/17/2024

<b>9. This rule change MAY become effective on:</b>	01/24/2024
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>	Tom Ross, Executive Director	<b>Date:</b>	11/28/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R357-3</b>	<b>Filing ID:</b> <b>56228</b>

**Agency Information**

<b>1. Department:</b>	Governor	
<b>Agency:</b>	Economic Opportunity	
<b>Room number:</b>	Suite 300	
<b>Building:</b>	World Trade Center	
<b>Street address:</b>	60 E South Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Dane Ishihara	801-792-8764	dishihara@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R357-3. Economic Development Tax Increment Financing Rule
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule filing is to establish policies to implement Executive Order No. 2023-09, Requiring Service Hours for Economic Development Incentives and makes technical changes.
<b>4. Summary of the new rule or change:</b>
This rule filing: 1) defines corporate citizenry plan; 2) establishes if a company has had a prior agreement with the office, execution of a company's corporate citizenry plan may be evaluated; and 3) establishes failure to execute a corporate citizenry plan does not prohibit a company from receiving an incentive.

**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 is no anticipated cost or savings to the state budget, as this rule is codifying policies to implement Executive Order No. 2023-09.

**B) Local governments:**

This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures. This rule change is codifying policies to implement Executive Order No. 2023-09.

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

This rule change will not have a fiscal impact on small businesses. This rule is procedural in nature and participation in the program is optional.

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

The proposed rule changes do not have a fiscal impact on non-small businesses, nor will a service be required of them to implement the amendments.

**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 new aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities because this proposed rule does not create new obligations for persons other than small businesses, businesses, or local government entities, nor does it increase the costs associated with any existing obligation.

**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. The changes simply add clarification to requirements and policy with no fiscal impact on other entities.

**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	FY2024	FY2025	FY2026
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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Governor's Office of Economic Opportunity, Ryan Starks, 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 63N-2-110		
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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>	01/17/2024
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<b>9. This rule change MAY become effective on:</b>	01/24/2024
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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>	Ryan Starks, Executive Director	<b>Date:</b>	11/30/2023
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R452-100	Filing ID: 56237

**Agency Information**

<b>1. Department:</b>	Cultural and Community Engagement	
<b>Agency:</b>	Arts and Museums, Museum Services	
<b>Street address:</b>	3760 S Highland Drive	
<b>City, state and zip:</b>	Millcreek, UT 84106	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kristin Mead	218-393-2995	kristinmead@utah.gov
Sophia Riggs	801-874-7205	sophiariggs@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R452-100. Certified Local Museum Designation
<b>3. Purpose of the new rule or reason for the change:</b>
This filing is being submitted for the purpose of repealing this rule as the practice of certifying local museums is no longer part of statute and has been discontinued.
<b>4. Summary of the new rule or change:</b>
In October 2020, the Utah Division of Arts and Museums reviewed all rules associated with the agency with the Attorney General's Office. Regarding Rule R452-100, Certified Local Museum Designation, it was recommended that as this item was removed from statute that the Division of Arts and Museums, Museum Services (Division) allow the rule to expire.  It was removed from statute because it was deemed unnecessary to the museum field.  Normally certifications are overseen by member associations not by state agencies. Thus, the Division suggested removing the requirement from state statute, which was approved by the Utah Legislature in 2020. Since that time, the agency has discontinued the practice of museum certification, thus this rule is no longer necessary.  Therefore, this rule is repealed in its entirety.  (EDITOR'S NOTE: A corresponding five-year review extension for Rule R452-100 is under ID 54458 in this

issue, December 15, 2023, of the Bulletin. This extends the expiration deadline to 04/18/2024 to allow the repeal to go through the proper process.)

**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 is no anticipated cost to state budgets as the practice of Certifying Local Museums was discontinued in 2020.
<b>B) Local governments:</b>
There is no anticipated cost to local governments as the practice of Certifying Local Museums was discontinued in 2020 and did not involve local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated cost to small businesses as the practice of Certifying Local Museums was discontinued in 2020 and did not involve small businesses.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost to non-small businesses as the practice of Certifying Local Museums was discontinued in 2020 and did not involve 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> ):
There is no anticipated cost to other persons as the practice of Certifying Local Museums was discontinued in 2020 and did not involve persons other than small businesses, non-small businesses, state, or local government entities.
<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 as the practice of Certifying Local Museums was discontinued in 2020.
<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.)

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 Cultural and Community Engagement, Jill Love, 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>		
Subsection 9-6-603(8)		

**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>	01/17/2024

<b>9. This rule change MAY become effective on:</b>	01/24/2024
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>	Jill Love, Executive Director	<b>Date:</b>	11/29/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Repeal		
<b>Rule or Section Number:</b>	<b>R495-861</b>	<b>Filing ID:</b> <b>56214</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Administration (Human Services)	
<b>Room number:</b>	4th Floor	
<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>
Curt Williams	385 272-4220	chwilliams@utah.gov
<b>Please address questions regarding information on this notice to the agency.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R495-861. Requirements for Local Discretionary Social Services Block Grant Funds
<b>3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):</b>
Following the consolidation of the Department of Health and Human Services (Department), the Department is working to amend and consolidate the administrative rules.
The Department is repealing this rule and will be reenacting it under Title R380. The repeal of this rule is technical in nature and does not reflect substantive changes to the existing process for allocating social services block grant funds.
<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):

This rule is repealed in its entirety and the provisions moved under Title R380.

**Fiscal Information**

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

**A) State budget:**

This repeal of this rule will not result in a fiscal impact or benefit for the state budget. It is technical in nature and does not impact existing operations.

**B) Local governments:**

This repeal of this rule will not result in a fiscal impact or benefit for local governments. It is technical in nature and does not impact existing operations.

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

This repeal of this rule will not result in a fiscal impact or benefit for small businesses. It is technical in nature and does not impact existing operations.

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

This repeal of this rule will not result in a fiscal impact or benefit for the non-small businesses. It is technical in nature and does not impact existing operations.

**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 repeal of this rule will not result in a fiscal impact or benefit for persons other than small businesses, non-small businesses, state, or local governments. It is technical in nature and does not impact existing operations.

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

There are no compliance costs associated with this proposed repeal.

**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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Health and Human Services, Tracy S. 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 26B-1-202

**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:** 01/17/2024

<b>9. This rule change MAY become effective on:</b>	01/24/2024
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 S. Gruber, Executive Director	<b>Date:</b>	11/19/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R500-2</b>	<b>Filing ID:</b> <b>56207</b>

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Ombudsman (Office of)	
<b>Room number:</b>	1091	
<b>Building:</b>	Multi Agency State Office Building (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>
Angie McCourt	385-505-3502	amccourt@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R500-2. Disabilities Ombudsman Program
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this rule is to establish the program and conduct of the Disabilities Ombudsman within the Department of Health and Human Services (Department).  The Disabilities Ombudsman was created for the purpose of promoting, advocating, and ensuring the rights and privileges of an individual with a disability are upheld.
<b>4. Summary of the new rule or change:</b>
The purpose of this rule is to outline the Disabilities Ombudsman Program and provide procedures for processing complaints and conducting investigations.

**Fiscal Information**

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

**A) State budget:**

The implementation of this rule is not expected to have any fiscal impact on the state budget, revenues, or expenditures, as it implements the Disabilities Ombudsman Program in accordance with Section 26B-6-703.

Any costs that may be incurred by this program are inestimable at this time and would be appropriated through the legislative process.

**B) Local governments:**

There is no impact on local governments as they neither fund nor provide benefits to the Disabilities Ombudsman.

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

There is no impact on small businesses as this rule establishes processes and procedures for the Disabilities Ombudsman but does not affect small businesses.

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

There is no impact on non-small businesses as this rule establishes processes and procedures for the Disabilities Ombudsman but does not affect non-small businesses.

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

There is no impact on persons other than small businesses, non-small businesses, state, or local government entities as this rule establishes processes and procedures for the Disabilities Ombudsman, but does not affect 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?):**

The Department does not foresee any compliance costs associated with this proposed 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	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 Health and Human Services, Tracy Gruber, 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 26B-6-703		

**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>	01/17/2024

<b>9. This rule change MAY become effective on:</b>	01/24/2024
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 S. Gruber, Executive Director	<b>Date:</b>	07/16/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> Amendment			
<b>Rule or Section Number:</b>	<b>R590-171</b>	<b>Filing ID:</b>	<b>56218</b>

**Agency Information**

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

**General Information**

<b>2. Rule or section catchline:</b>
R590-171. Surplus Lines Procedures Rule
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being changed in compliance with Executive Order No. 2021-12.
During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.
<b>4. Summary of the new rule or change:</b>
The majority of the changes are being done to fix style issues to bring this rule text more in line with the Rulewriting Manual for Utah standards.



Other changes make the language of this rule more clear, remove the Penalties section (old R590-171-10), and update the Severability section (new R590-171-10) to use the Department's current language.

The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated cost or savings to the state budget.

The changes are largely clerical in nature and will not change how the Department functions.

**B) Local governments:**

There is no anticipated cost or savings to local governments.

The changes are largely clerical in nature and will not affect local governments.

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

There is no anticipated cost or savings to small businesses.

The changes are largely clerical in nature and will not affect small businesses.

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

There is no anticipated cost or savings to non-small businesses.

The changes are largely clerical in nature and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons.

The changes are largely clerical in nature.

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

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

**G) 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	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 31A-15-103	Section 31A-15-111
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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:** 01/17/2024

**9. This rule change MAY become effective on:** 01/24/2024

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>	11/28/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R590-281</b>	<b>Filing ID:</b>	<b>56219</b>
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**Agency Information**

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

**General Information**

**2. Rule or section catchline:**  
R590-281. License Applications Submitted by Individuals Who Have a Criminal Conviction

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

This rule is being changed in compliance with Executive Order No. 2021-12.

During the review of this rule, the Department of Insurance (Department) discovered a number of minor issues that needed to be amended.

**4. Summary of the new rule or change:**

The majority of the changes are being done to fix style issues to bring this rule text more in line with the Rulewriting Manual for Utah standards.

Other changes make the language of this rule clearer and make explicit that this rule also applies to proceedings that are pending.

The changes do not add, remove, or change any regulations or requirements.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated cost or savings to the state budget.

The changes are largely clerical in nature and will not change how the Department functions.

**B) Local governments:**

There is no anticipated cost or savings to local governments.

The changes are largely clerical in nature and will not affect local governments.

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

There is no anticipated cost or savings to small businesses.

The changes are largely clerical in nature and will not affect small businesses.

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

There is no anticipated cost or savings to non-small businesses.

The changes are largely clerical in nature and will not affect non-small businesses.

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

There is no anticipated cost or savings to any other persons.

The changes are largely clerical in nature.

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

There are no compliance costs for any affected persons.

The changes are largely clerical in nature.

**G) 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	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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>

**Net Fiscal Benefits**

	<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 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		
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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>	01/17/2024
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<b>9. This rule change MAY become effective on:</b>	01/24/2024
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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>	11/28/2023
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**NOTICE OF PROPOSED RULE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R909-19</b>	<b>Filing ID:</b>	<b>56224</b>
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**Agency Information**

<b>1. Department:</b>	Transportation	
<b>Agency:</b>	Motor Carriers	
<b>Room number:</b>	Administrative Suite, 1st Floor	
<b>Building:</b>	Calvin Rampton Building	
<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 persons:</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

NOTICES OF PROPOSED RULES

James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R909-19. Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation, and Certification
<b>3. Purpose of the new rule or reason for the change:</b>
The Division of Motor Carrier (Division) is proposing revisions to Rule R909-19 due to continuing complaints regarding towing and fee charges.  These revisions are being requested after consultation with the Department of Transportation's (Department) Motor Carrier Division, industry representatives, and the Motor Carrier Advisory Board.
<b>4. Summary of the new rule or change:</b>
These proposed rule changes make clarifications to facilitate the administration of and compliance with this rule.  Clarifications include: 1) changing the definition of a "drop fee" and the description of the circumstances for which a tower can charge a drop fee; 2) stating that vehicle storage for towed vehicles must be in the county where the tow occurred; 3) affirming that storage fees may only be charged if a vehicle is placed in a facility that meets the requirements of Utah State Tax Commission rules; and 4) requiring consent of the tow charges to be reflected on a separate receipt.  This proposal also requires the Department to annually index storage fees to the Consumer Price Index. The tow truck service fee and administrative fee are already annually indexed. This change has been recommended by the Motor Carrier Advisory Board.

**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 is no anticipated impact on the state budget.  The Department is charged with regulating motor carrier tow trucks, and this proposed change is part of those

duties. This proposed rule change clarifies the current rule and will have no impact on how the Department functions.
<b>B) Local governments:</b>
This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.  This rule change does not apply to local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
These proposed rule changes may positively or negatively impact small businesses that are tow truck motor carriers because they include, in part, clarification and a definition for the drop fee operators may charge vehicle owners. The Division is unable to accurately estimate the full impact the proposed changes will have on operators because it cannot predict how often operators will charge a drop fee.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
These proposed rule changes may positively or negatively impact non-small businesses that are tow truck motor carriers because they include, in part, clarification and a definition for the drop fee operators may charge vehicle owners.  The Division is unable to accurately estimate the full impact the proposed changes will have on operators because it cannot predict how often operators will charge a drop fee.
<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 proposed rule change may have a positive or negative impact on persons other than small businesses, non-small businesses, and state, or local government entities who own vehicles that will be subjected to the drop fee changes.  However, the Division is unable to accurately estimate the full impact the proposed changes will have on vehicle owners because it cannot predict how many of these fees tow truck operators will charge.
<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 will be no compliance costs associated with these proposed changes.  A fiscal impact will only occur if an operator imposes a drop fee.

**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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 Transportation, Carlos M. Braceras, PE, 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 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**

**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:** 01/17/2024

**9. This rule change MAY become effective on:** 01/24/2024

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>	11/20/2023
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**NOTICE OF PROPOSED RULE**

<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R914-5</b>	<b>Filing ID:</b> 56221

**Agency Information**

<b>1. Department:</b>	Transportation
<b>Agency:</b>	Transportation, Operations, Aeronautics
<b>Room number:</b>	Administrative Suite, 1st Floor
<b>Building:</b>	Calvin Rampton Building
<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 persons:**

<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 Godin	801-573-7181	jamesjgodin@agutah.gov

**Please address questions regarding information on this notice to the persons listed above.**

**General Information**

**2. Rule or section catchline:**

R914-5. Advanced Air Mobility Aircraft Registration
<b>3. Purpose of the new rule or reason for the change:</b>
The Department of Transportation (Department) proposes this new rule to establish a registration fee for an unmanned aircraft system and an advanced air mobility system, and to provide for the administration of that registration fee.
This new rule is required by S.B. 24 passed in the 2023 General Session.
<b>4. Summary of the new rule or change:</b>
This new rule establishes a registration and application process for aircraft that are part of an unmanned aircraft system or advanced air mobility system and that are used for commercial operations described under 14 C.F.R. Part 107 or 135.

**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 is no anticipated substantial cost or savings to the state budget.
However, pursuant to Subsection 72-10-110(7), after deducting the costs of administering aircraft inspections under this rule, the Department shall deposit all remaining registration fees into the Aeronautics Restricted Account, created by Section 72-2-126.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments, as this rule only pertains to commercial aircraft that are part of an advanced air mobility system or an unmanned aircraft system.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
This rule may have a slight fiscal impact on small businesses that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes because this rule includes a registration fee for operating those aircraft.
Because this is a new rule, the registration process has yet to commence, and the Department cannot ascertain how many small businesses this new rule might affect.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
This rule may have a slight fiscal impact on non-small businesses that leverage advanced air mobility systems or unmanned aircraft systems for commercial purposes

because this rule includes a registration fee for operating those aircraft.																												
Because this is a new rule, the registration process has yet to commence, and the Department cannot ascertain how many non-small businesses this new rule might affect.																												
<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> ):																												
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<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):																												
For persons registering an aircraft under this rule with a maximum gross operating weight of less than 55 pounds, compliance with this rule costs \$15.																												
For persons registering an aircraft under this rule with a maximum gross operating weight of 55 pounds or more, compliance with this rule costs \$100.																												
<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>																												
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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 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 72-10-102 | Section 72-10-109 | Section 72-10-110

**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:** 01/17/2024

**9. This rule change MAY become effective on:** 01/24/2024  
 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>	11/20/2023
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<b>NOTICE OF PROPOSED RULE</b>		
<b>TYPE OF FILING:</b> Repeal and Reenact		
<b>Rule or Section Number:</b>	<b>R918-4</b>	<b>Filing ID:</b> 56225

**Agency Information**

<b>1. Department:</b>	Transportation
<b>Agency:</b>	Operations, Maintenance

<b>Room number:</b>	Administrative Suite, 1st Floor	
<b>Building:</b>	Calvin Rampton Building	
<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 persons:</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 Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Lee Edwards	385-341-3414	loriedwards@agutah.gov

**Please address questions regarding information on this notice to the persons listed above.**

**General Information**

**2. Rule or section catchline:**  
 R918-4. Using Volunteer Groups and Third-Party Contractors for the Adopt-a-Highway and Sponsor-a-Highway Litter Pickup Programs

**3. Purpose of the new rule or reason for the change:**  
 The Department of Transportation (Department) has discontinued its Adopt-a-Highway program, but a volunteer highway litter removal program will remain in place.

The reenacted rule establishes a regulatory framework for individuals or groups who volunteer to remove litter from the state's highways.

It also sets forth the requirements for entities participating in the Sponsor-a-Highway Program.

**4. Summary of the new rule or change:**  
 The repealed Rule R918-4 contained provisions establishing the application process and the conditions associated with the Adopt-a-Highway Program, see the current Sections R918-4-2 and R918-4-3. These provisions do not exist in the reenacted Rule R918-4.

The repealed Rule R918-4 contained explicit sections for the Department's discretion to allow use of right-of-way (Section R918-4-5); recognition signs (Section R918-4-6); and the Department's responsibilities (Section R918-4-8).

These provisions no longer exist in explicit sections and are instead incorporated into the reenacted Sections R918-4-3 and R918-4-4.

The provisions contained in the repealed Section R918-4-7, Replacement of Signs, do not exist in the reenacted rule.

The reenacted rule adds a definition section (Section R918-4-2), adds provisions establishing the requirements for individuals and groups participating in a volunteer litter removal program (Section R918-4-3), and expands upon the conditions of participating in the Sponsor-a-Highway Program (Section R918-4-4).

**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, as this rule is clerical in nature and will have no impact on how the Department functions or the parties this applies to.

**B) Local governments:**

This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.

This rule change only sets forth the requirements for individuals or groups wishing to participate in a volunteer program for litter cleanup, or entities participating in the Sponsor-a-Highway Program. There is no tangible cost associated with participating in such a program.

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

This rule change will not have a fiscal impact on small businesses.

This rule change only sets forth the requirements for individuals or groups wishing to participate in a volunteer program for litter cleanup, or entities participating in the Sponsor-a-Highway Program. There is no tangible cost associated with participating in such a program.

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

This rule change will not have a fiscal impact on non-small businesses.

This rule change only sets forth the requirements for individuals or groups wishing to participate in a volunteer program for litter cleanup, or entities participating in the Sponsor-a-Highway Program. There is no tangible cost associated with participating in such a program.

**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 will not have a fiscal impact on other persons.

This rule change only sets forth the requirements for individuals or groups wishing to participate in a volunteer program for litter cleanup, or entities participating in the Sponsor-a-Highway Program. There is no tangible cost associated with participating in such a program.

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

This rule change does not create compliance costs for affected persons.

This rule change only sets forth the requirements for individuals or groups wishing to participate in a volunteer program for litter cleanup, or entities participating in the Sponsor-a-Highway Program. There is no tangible cost associated with participating in such a program.

**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	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 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 72-1-201

**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> 01/17/2024

<b>9. This rule change MAY become effective on:</b> 01/24/2024
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> 11/21/2023
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NOTICE OF PROPOSED RULE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R940-6</b>	<b>Filing ID:</b> 56222

**Agency Information**

<b>1. Department:</b>	Transportation Commission
<b>Agency:</b>	Administration
<b>Room no.:</b>	Administrative Suite, 1st Floor
<b>Building:</b>	Calvin Rampton Building
<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>Name:</b>
Leif Elder	801-580-8296	lelder@utah.gov
Becky Lewis	801-965-4026	blewis@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	801-965-4048	loriedwards@agutah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R940-6. Prioritization of New Transportation Capacity Projects
<b>3. Purpose of the new rule or reason for the change:</b>
This rule change clarifies or otherwise updates the language in Rule R940-6 and incorporates changes to the prioritization process for transportation projects approved by the Transportation Commission at its August 2023 meeting.
<b>4. Summary of the new rule or change:</b>
This is the rule that sets forth the process for prioritizing TIF highway projects, TIF active projects, TTIF transit projects, and TTIF first/last mile projects. The Department of Transportation (Department) and Transportation Commission (Commission) have worked on revising these processes over the last year.
At its August 2023 meeting, the Commission gave final approval to the prioritization process changes. This rule incorporates the document that describes the process and specifies the meeting at which the Commission approved it. In the future, if the Commission approves changes to the prioritization document, this rule will have to be modified to reflect the new approval date.
Other changes to the rule include:
1) modifying the web address for the prioritization document;
2) clarifying what capacity means for a TTIF transit project;
3) harmonizing matching requirements with recently passed legislation;
4) clarifying how the match requirement will be calculated;
5) updating rule language dealing with projects that are

included on the input list to be consistent with current practices; and  
 6) updating language to conform with the Rulewriting Manual for Utah.

**Fiscal Information**

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

**A) State budget:**

There is no anticipated cost or savings to the state budget, as this rule is clerical in nature.

**B) Local governments:**

This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.

This rule change only clarifies pre-existing requirements for local governments.

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

This rule change will not have a fiscal impact on small businesses.

This rule only affects the Department and local governments.

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

The proposed rule change does not have a fiscal impact on non-small businesses nor will a service be required of them to implement the amendments.

**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 proposed rule change does not have a fiscal impact on other persons nor will a service be required of them to implement the amendments.

**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.

The changes simply add clarification to requirements and policy with no fiscal impact on other entities.

**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	FY2024	FY2025	FY2026
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	FY2024	FY2025	FY2026
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 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 72-1-201	Section 72-1-304	
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**Incorporations by Reference Information**

**7. Incorporations by Reference:**

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

<b>Official Title of Materials Incorporated (from title page)</b>	Section 72-1-304 Written project prioritization process for new transportation capacity projects - Rulemaking
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<b>Publisher</b>	Utah Code Annotated
<b>Issue Date</b>	May 3, 2023

**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>	01/17/2024

<b>9. This rule change MAY become effective on:</b>	01/24/2024
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>	11/20/2023
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**End of the Notices of Proposed Rules Section**



## NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends January 17, 2024.

From the end of the 30-day waiting period through April 15, 2024, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

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

<b>NOTICE OF CHANGE IN PROPOSED RULE (SECOND)</b>		
<b>Rule or Section Number:</b>	<b>R590-190</b>	<b>Filing ID: 55510</b>
<b>Date of Previous Publications:</b>	<b>07/15/2023 then 10/15/2023</b>	

**Agency Information**

<b>1. Department:</b>	Insurance	
<b>Agency:</b>	Administration	
<b>Room number:</b>	Suite 2300	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 146901	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6901	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Steve Gooch	801-957-9322	sgooch@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R590-190. Unfair Property, Casualty, and Title Claims Settlement Practices Rule
<b>3. Reason for this change:</b>
The original proposed repeal and reenact and subsequent first change in proposed rule (CPR) of this rule is being changed because the Department of Insurance (Department) has determined that the amendments are more properly made in statute versus rule.
<b>4. Summary of this change:</b>
This filing removes two protections for consumers from Subsection R590-190-11(9) in favor of strengthening the protections by adding them to statute. The protections being removed are anticipated to be added to a bill during the 2024 General Session.
(EDITOR'S NOTE: This is the second change in proposed rule (CPR) for Rule R590-190, ID 55510. The original proposed repeal and reenact upon which the first CPR was based was published in the July 15, 2023, issue of the Utah State Bulletin, on page 39. The first CPR upon which this second CPR is based was published in the October 15, 2023, issue of the Utah State Bulletin, on page 233.

Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the first CPR, the second CPR, and the proposed repeal and reenact together to understand all of the changes that will be enforceable should the agency make this rule effective.)

**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 is no anticipated cost or savings to the state budget; however, any budget estimates will be provided in a fiscal note during the legislative process.
<b>B) Local government:</b>
There is no anticipated cost or savings to local governments; however, any budget estimates will be provided in a fiscal note during the legislative process.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses; however, any budget estimates will be provided in a fiscal note during the legislative process.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There is an anticipated cost to certain non-small businesses; however, any budget estimates will be provided in a fiscal note during the legislative process.
<b>E) Persons other than small businesses, non-small businesses, or 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> ):
There is no anticipated cost or savings to any other persons; however, any budget estimates will be provided in a fiscal note during the legislative process.
<b>F) Compliance costs for affected persons:</b>
There is a compliance cost for automobile insurers to the extent the change requires them to pay more in automobile insurance benefits; however, any budget estimates will be provided in a fiscal note during the legislative process.
<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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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>FY2024</b>	<b>FY2025</b>	<b>FY2026</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 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 31A-21-312	Section 31A-26-301
Section 31A-26-303		

**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>	01/17/2024
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<b>9. This rule change MAY become effective on:</b>	01/24/2024
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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>	11/28/2023
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**End of the Notices of Changes in Proposed Rules Section**





# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at [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>	R277-927	<b>Filing ID:</b> 55292
<b>Effective Date:</b>	11/16/2023	

### 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 persons listed above.</b>		

### General Information

<b>2. Rule catchline:</b>	R277-927. Teacher and Student Success Act (TSSA) Program
<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 pursuant to the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Board; and 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;

Section 53F-2-416, which requires the Board to calculate and distribute student and teacher success program money to LEAs; Section 53G-7-1304, which requires the Board to make rules for a Local Education Agency (LEA) governing board to calculate and distribute a school's allocation of program money for each school within the LEA; and Section 53G-7-1306, which require the Board to determine:

- (i) a threshold of points under the statewide school accountability system that designates a school as succeeding in school performance and student academic achievement; and
- (ii) performance standards for certain schools.

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

There were no public 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 it sets standards for the Board's distribution of student and teacher success program money to LEAs; standards governing an LEA's distribution of student and teacher success program money to each school within the LEA; and establishes certain accountability standards related to the student and teacher success program. 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>	11/16/2023
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**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Ryan Stark, Executive Director	<b>Date:</b>	11/30/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R357-3</b>	<b>Filing ID:</b>	<b>55107</b>
<b>Effective Date:</b>	<b>11/30/2023</b>		

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R523-17</b>	<b>Filing ID:</b>	<b>51271</b>
<b>Effective Date:</b>	<b>11/22/2023</b>		

**Agency Information**

<b>1. Department:</b>	Governor	
<b>Agency:</b>	Economic Opportunity	
<b>Room number:</b>	Suite 300	
<b>Building:</b>	World Trade Center	
<b>Street address:</b>	60 E South Temple	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Dane Ishihara	801-792-8764	dishihara@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Substance Abuse and Mental Health	
<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>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Thomas Dunford	801-538-4181	tdunford@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R357-3. Economic Development Tax Increment Financing Rule
<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 63N-2-110 allows the office to make rules outlining the administration of the Economic Development Tax Increment Financing program.
<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 comments have been 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 authorized by state law. Therefore, this rule should be continued.

**General Information**

<b>2. Rule catchline:</b>
R523-17. Behavioral Health Crisis Response Systems Standards
<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 under Subsection 26B-5-610(3).
<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 comments have been received by the Department of Health and Human Services (DHHS) concerning this rule after being made effective.
<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 statutorily mandated by the legislature. Therefore, this rule should be continued.
Following the consolidation and recodification of DHHS statute in the 2023 General Session, an amendment to this rule is being filed concurrently with this five-year review to update statutory citations and align this rule with the standards of the Rulewriting Manual for Utah.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	11/19/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R523-18</b>	<b>Filing ID:</b>	<b>51261</b>
<b>Effective Date:</b>	<b>11/22/2023</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Substance Abuse and Mental Health	
<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>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Thomas Dunford	801-538-4181	tdunford@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R523-18. Mobile Crisis Outreach Teams Certification Standards
<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 under Subsections 26B-5-112(5) and 26b-5-112.5(5), and Section 26B-5-609.
<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 comments have been received by the Department of Health and Human Services (DHHS) concerning this rule since being made effective.
<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 statutorily mandated by the legislature. Therefore, this rule should be continued.
Following the consolidation and recodification of the DHHS statute in the 2023 General Session, an amendment to this rule is being filed concurrently with this

five-year review to update statutory citations and align this rule with the standards of the Rulewriting Manual for Utah.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	11/19/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R523-19</b>	<b>Filing ID:</b>	<b>51263</b>
<b>Effective Date:</b>	<b>11/22/2023</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Substance Abuse and Mental Health	
<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>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Thomas Dunford	801-538-4181	tdunford@utah.gov
Jonah Shaw	801-538-4219	jshaw@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R523-19. Community Mental Health Crisis and Suicide Prevention Training Grant Standards
<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 under Section 26B-5-111.
An amendment to this rule is being filed concurrently with this five-year review to update statutory citations and align this rule with the standards of the Rulewriting Manual for Utah.
<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 comments have been received by the Department of Health and Human Services concerning this rule since being made effective.

**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 essential as it establishes requirements and a process for communities to qualify for a grant that will allow them to provide specific training on mental health crises and suicide prevention. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	11/19/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R527-38</b>	<b>Filing ID:</b>	<b>54109</b>
<b>Effective Date:</b>	<b>11/20/2023</b>		

**Agency Information**

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Recovery Services	
<b>Building:</b>	TSOB	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Mailing address:</b>	PO Box 45033	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0033	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Jodi Witte	801-741-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Jordan Miera	801-538-4171	jmiera@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R527-38. Unenforceable Cases
<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>

Sections 26B-1-202 and 26b-9-108 give the Office of Recovery Services (ORS) the authority to adopt, amend, and enforce rules necessary to carry out its responsibilities under state law.

Federal Regulations at 45 CFR 303.11 provide detailed case closure criteria for IV-D agencies. This criteria has been adopted by ORS and incorporated by reference into this rule.

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

There have been no comments received since the last five-year review of this rule.

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

The clarifications and procedures provided in this rule are necessary for the appropriate implementation of federal regulations, which are still in effect and do not appear in state statute. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	11/19/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R746-350</b>	<b>Filing ID:</b>	<b>51972</b>
<b>Effective Date:</b>	<b>11/30/2023</b>		

**Agency Information**

<b>1. Department:</b>	Public Service Commission	
<b>Agency:</b>	Administration	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S, 4th Floor	
<b>City, state and zip:</b>	Salt Lake City, UT 84111	
<b>Mailing address:</b>	PO Box 4558	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4558	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
John Delaney	801-530-6724	jdelaney@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>	
R746-350. Application to Discontinue Telecommunications Service	
<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 54-4-1 grants the Public Service Commission (PSC) the power to regulate and supervise all the business of every public utility in Utah.	
Section 54-3-1 requires that all charges made, demanded, or received by a public utility, or by any two or more public utilities, for any product or commodity furnished or to be furnished, or for any service rendered or to be rendered, shall be just and reasonable.	
<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>	
The PSC has received no written comments from any interested person supporting or opposing this rule since the last five-year 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>	
This rule is necessary so that the PSC may require telecommunications companies to provide notice of their intent to curtail services or exit the market. This rule provides the steps telecommunications companies must take to inform the PSC, customers, other telecommunication carriers, and the general public, of changes in their operations in Utah's telecommunications and services market. Therefore, this rule should be continued.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Thad LeVar, PSC Chair	<b>Date:</b>	11/30/2023
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R895-9</b>	<b>Filing ID:</b>	<b>53732</b>
<b>Effective Date:</b>	<b>11/28/2023</b>		

**Agency Information**

<b>1. Department:</b>	Government Operations	
<b>Agency:</b>	Technology Services	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state and zip:</b>	Taylorsville, UT 84129	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Stephanie Weteling	435-720-5315	stephanie@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>	
R895-9. Utah Geographic Information Systems Advisory Council	
<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 issued by the Chief Information Officer under the authority of Section 63A-16-205 of the Technology Governance Act and Section 63G-3-201 of the Utah Rulemaking Act.	
<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 during and since the last five-year review of this rule from interested persons supporting or opposing this rule.	
<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 needed to establish an advisory council to coordinate statewide geographic information systems data efforts for collection, creation, and access, and to mutual collaboration by state entities. Therefore, this rule should be continued.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Marvin Dodge, Executive Director	<b>Date:</b>	11/28/2023
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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>R392-101</b>	<b>Filing ID: 54412</b>
<b>New Deadline Date:</b>	<b>04/10/2024</b>	

### Agency Information

<b>1. Department:</b>	Health and Human Services	
<b>Agency:</b>	Population Health, Environmental Health	
<b>Room number:</b>	Second Floor	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state and zip:</b>	Sat Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 142104	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-2102	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Karl Hartman	801-538-6191	kartman@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

### General Information

<b>2. Rule catchline:</b>
R392-101. Food Safety Manager Certification
<b>3. Reason for requesting the extension:</b>
The Department of Health and Human Services (Department) recently submitted this rule to the Office of Administrative Rules (OAR) for nonsubstantive changes. This rule is currently under codification review by OAR.

The Department is waiting for the newly codified rule to be published before submitting the five-year review.

### Agency Authorization Information

<b>Agency head or designee and title:</b>	Heather Borski, Deputy Director	<b>Date:</b>	12/01/2023
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### NOTICE OF FIVE-YEAR REVIEW EXTENSION

<b>Rule Number:</b>	<b>R452-100</b>	<b>Filing ID: 54458</b>
<b>New Deadline Date:</b>	<b>04/18/2024</b>	

### Agency Information

<b>1. Department:</b>	Cultural and Community Engagement	
<b>Agency:</b>	Arts and Museums, Museum Services	
<b>Street address:</b>	3760 S Highland Drive	
<b>City, state and zip:</b>	Millcreek, UT 84106	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kristin Mead	218-393-2995	kristinmead@utah.gov
Sophia Riggs	801-874-7205	sophiariggs@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

### General Information

<b>2. Rule catchline:</b>
R452-100. Certified Local Museum Designation
<b>3. Reason for requesting the extension:</b>

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

The Division of Arts and Museums will be repealing this rule as the practice of Certifying Local Museums was discontinued and removed from statute, Subsection 9-6-603(8), in 2020.

This extension ensures this rule will have time to make it through the entire repeal process and will not expire on 12/20/2023.

(EDITOR'S NOTE: The proposed repeal of Rule R452-100 is under ID 56237 in this issue, December 15, 2023, of the Bulletin.)

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jill Love, Executive Director	<b>Date:</b>	11/29/2023
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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

Conservation Commission

No. 55840 (Repeal and Reenact) R64-4: Agricultural Water Optimization Program

Published: 10/15/2023

Effective: 11/21/2023

No. 55853 (Amendment) R277-326: Early Learning

Published: 11/01/2023

Effective: 12/11/2023

No. 55854 (Amendment) R277-495: Electronic Devices in Public Schools

Published: 11/01/2023

Effective: 12/11/2023

### Commerce

Consumer Protection

No. 55843 (Amendment) R152-21: Credit Services Organizations Act Rule

Published: 11/01/2023

Effective: 12/08/2023

No. 55855 (Amendment) R277-553: Charter School Oversight, Monitoring and Appeals

Published: 11/01/2023

Effective: 12/11/2023

Professional Licensing

No. 55847 (Amendment) R156-46a: Hearing Instrument Specialist Licensing Act Rule

Published: 11/01/2023

Effective: 12/11/2023

No. 55856 (Amendment) R277-604: Private School, Home School, and Bureau of Indian Education (BIE) Student Participation in Public School Achievement Tests

Published: 11/01/2023

Effective: 12/11/2023

No. 55846 (Amendment) R156-69: Dentist and Dental Hygienist Practice Act Rule

Published: 11/01/2023

Effective: 12/11/2023

### Government Operations

Finance

No. 55718 (Amendment) R25-5: Payment of Meeting Compensation (Per Diem) to Boards

Published: 10/15/2023

Effective: 12/06/2023

### Crime Victim Reparations

Administration

No. 55794 (Amendment) R270-1: Relocation, Funeral and MH payment updates

Published: 11/01/2023

Effective: 12/08/2023

### Governor

Economic Opportunity

No. 55838 (Amendment) R357-29: Rural County Grant Rule

Published: 10/15/2023

Effective: 11/29/2023

### Education

Administration

No. 55852 (Amendment) R277-113: LEA Fiscal and Auditing Policies

Published: 11/01/2023

Effective: 12/11/2023

No. 55839 (New Rule) R357-46: Rural Communities Opportunity Grant Rule

Published: 10/15/2023

Effective: 11/29/2023

NOTICES OF RULE EFFECTIVE DATES

Health and Human Services

Administration

No. 55664 (Repeal and Reenact) R380-300: Employee Background Screening  
Published: 09/15/2023  
Effective: 11/20/2023

Integrated Healthcare

No. 55527 (Amendment) R414-505: Participation in the Nursing Facility Non-State Government-Owned Upper Payment Limit Program  
Published: 08/01/2023  
Effective: 11/20/2023

Insurance

Administration

No. 55805 (Repeal and Reenact) R590-206: Privacy of Consumer Financial and Health Information Rule  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55806 (Repeal) R590-210: Privacy of Consumer Information Exemption for Manufacturer Warranties and Service Contracts  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55807 (Amendment) R590-223: Rule to Recognize the 2001 CSO Mortality Table for Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55861 (Amendment) R590-230: Suitability in Annuity Transactions  
Published: 11/01/2023  
Effective: 12/08/2023

No. 55808 (Amendment) R590-240: Procedure to Obtain Exemption of Student Health Programs From Insurance Code  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55809 (Amendment) R590-242: Military Sales Practices  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55810 (Amendment) R590-259: Dependent Coverage to Age 26  
Published: 10/15/2023  
Effective: 11/21/2023

Natural Resources

Wildlife Resources

No. 55821 (Amendment) R657-13: Taking Fish and Crayfish  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55822 (Repeal) R657-59: Private Fish Ponds, Short Term Fishing Events, Private Fish Stocking, and Institutional Aquaculture  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55823 (New Rule) R657-59a: Private Fish Ponds  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55824 (New Rule) R657-59b: Short Term Fishing Events  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55825 (New Rule) R657-59c: Aquaponics  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55826 (New Rule) R657-59d: Institutional Aquaculture  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55827 (New Rule) R657-59e: Stocking into Natural Lakes, Natural Flowing Streams, or Reservoirs on Natural Stream Channels  
Published: 10/15/2023  
Effective: 11/21/2023

Public Safety

Administration

No. 55811 (New Rule) R698-12: Fallen Officer Memorial Scholarship Program  
Published: 10/15/2023  
Effective: 11/21/2023

Driver License

No. 55800 (Repeal and Reenact) R708-7: Functional Ability In Driving: Guidelines for Physicians  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55813 (Amendment) R708-14: Adjudicative Proceedings for Driver License Actions Involving Alcohol and Drugs  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55815 (Amendment) R708-35: Adjudicative Proceedings For Driver License Offenses Not Involving Alcohol or Drug Actions  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55802 (Amendment) R708-41: Requirements for Acceptable Documentation, Storage and Maintenance  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55804 (Amendment) R708-46: Refugee, Asylee, or Covered Humanitarian Parolee Knowledge Test in Applicant's Native Language  
Published: 10/15/2023  
Effective: 11/21/2023

Highway Patrol  
No. 55812 (New Rule) R714-561: Suicide Deterrence Grant Program  
Published: 10/15/2023  
Effective: 11/21/2023

Transportation

Operations, Traffic and Safety  
No. 55796 (Amendment) R920-4: Special Road Use or Event  
Published: 10/15/2023  
Effective: 11/21/2023

Transportation Commission

Administration  
No. 55798 (Amendment) R940-4: Airports of Regional Significance  
Published: 10/15/2023  
Effective: 11/21/2023

No. 55799 (New Rule) R940-10: Guidelines for Department Participation in Transportation Reinvestment Zones  
Published: 10/15/2023  
Effective: 11/21/2023

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

