

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between April 16, 2024, 12:00 a.m., and May 01, 2024, 11:59 p.m. are included in this, the May 15, 2024, 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 June 14, 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 September 12, 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.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R64-6	Filing ID: 56444

Agency Information

1. Department:	Agriculture and Food	
Agency:	Conservation Commission	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Jim Bowcutt	435-232-4017	jdbowcutt@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R64-6. Agriculture Voluntary Incentives Program
3. Purpose of the new rule or reason for the change:
This is a new rule to set the guidelines and parameters of the Agriculture Voluntary Incentives Program (AgVIP). Subsection 4-18-108(1) allows the Utah Conservation Commission to award grants for environmental improvement projects but requires that eligibility requirements be established in Department of Agriculture and Food (Department) rule.
4. Summary of the new rule or change:
This rule provides specifics about the operation of the AgVIP, including application requirements, the makeup of the advisory board that will be put together by the Utah Conservation Commission to rank applications, ranking criteria, and contracting and reporting requirements.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no anticipated cost or savings to the state budget. This program has been in operation for several years without a rule in place under the Department's general grant of authority and the administration of the program will not change because the program will now be officially administered by the Utah Conservation Commission.
B) Local governments:
Local governments are not eligible to apply for grants and will not be impacted by the AgVIP or this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
Small businesses will not be impacted by this new rule because the administration of AgVIP is not changing. There is no cost to apply for an AGVIP grant.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses will not be impacted by this new rule because the administration of AgVIP is not changing. There is no cost to apply for an AgVIP grant.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
Other persons will not be impacted by this new rule because the administration of AgVIP is not changing. There is no cost to apply for an AgVIP grant.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for affected persons. This new rule codifies the current program without changes.
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, 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 4-18-108		

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:	06/14/2024

9. This rule change MAY become effective on:	06/21/2024
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

Agency head or designee and title:	Craig W Buttars, Commissioner	Date:	04/26/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R68-9	Filing ID: 56449

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Amberbrown@utah.gov
Robert Hougaard	801-982-2305	rhougaard@utah.gov
Kelly Pehrson	385-977-2147	kwpehrson@utah.gov

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

General Information

2. Rule or section catchline:
R68-9. Utah Noxious Weed Act
3. Purpose of the new rule or reason for the change:
The state weed committee recommends the Department of Agriculture and Food (Department) update the tables in Section R68-9-3, specifically Table 1 and Table 4.
This rule updates Table 1 to include two aquatic species that are considered a serious threat as noxious and invasive weeds in Utah.

This amendment updates Table 4 to allow Triploid Hybrid Bermudagrass for commercial and private uses if a consumer purchases it from a certified producer.

4. Summary of the new rule or change:

The changes in the tables in the rule include the two additional noxious and invasive weeds and show the Triploid Hybrid Bermuda grass as allowed within the state.

The tables were alphabetized to ease finding the various weeds and additional technical changes were made throughout this rule to clarify responsibilities and use of present tense throughout this rule.

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 because the rule change is only adding two new weeds to the list and clarifying the use of a specific Bermudagrass.

These changes will not impact the state's budget because the state does not administer the program and does not remove or monitor these weeds.

The state weed list provides guidance to County Weed Control Boards to determine what weeds will be monitored, removed, or managed within each county. See Subsection R68-9-3(7) for additional information.

B) Local governments:

The proposed changes to this rule do not impact local governments because local governments are not responsible for removing noxious weeds or administering this program.

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

The Department does not anticipate an impact on small businesses because they do not administer the program and do not remove noxious and invasive weeds throughout the state.

A small business, certified with the Utah Crop Improvement Association and the Nursery Inspection Program, may sell Triploid Hybrid Bermudagrass and may see an increase in profits and minimal increase in expenses due to the low cost of growing this type of Bermudagrass.

At this time the Department is not able to estimate what the costs or revenue changes will be for a small business because the Department does not determine the costs or prices of noxious weeds within the state and the Department is unsure of how many producers will provide Triploid Hybrid Bermudagrass to consumers.

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

The Department does not anticipate an impact on non-small businesses due to updating the noxious weed list. Non-small businesses do not administer this program and are not responsible for removing noxious weeds.

A non-small business, certified with the Utah Crop Improvement Association and the Nursery Inspection Program, may sell Triploid Hybrid Bermudagrass and may see an increase in profits and minimal increase in expenses due to the low cost of growing this type of Bermudagrass.

At this time the Department is not able to estimate what the costs or revenue changes will be for a non-small business because the Department does not determine the costs or prices of noxious weeds within the state and the Department is unsure of how many producers will provide Triploid Hybrid Bermudagrass to consumers.

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 Department estimates that the costs to another person to remove the new specific aquatic noxious weeds from their property would be minimal.

The Department cannot estimate the costs because the Department does not have access to information regarding how many of the specific aquatic weeds are located on personal property in the state and how difficult it may be to remove them.

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

The Department cannot estimate how compliance costs for affected persons would be impacted due to the addition of two new aquatic noxious weeds because the Department does not have access to information regarding how many aquatic invasive weeds are located throughout the state and the difficulty of removing them from bodies of water on private lands.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of Agriculture and Food, Craig W. Buttars, 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 4-17-103	Subsection 4-2-103(1)(i)	Subsection 4-17-115(3)

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:	06/14/2024
9. This rule change MAY become effective on:	06/24/2024
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

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	04/30/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal and Reenact			
Rule or Section Number:	R152-22	Filing ID:	56470

Agency Information

1. Department:	Commerce	
Agency:	Consumer Protection	
Building:	Heber M. Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146704	
City, state and zip:	Salt Lake City, UT 84114-6704	
Contact persons:		
Name:	Phone:	Email:
Daniel Larsen	801-530-6601	dcprules@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R152-22. Charitable Solicitations Act Rule
3. Purpose of the new rule or reason for the change:
This rule is being repealed and reenacted as a result of H.B. 43, passed in the 2024 General Session, which substantially modified Title 13, Chapter 22, Charitable Solicitations Act.
4. Summary of the new rule or change:
This reenacted version of this rule varies from the repealed version in several respects that reflect changes made to Title 13, Chapter 22, Charitable Solicitations Act, during the 2024 General Session.
The reenacted version of this rule: removes requirements related to charitable organizations registering with the Division of Consumer Protection (Division) because those organizations are no longer required to register with the Division; modifies requirements for professional fund raisers and professional fund raising consultants who register with the Division; establishes requirements for a professional fund raiser to register a fund raising campaign

with the Division; and conforms this rule to the Rulewriting Manual for Utah and to Executive Order No. 2021-12.

The reenacted version of this rule also reserves a section to establish filing requirements for a charitable organization's financial reports. These requirements are not effective until 01/01/2025, and will be published in a bulletin nearer to the time they are intended to take effect.

Fiscal Information

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

A) State budget:

This rule is not expected to have any fiscal impact on state government revenues or expenditures.

Any fiscal impact on state government was addressed in the Fiscal Note to HB 43 (2024).

B) Local governments:

This rule is not expected to have any fiscal impact on local governments' revenues or expenditures because it does not create any new requirement local governments must follow, nor does it otherwise constrain local governments.

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

This rule is not expected to have any fiscal impact on small businesses.

Any fiscal impact on small businesses was addressed by the Fiscal Note to HB 43 (2024).

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

This rule is not expected to have any fiscal impact on non-small businesses.

Any fiscal impact on non-small businesses was addressed by the Fiscal Note to HB 43 (2024).

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 is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities because it does not impose requirements upon them beyond what will be required by Title 13, Chapter 22, as amended by HB 43 (2024).

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

This rule does not impose compliance costs upon affected persons beyond what is required by Title 13, Chapter 22, as amended by HB 43 (2024).

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Commerce, Margaret Busse, 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 13-2-5(1)	Subsection 13-22-9(1)(b)(xiv)	Subsection 13-22-15(2)(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.)

A) Comments will be accepted until: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Daniel Larsen, Managing Analyst	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R152-34	Filing ID:	56477
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Agency Information

1. Department:	Commerce	
Agency:	Consumer Protection	
Building:	Heber M. Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146704	
City, state and zip:	Salt Lake City, UT 84114-6704	
Contact persons:		
Name:	Phone:	Email:
Daniel Larsen	801-530-6601	dcprules@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R152-34. Utah Postsecondary School and State Authorization Act Rule

3. Purpose of the new rule or reason for the change:
The purpose of this change is to establish what an accredited postsecondary school that is exempt in accordance with Section 13-34-111 must file with the

Division of Consumer Protection (Division) to obtain a state authorization certificate in accordance with Section 13-34-302.

4. Summary of the new rule or change:

This change addresses a subset of accredited postsecondary schools that are exempt from Sections 13-34-201 through 13-34-205, but require a state authorization certificate to comply with 34 CFR 600, et seq.

The change reflects the Legislature's intent to reduce the regulatory burden imposed on a postsecondary school that is exempt in accordance with Section 13-34-111, while also allowing the accredited postsecondary school to satisfy requirements set by the United States Department of Education.

Fiscal Information

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

A) State budget:

This rule is not expected to have any fiscal impact on state government revenues or expenditure beyond a potential negligible reduction in registration processing time applicable to one registration application every two years.

B) Local governments:

This rule is not expected to have any fiscal impact on local governments because it does not create any new requirement local governments must follow, nor does it otherwise constrain local government.

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

This rule is not expected to have any fiscal impact on small businesses.

Of the limited number of entities to which this rule is expected to apply, none are small businesses.

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

This rule is not expected to have any fiscal impact on non-small businesses.

Of the limited number of entities to which this rule is expected to apply, none are non-small businesses.

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

NOTICES OF PROPOSED RULES

This rule is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities.

While the change is expected to apply to a limited number of private organizations, it merely reflects the requirements imposed by Sections 13-34-111 and 13-34-201 through 13-34-205 and does not increase or reduce costs beyond those already imposed by those sections.

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

This rule does not impose compliance costs for affected persons beyond what is required by Title 13, Chapter 34, Utah Postsecondary School and State Authorization Act.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Commerce, Margaret Busse, 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 13-2-5(1)	Section 13-34-103	Section 13-34-203
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Public Notice Information

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

A) Comments will be accepted until:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Daniel Larsen, Managing Analyst	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Amendment
Rule or Section Number:	R305-10
Filing ID:	56443

Agency Information

1. Department:	Environmental Quality	
Agency:	Administration	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT	
Mailing address:	PO BOX 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Ty Howard	801-536-4403	tyhoward@utah.gov

Erica Pryor	385-499-3416	epryor1@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R305-10. Local Health Department Minimum Performance Standards
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to amend Rule R305-10 which finalizes a formula for distribution that the state of Utah and the health department offices historically have used, but the formula was never formalized in rule until this filing. These amendments align this rule with the current state business practices.
4. Summary of the new rule or change:
The filing serves to align this rule with how the state operates regarding utilizing a formula for distribution among the state and health department offices.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There are no required costs or savings to state government from this rule. This rule simply outlines the methodology to allocate funds to the local health departments should funds be appropriated by the legislature for such purpose. The methodology used to distribute funds is the same the Department of Environmental Quality (Department) has used previously. However, H.B. 71 from the 2023 General Session now requires this methodology to be included in rule. As there will be no change in procedure, there will be no fiscal impacts to the amendments.
B) Local governments:
There are no required costs or savings to local governments from this rule. This rule simply outlines the methodology to allocate funds to the local health departments should funds be appropriated by the legislature for such a purpose. The methodology used to distribute funds is the same the Department has used previously. However, H.B. 71 (2023) now requires this methodology to be included in rule. As there will be no change in

procedure, there will be no fiscal impacts to the amendments.

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

This rule change will not have a fiscal impact on small businesses because this rule does not apply to small business entities.

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**):

The proposed rule changes do not have a fiscal impact on 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 because this rule does not have compliance requirements.

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

Regulatory Impact Table			
Fiscal Cost	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
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2024	FY2025	FY2026
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Environmental Quality, Kim D. Shelley, 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 26A-1-116		

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:	06/14/2024

9. This rule change MAY become effective on:	06/21/2024
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

Agency head or designee and title:	Kim D. Shelley, Executive Director	Date:	04/24/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R307-315	Filing ID: 56483

Agency Information

1. Department:	Environmental Quality
Agency:	Air Quality

Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Ryan Bares	801-536-4216	rbares@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R307-315. NO _x Emission Controls for Natural Gas-Fired Boilers 2.0-5.0 MMBtu
3. Purpose of the new rule or reason for the change:
Based on feedback received from the Air Quality Board during original adoption of Rule R307-315, from engagement with manufacturers, and from sources complying with the original rule, the Division of Air Quality (Division) is proposing changes to provide clarifying language for the applicability and compliance of Rule R307-315.
4. Summary of the new rule or change:
The proposed amendments modify and add additional definitions and language intended to clarify compliance and applicability of Rule R307-315.
These amendments:
1) add a carbon monoxide limit which provides clarity for compliance with the rule,
2) add in the definition of "combustion analysis" to provide additional guidance for compliance,
3) modify the definitions of "modification" and "construction" to clarify the intent of this rule, the applicability of this rule, and makes these definitions more consistent with federal definitions, and
4) move applicability language from Section R307-315-4 to the applicability Section in R307-315-2 to provide additional clarity for when the rule is applicable.
Public Hearing for Rules R307-315 and R307-316 Wednesday, 06/12/2024, from 2:00 to 3:00 PM (Time zone: America/Denver)

In Person:
 At the Multi-Agency State Office Building (MASOB) at 195 N 1950 W, Salt Lake City, UT in Air Quality Board Room 1015, 1st Floor

Or attend virtually:
 Google Meet joining info:
 Video call link: <https://meet.google.com/ovb-vgei-uun>
 Or dial: (US) +1 224-408-1158 PIN: 317 060 602#

More phone numbers: <https://tel.meet/ovb-vgei-uun?pin=6012657426852>

In accordance with Section 63G-3-302, please note that if no requests for a public hearing for Rule R307-315 and/or Rule R307-316 are received by 2:00 PM on 06/11/2024, then the hearing will be canceled.

To determine if the hearing has been cancelled and/or view the cancellation notice, you can visit:
<https://deq.utah.gov/air-quality/air-quality-rule-plan-changes-open-public-comment>

Fiscal Information

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

A) State budget:
 There are no anticipated costs or savings to the state budget as the amendments will have no impact on how the Division functions.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315, nor do the changes to this rule result in any functional changes to how the Division implements this rule.

B) Local governments:
 There are no anticipated costs or savings to local governments associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

C) Small businesses ("small business" means a business employing 1-49 persons):
 There are no anticipated costs or savings for small businesses associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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

There are no anticipated costs or savings to non-small businesses associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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

There are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with the rule; however, do not expand the applicability beyond the original intent of the rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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

There are no anticipated compliance costs or savings for affected persons associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-315.

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

NOTICES OF PROPOSED RULES

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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Executive Director of the Department of Environmental Quality, Kim D. Shelley, 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 19-2-104	U.S.C. Title 42, Chapter 85, Subchapter I, Part A, Section 7410(a)(1)2(A)	
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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:	06/14/2024
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B) A public hearing (optional) will be held:

Date:	Time:	Place (physical address or URL):
06/12/2024	2:00-3:00 PM	See information in Box 4 above.

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Bryce C. Bird, Division Director	Date:	04/16/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R307-316	Filing ID:	56484
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Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Building:	MASOB	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT	
Mailing address:	PO Box 144820	
City, state and zip:	Salt Lake City, UT 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Ryan Bares	801-536-4216	rbares@utah.gov
Erica Pryor	385-499-3416	epryor1@utah.gov

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

General Information

2. Rule or section catchline:

R307-316. NO_x Emission Controls for Natural Gas-Fired Boilers Greater Than 5.0 MMBtu

3. Purpose of the new rule or reason for the change:
 Amendments provide clarifying language for the applicability and compliance of Rule R307-316. Based on feedback received from the Air Quality Board during original adoption of rule, from engagement with manufacturers, and from sources complying with the original rule, the Division of Air Quality (Division) is proposing changes to provide clarifying language for the applicability and compliance of Rule R307-316.

4. Summary of the new rule or change:
 The proposed amendments modify and add additional definitions and language intended to clarify compliance and applicability of Rule R307-316.

These amendments:
 1) add a carbon monoxide limit which provides clarity for compliance with this rule,
 2) add in the definition of "combustion analysis" to provide additional guidance for compliance,
 3) modify the definitions of "modification" and "construction" to clarify the intent of this rule, the applicability of this rule, and makes these definitions more consistent with federal definitions, and
 4) move applicability language from Section R307-316-4 to the applicability Subsection in Section R307-316-2 to provide additional clarity for when this rule is applicable.

Public Hearing for Rules R307-315 and R307-316
 Wednesday, 06/12/2024, from 2:00 to 3:00 PM (Time zone: America/Denver)
In Person:
 At the Multi-Agency State Office Building (MASOB) at 195 N 1950 W, Salt Lake City, UT in Air Quality Board Room 1015, 1st Floor

Or attend virtually:
 Google Meet joining info:
 Video call link: <https://meet.google.com/ovb-vgei-uun>
 Or dial: (US) +1 224-408-1158 PIN: 317 060 602#

More phone numbers:
<https://tel.meet/ovb-vgei-uun?pin=6012657426852>

In accordance with Section 63G-3-302, please note that if no requests for a public hearing for Rule R307-315 and/or Rule R307-316 are received by 2:00 PM on 06/11/2024, then the hearing will be canceled.

To determine if the hearing has been cancelled and/or view the cancellation notice, you can visit:
<https://deq.utah.gov/air-quality/air-quality-rule-plan-changes-open-public-comment>

Fiscal Information

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

A) State budget:
 There are no anticipated costs or savings to the state budget as the amendments will have no impact on how the Division functions.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316, nor do the changes to this rule result in any functional changes to how the Division implements this rule.

B) Local governments:
 There are no anticipated costs or savings to local governments associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

C) Small businesses ("small business" means a business employing 1-49 persons):
 There are no anticipated costs or savings for small businesses associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 There are no anticipated costs or savings for non-small businesses associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

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

There are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

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

There are no anticipated compliance costs or savings for affected persons associated with the amendments.

The proposed amendments provide additional clarity around applicability and compliance with this rule; however, do not expand the applicability beyond the original intent of this rule. Therefore, the changes do not result in any costs or savings beyond those identified with the original adoption of Rule R307-316.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Environmental Quality, Kim D. Shelley, 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 19-2-104	U.S.C. Title 42, Chapter 85, Subchapter I, Part A, Section 7410(a)(1)2(A)
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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:	06/14/2024	
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
06/12/2024	2:00-3:00 PM	See information in Box 4 above.

9. This rule change MAY become effective on:

06/21/2024
 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

Agency head or designee and title:	Bryce C. Bird, Division Director	Date:	04/16/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Amendment	
Rule or Section Number:	R357-22	Filing ID: 56482

Agency Information

1. Department:	Governor
Agency:	Economic Opportunity
Building:	World Trade Center
Street address:	60 E South Temple, Suite 300

City, state and zip:	Salt Lake City, UT 84111	
Contact persons:		
Name:	Phone:	Email:
Dane Ishihara	801-792-8764	dishihara@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R357-22. Rural Employment Expansion Program
3. Purpose of the new rule or reason for the change:
The purpose of this rule filing is to clarify language in the existing rule, amend the definition of "New full-time employee position," and better align with statute.
4. Summary of the new rule or change:
Rule R357-22 is amended to clarify language in the existing rule, update the definition of new full-time employee position to create more opportunity for rural businesses, and better align rule language with the language in statute.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no new aggregate anticipated costs or savings to the state budget. The rule is merely clarifying language and terms.
B) Local governments:
There is no new aggregate anticipated cost of savings to local governments because local governments are not required to comply with or enforce this rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no new aggregate anticipated cost or savings to small businesses because this proposed amendment does not create new obligations for small businesses, nor does it increase the costs associated with any existing obligation.
Participation in the program is optional.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no new aggregate anticipated cost or savings to non-small businesses because this proposed amendment

does not create new obligations for non-small businesses, nor does it increase the costs associated with any existing obligation.

Participation in the program is optional.

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 amendment 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 new compliance costs for affected persons because participation in the program is optional.

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
Total Fiscal Cost	\$0	\$0	\$0
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

NOTICES OF PROPOSED RULES

Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
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:		
Subsection 63N-4-403(3)(c)		

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:	6/14/2024

9. This rule change MAY become effective on:	6/21/2024
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

Agency head or designee and title:	Ryan Starks, Executive Director	Date:	05/01/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R382-10	Filing ID: 56472

Agency Information

1. Department:	Health and Human Services
Agency:	Children's Health Insurance Program
Building:	Cannon Health Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116

Mailing address:	PO Box 143102	
City, state and zip:	Salt Lake City, UT 84114-3102	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R382-10. Eligibility
3. Purpose of the new rule or reason for the change:
The purpose of this proposed filing is to end quarterly premiums for the Children's Health Insurance Program (CHIP). This decision, as well as the decision to make minor changes to style and formatting within this rule, was a result of internal agency review that occurred after federal rules changed the ability of the Department of Health and Human Services (Department) to collect CHIP premiums.
4. Summary of the new rule or change:
This amendment ends quarterly premiums for CHIP by repealing relevant sections and subsections of this rule. Additionally, it includes new definitions, updates citations, clarifies existing policy, reformats text, and makes other nonsubstantive changes in accordance 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:
With the termination of quarterly payments, the Department estimates an increase in cost to the state budget of approximately \$300,000, based on an agency review completed in collaboration with the Office of Financial Services. This estimation came about by reviewing available funding left over from previous legislative allocations in the General Fund, specific to CHIP. There are no estimated savings as a result of this proposed rule. However, the Department intends to make other program changes as an indirect result of this rule, including increasing copayments and deductibles for CHIP

families, in an attempt to offset this \$300,000 increased cost, so no additional appropriation will be necessary.

B) Local governments:

There is no impact on local governments as they neither fund nor administer CHIP.

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

There is no fiscal impact on small businesses as this change neither creates business revenue, which would lead to savings, nor imposes new costs. This change does not include any aspects affecting customer service nor businesses transactions.

Although this rule applies to small businesses, this change will not fiscally impact these entities, as it will only affect CHIP families and the state through the removal of premiums and an increase in copays and deductibles.

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

There is no fiscal impact on non-small businesses as this change neither creates business revenue, which would lead to savings, nor imposes new costs. This change does not include any aspects affecting customer service nor businesses transactions.

Although this rule applies to non-small businesses, this change will not fiscally impact these entities, as it will only affect CHIP families and the state through the removal of premiums and increase in copays and deductibles.

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**):

Approximately 11,900 CHIP families will incur a fiscal impact as a result of this rule. With the removal of CHIP premiums, individual CHIP families will see a savings of \$30 to-\$75 per quarter.

However, as noted previously, the Department intends to make other program changes to offset the \$300,000 cost to the state, including increasing copayments and deductibles. The fiscal impact will vary for each family depending on the family's use of services.

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

Due to a lack of historical data in previous reports that would reflect this change, the Department is unable to determine a specific compliance cost for affected persons at this time.

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	\$300,000	\$300,000	\$300,000
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$300,000	\$300,000	\$300,000

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	\$300,000	\$300,000	\$300,000
Total Fiscal Benefits	\$300,000	\$300,000	\$300,000
Net Fiscal Benefits	\$0	\$0	\$0

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-1-213	Section 26B-3-902	
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R414-307-3	Filing ID: 56445

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 143102	
City, state and zip:	Salt Lake City, UT 84114-3102	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R414-307-3. General Requirements for Home and Community-Based Services Waivers
3. Purpose of the new rule or reason for the change:
The purpose of this change is to include time-frame exceptions to the application process for home and community-based services waivers.
This proposed change was deemed necessary a result of internal review.

4. Summary of the new rule or change:
This amendment allows Medicaid to authorize exceptions to the 60-day time frames to apply for a home and community-based services waiver.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no fiscal impact to the state budget as this change introduces an exception to the administrative process but affects neither member services nor provider reimbursement, which would have potentially caused a cost or savings.
B) Local governments:
There is no fiscal impact on local governments as they neither fund nor provide services under the Medicaid program.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no fiscal impact on small businesses as this change introduces an exception to the administrative process but affects neither member services nor provider reimbursement, which would have potentially caused a cost or savings.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no fiscal impact on non-small businesses as this change introduces an exception to the administrative process but affects neither member services nor provider reimbursement, which would have potentially caused a cost or savings.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
There is no fiscal impact to other persons or entities as this change introduces an exception to the administrative process but affects neither member services nor provider reimbursement, which would have potentially caused a cost or savings.
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 to any person or entity as this change introduces an exception to the administrative process but affects neither member services nor provider reimbursement, which would have potentially caused a cost or savings.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-1-213	Section 26B-3-108	
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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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/28/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R414-320-16	Filing ID: 56446

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 143102	
City, state and zip:	Salt Lake City, UT 84114-3102	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule or section catchline:
R414-320-16. Benefits

3. Purpose of the new rule or reason for the change:
Based on recent approval of an amendment to Utah's 1115 Demonstration Waiver and subsequent direction from the Legislature to increase funding for Utah's Premium Partnership for Health Insurance (UPP) program, the purpose of this change is to update the maximum child reimbursement amount for medical expenses.

4. Summary of the new rule or change:
 This amendment allots a new maximum reimbursement amount of \$180 for children and clarifies adult coverage for consistency in the text.

Fiscal Information

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

A) State budget:

The Department of Health and Human Services expects an annual increase to the state budget of about \$120,000 based on an agency review of funding available for the UPP program, and the total number of 219 children who receive UPP coverage.

There are no estimated savings. As of this time, the agency is only aware of a fiscal impact for FY2025. As this rule will not be made effective until FY2025, there is no fiscal impact for FY2024.

B) Local governments:

There is no anticipated fiscal impact on local governments as they neither fund nor provide services under the Medicaid program.

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

There is no fiscal impact on small businesses as this increase in coverage does not create business revenue through an increase in customer services.

Additionally, small businesses will not see administrative or overhead costs that accompany this change.

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

There is no fiscal impact on non-small businesses as this increase in coverage does not create business revenue through an increase in customer services.

Additionally, non-small businesses will not see administrative or overhead costs that accompany this change.

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 amendment does not impose new costs on other entities and creates out-of-pocket savings up to \$120,000 for families based on the total number of 219 children enrolled in the UPP program.

As of this time, the agency is only aware of a fiscal impact for FY2025. As this rule will not be made effective until FY2025, there is no fiscal impact for FY2024.

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 to a child as this increase in coverage does not impose new costs or requirements.

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

Regulatory Impact Table			
Fiscal Cost	FY2024	FY2025	FY2026
State Government	\$0	\$120,000	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$120,000	\$0
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	\$120,000	\$0
Total Fiscal Benefits	\$0	\$120,000	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-1-213	Section 26B-3-108	

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:	06/14/2024

9. This rule change MAY become effective on:	06/21/2024
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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/28/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R414-401-5	Filing ID: 56447

Agency Information

1. Department:	Health and Human Services	
Agency:	Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N. 1460 W.	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 143102	
City, state and zip:	Salt Lake City, UT 84114-3102	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R414-401-5. Penalties and Interest
3. Purpose of the new rule or reason for the change:
The purpose of this change is to modify penalties and interest for the assessment in accordance with H.B. 392, passed in the 2024 General Session.
4. Summary of the new rule or change:
This amendment requires nursing care facilities to pay a penalty for failure to timely pay an assessment.
It also makes structural and formatting changes to the text in accordance 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 fiscal impact to the state budget as a direct result of this rule, as these changes are covered under appropriations from the Legislature and therefore, introduce no cost or savings.
A holdover appropriation from a previous fiscal year provided this funding to cover any costs that otherwise would have been incurred by this proposed rule.
B) Local governments:
There is no fiscal impact to local governments as they neither fund nor administer nursing facilities under the Medicaid program.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no fiscal impact to small businesses as these changes are covered under appropriations from the Legislature and therefore, introduce no cost or savings.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no fiscal impact on non-small businesses as these changes are covered under appropriations from the Legislature and therefore, introduce no cost or savings.
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 fiscal impact to other persons or entities as these changes are covered under appropriations from the Legislature and therefore, introduce no cost or savings.

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 to a person or entity as these changes are covered under appropriations from the Legislature and therefore introduce no cost or savings.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-1-213	Section 26B-3-404	Section 26B-3-108
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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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/28/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment

Rule or Section Number:	R414-516-3	Filing ID:	56459
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Agency Information

1. Department:	Health and Human Services		
Agency:	Integrated Healthcare		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state and zip:	Salt Lake City, UT 84116		
Mailing address:	PO Box 143102		
City, state and zip:	Salt Lake City, UT 84114-3102		
Contact persons:			
Name:	Phone:	Email:	
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov	

Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R414-516-3. Quality Improvement Program Requirements of Participation
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update and clarify provisions for the nursing facility non-state government-owned upper payment limit quality improvement program (NSGO UPL). The change was deemed necessary based on internal review and consultation with the industry.
4. Summary of the new rule or change:
This amendment includes a new metric for nursing facilities (NFs) under the NF NSGO UPL program. It also makes other clarifications and technical updates to formatting.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no impact to the state budget as NSGO entities fund the UPL with seed money that draws a federal match.
B) Local governments:
There is no impact on local governments as NSGO entities fund the UPL with seed money that draws a federal match.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no impact on small businesses as NSGO entities fund the UPL with seed money that draws a federal match.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no impact on non-small businesses as NSGO entities fund the UPL with seed money that draws a federal match.
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 to other persons or entities as NSGO entities fund the UPL with seed money that draws a federal match.

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 to a single person or entity as NSGO entities fund the UPL with seed money that draws a federal match.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
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-1-213	Section 26B-3-108	
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R426-1	Filing ID: 56460

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule or section catchline:

R426-1. General Definitions

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

Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.

4. Summary of the new rule or change:

This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization.

(EDITOR'S NOTE: The proposed new Rule R911-1 is under ID 56485 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.

B) Local governments:

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS

authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.

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

As there are no affected persons, there are no compliance costs as a result of this filing.

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
Total Fiscal Cost	\$0	\$0	\$0
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

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-4-101	Section 26B-4-102	
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal

Rule or Section Number:	R426-2	Filing ID:	56461
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Agency Information

1. Department:	Health and Human Services
Agency:	Population Health, Emergency Medical Services
Room number:	2438
Building:	Cannon Health Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116

Mailing address: PO Box 142004		
City, state and zip: Salt Lake City, UT 84114-2004		
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R426-2. Emergency Medical Services Provider Designations for Pre-Hospital Providers, Critical Incident Stress Management and Quality Assurance Reviews
3. Purpose of the new rule or reason for the change:
Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.
4. Summary of the new rule or change:
This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization. (EDITOR'S NOTE: The proposed new Rule R911-2 is under ID 56486 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.
B) Local governments:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.

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

As there are no affected persons, there are no compliance costs as a result of this filing.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-4-101 | Section 26B-4-102

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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024
 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

Agency head or designee and title: Tracy S. Gruber, Executive Director
Date: 04/30/2024

NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R426-3	Filing ID: 56462

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline: R426-3. Licensure
3. Purpose of the new rule or reason for the change: Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.
4. Summary of the new rule or change: This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization. (EDITOR'S NOTE: The proposed new Rule R911-3 is under ID 56488 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
 There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.

B) Local governments:

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.

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

As there are no affected persons, there are no compliance costs as a result of this filing.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-4-101	Section 26B-4-102	
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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:	06/14/2024
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9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R426-4	Filing ID: 56463

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R426-4. Operations
3. Purpose of the new rule or reason for the change:
Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.
4. Summary of the new rule or change:
This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization. (EDITOR'S NOTE: The proposed new Rule R911-4 is under ID 56489 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.
B) Local governments:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
As there are no affected persons, there are no compliance costs as a result of this filing.
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
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-4-101	Section 26B-4-102	

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:	06/14/2024

9. This rule change MAY become effective on:	06/21/2024
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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R426-5	Filing ID: 56464

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule or section catchline:
R426-5. Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards
3. Purpose of the new rule or reason for the change:
Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.

4. Summary of the new rule or change:
 This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization.
 (EDITOR'S NOTE: The proposed new Rule R911-5 is under ID 56490 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:
 There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.

B) Local governments:
 There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):
 There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
 There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.

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

As there are no affected persons, there are no compliance costs as a result of this filing.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-4-101	Section 26B-4-102	
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R426-6	Filing ID: 56465

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R426-6. Emergency Medical Services Per Capita Grants and Competitive Grants Program

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

Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.

4. Summary of the new rule or change:

This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization.

(EDITOR'S NOTE: The proposed new Rule R911-6 is under ID 56491 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.

B) Local governments:

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.

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

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.

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

As there are no affected persons, there are no compliance costs as a result of this filing.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-4-101	Section 26B-4-102	
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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:	06/14/2024
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9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Repeal		
Rule or Section Number:	R426-7	Filing ID: 56466

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule or section catchline:

R426-7. Emergency Medical Services Prehospital Data System Rules

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

Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.

4. Summary of the new rule or change:

This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization.

(EDITOR'S NOTE: The proposed new Rule R911-7 is under ID 56492 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

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

A) State budget:

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.

B) Local governments:

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.

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

As there are no affected persons, there are no compliance costs as a result of this filing.

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
Total Fiscal Cost	\$0	\$0	\$0
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

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
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-4-101	Section 26B-4-102	

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:	06/14/2024

9. This rule change MAY become effective on:	06/21/2024
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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R426-8	Filing ID: 56467

Agency Information

1. Department:	Health and Human Services
Agency:	Population Health, Emergency Medical Services
Room number:	2438
Building:	Cannon Health Building
Street address:	288 N 1460 W
City, state and zip:	Salt Lake City, UT 84116
Mailing address:	PO Box 142004

City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R426-8. Emergency Medical Services Ground Ambulance Rates and Charges
3. Purpose of the new rule or reason for the change:
Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.
4. Summary of the new rule or change:
This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization. (EDITOR'S NOTE: The proposed new Rule R911-8 is under ID 56493 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.
B) Local governments:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):

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There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.

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

There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.

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

As there are no affected persons, there are no compliance costs as a result of this filing.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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-4-101	Section 26B-4-102	
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R426-9	Filing ID: 56468

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R426-9. Specialty Care Systems Facility Designations
3. Purpose of the new rule or reason for the change:
Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.
4. Summary of the new rule or change:
This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization. (EDITOR'S NOTE: The proposed new Rule R911-9 is under ID 56494 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.

B) Local governments:			
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):			
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
As there are no affected persons, there are no compliance costs as a result of this filing.			
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

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Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
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-4-101 Section 26B-4-102

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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024
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

Agency head or designee and title: Tracy S. Gruber, Executive Director	Date: 04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R426-10	Filing ID: 56469

Agency Information

1. Department:	Health and Human Services	
Agency:	Population Health, Emergency Medical Services	
Room number:	2438	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142004	
City, state and zip:	Salt Lake City, UT 84114-2004	
Contact persons:		
Name:	Phone:	Email:
Dean Penovich	801-913-2621	dpenovich@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R426-10. Air Ambulance Licensure and Operations
3. Purpose of the new rule or reason for the change:
Emergency Medical Services (EMS) is moving from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS) effective 07/01/2024, so all EMS rules under Title R426 must be removed and made effective in a title under DPS authority, Title R911.
4. Summary of the new rule or change:
This filing repeals this rule in its entirety under Title R426 so a new rule can be established within DPS rule numbering and organization.
(EDITOR'S NOTE: The proposed new Rule R911-10 is under ID 56495 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings in the state budget.
B) Local governments:
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There is no fiscal impact because the rule itself is not changing. Rather, it is moving to Title R911 under DPS authority, and there are no anticipated changes to the effectiveness or applicability of the rule itself, so there is no anticipated change to costs or savings to other persons.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
As there are no affected persons, there are no compliance costs as a result of this filing.
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
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-4-101	Section 26B-4-102	
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R477-1	Filing ID: 56473

Agency Information

1. Department:	Government Operations	
Agency:	Human Resource Management	
Room number:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141531	
City, state and zip:	Salt Lake City, UT 84114-1531	
Contact persons:		
Name:	Phone:	Email:
Timothy Evans	801-641-0391	tevens@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R477-1. Definitions
3. Purpose of the new rule or reason for the change:
The Division of Human Resource Management (DHRM) desires to eliminate superfluous term definitions.
4. Summary of the new rule or change:
The proposed amendments eliminate one unused term definition and another term definition that is unnecessary. The amendments also renumber definitions following the eliminated definitions.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:			
A) State budget:			
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.			
B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.			
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive 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:		
Section 63A-17-106	Section 63A-17-301	Section 63A-17-306

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:	06/14/2024
9. This rule change MAY become effective on:	07/01/2024
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

Agency head or designee and title:	John Barrand, DHRM Director	Date:	04/25/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R477-6	Filing ID:	56474

Agency Information

1. Department:	Government Operations	
Agency:	Human Resource Management	
Room number:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141531	
City, state and zip:	Salt Lake City, UT 84114-1531	
Contact persons:		
Name:	Phone:	Email:
Timothy Evans	801-641-0391	tevens@utah.gov

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

General Information

2. Rule or section catchline:
R477-6. Compensation
3. Purpose of the new rule or reason for the change:
The Division of Human Resource Management (DHRM) aims to clarify eligibility for retirement and non-retirement benefits.
4. Summary of the new rule or change:
The proposed amendments clarify the circumstances under which an employee is eligible for retirement and non-retirement benefits.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes merely clarify present practices.

B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.			
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
Total Fiscal Cost	\$0	\$0	\$0

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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

Section 63A-16-105	Section 63A-17-106	Subsection 63A-17-302(4)
Section 63A-17-307	Section 63A-17-803	

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: 06/14/2024

9. This rule change MAY become effective on: 07/01/2024

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

Agency head or designee and title:	John Barrand, DHRM Director	Date:	04/25/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R477-7	Filing ID: 56475

Agency Information

1. Department:	Government Operations	
Agency:	Human Resource Management	
Room number:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141531	
City, state and zip:	Salt Lake City, UT 84114-1531	
Contact persons:		
Name:	Phone:	Email:
Timothy Evans	801-641-0391	tevans@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R477-7. Leave
3. Purpose of the new rule or reason for the change:
The Division of Human Resource Management (DHRM) aims to conform this rule to recent statutory changes, make stylistic changes for clarity, and update a statutory citation.
4. Summary of the new rule or change:
The proposed amendments: 1) add a provision to implement HB255 (2024) that addresses leave for employees who serve in the legislature; 2) make minor stylistic and editorial changes to the annual leave and Workers' Comp provisions; 3) update a statutory citation in the military leave provisions; and 4) implement H.B. 75 (passed in the 2024 General Session) which enacted various changes impacting Parental and Postpartum Recovery Leave.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:																
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are accounted for in relevant Legislation and attendant fiscal notes.																
B) Local governments:																
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.																
C) Small businesses ("small business" means a business employing 1-49 persons):																
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.																
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):																
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.																
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):																
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.																
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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.																
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																
<table border="1"> <thead> <tr> <th>Fiscal Cost</th> <th>FY2024</th> <th>FY2025</th> <th>FY2026</th> </tr> </thead> <tbody> <tr> <td>State Government</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Local Governments</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Small Businesses</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> </tr> </tbody> </table>	Fiscal Cost	FY2024	FY2025	FY2026	State Government	\$0	\$0	\$0	Local Governments	\$0	\$0	\$0	Small Businesses	\$0	\$0	\$0
Fiscal Cost	FY2024	FY2025	FY2026													
State Government	\$0	\$0	\$0													
Local Governments	\$0	\$0	\$0													
Small Businesses	\$0	\$0	\$0													

NOTICES OF PROPOSED RULES

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive 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:		
Section 34-43-103	Section 63G-1-301	Section 63A-17-106
Section 63A-17-504	Section 63A-17-505	Section 71A-8-102

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:	06/14/2024
9. This rule change MAY become effective on:	07/01/2024
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

Agency head or designee and title:	John Barrand, DHRM Director	Date:	04/25/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R477-8	Filing ID:	56476

Agency Information

1. Department:	Government Operations	
Agency:	Human Resource Management	
Room number:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141531	
City, state and zip:	Salt Lake City, UT 84114-1531	
Contact persons:		
Name:	Phone:	Email:
Timothy Evans	801-641-0391	tevans@utah.gov

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

General Information

2. Rule or section catchline:
R477-8. Working Conditions
3. Purpose of the new rule or reason for the change:
The Division of Human Resource Management (DHRM) desires to add a training requirement, clarify rules concerning transferability of comp time, and implement a recent legislative enactment.
4. Summary of the new rule or change:
The proposed amendments: 1) add a telework training requirement; 2) clarify that comp time cannot move with an employee who changes from benefited to non-benefited status; and 3) implement H.B. 271 (passed in the 2024 General Session), which makes changes to overtime payout for law enforcement employees.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
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A) State budget:			
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are accounted for in relevant Legislation and attendant fiscal notes.			
B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons.			
This rule has no financial impact on state employees.			
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive 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:

Section 34A-2-114	Section 63A-17-106	Subsection 63A-17-602
Section 20A-3-103		

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:	06/14/2024
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9. This rule change MAY become effective on:

07/01/2024
 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

Agency head or designee and title:	John Barrand, DHRM Director	Date:	04/25/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R477-9	Filing ID: 56478

Agency Information

1. Department:	Government Operations	
Agency:	Human Resource Management	
Room number:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141531	
City, state and zip:	Salt Lake City, UT 84114-1531	
Contact persons:		
Name:	Phone:	Email:
Timothy Evans	801-641-0391	tevens@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R477-9. Employee Conduct
3. Purpose of the new rule or reason for the change:
The Division of Human Resource Management (DHRM) aims to add language implementing a statutory enactment.
4. Summary of the new rule or change:
The proposed amendments implement H.B. 460 (passed in the 2024 General Session) which requires employers to consider an employee request to be relieved from performing a certain task.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures

because these changes are accounted for in relevant legislation and attendant fiscal notes.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons.

This rule has no financial impact on state employees.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive 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:		
Section 63G-7-2	Section 63A-17-106	Section 63A-17-904
5 U.S.C. 1502(a)(3)		

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:	06/14/2024
9. This rule change MAY become effective on:	07/01/2024
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

Agency head or designee and title:	John Barrand, DHRM Director	Date:	04/25/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment			
Rule or Section Number:	R477-10	Filing ID:	56479

Agency Information

1. Department:	Government Operations	
Agency:	Human Resource Management	
Room number:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141531	
City, state and zip:	Salt Lake City, UT 84114-1531	
Contact persons:		
Name:	Phone:	Email:
Timothy Evans	801-641-0391	tevans@utah.gov

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

General Information

2. Rule or section catchline:
R477-10. Employee Development
3. Purpose of the new rule or reason for the change:
The Division of Human Resource Management (DHRM) aims to add language implementing a statutory enactment impacting performance evaluation rules.
4. Summary of the new rule or change:
The proposed amendments implement H.B. 77 (passed in the 2024 General Session) which modifies pay for performance elements applicable to performance evaluation provisions.

Fiscal Information

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

A) State budget:			
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are accounted for in relevant legislation and attendant fiscal notes.			
B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons.			
This rule has no financial impact on state employees.			
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive 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:		
Section 63A-17-106	Section 63A-17-112	

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:	06/14/2024

9. This rule change MAY become effective on:	07/01/2024
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

Agency head or designee and title:	John Barrand, DHRM Director	Date:	04/25/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R477-11	Filing ID: 56480

Agency Information

1. Department:	Government Operations	
Agency:	Human Resource Management	
Room number:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129-2128	
Mailing address:	PO Box 141531	
City, state and zip:	Salt Lake City, UT 84114-1531	
Contact persons:		
Name:	Phone:	Email:
Timothy Evans	801-641-0391	tevens@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R477-11. Discipline
3. Purpose of the new rule or reason for the change:
The Division of Human Resource Management (DHRM) aims to implement the provisions of H.B. 77 (passed in the 2024 General Session) related to aspects of the disciplinary process.
4. Summary of the new rule or change:
The proposed amendments implement H.B. 77 (2024) which clarifies the process by which a career service employee may be dismissed or demoted.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures

because these changes are accounted for in relevant legislation and attendant fiscal notes.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

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

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

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 direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons.

This rule has no financial impact on state employees.

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

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Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive 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:

Section 63A-17-106	Section 63A-17-306	Section 63G-2-3
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Public Notice Information

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

A) Comments will be accepted until:	06/14/2024
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9. This rule change MAY become effective on:	07/01/2024
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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

Agency head or designee and title:	John Barrand, DHRM Director	Date:	04/25/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R590-102	Filing ID: 56471

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room number:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone:	Email:
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:
R590-102. Insurance Department Fee Payment Rule
3. Purpose of the new rule or reason for the change:
The Department of Insurance (Department) is repealing this rule to comply with Section 63J-1-504, which prohibits state agencies from setting fees by rule.
The Legislature approved the Department's fees in H.B. 8 during the 2024 General Session; they will be in effect from 07/01/2024 to 06/30/2025.
The Department publicly posts its fees at https://insurance.utah.gov/about-us/#fees .
4. Summary of the new rule or change:
This filing repeals this rule in its entirety.

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 Department's fees remain in effect, but they will now be codified in the Utah Code.

B) Local governments:			
There is no anticipated cost or savings to local governments. The Department's fees remain in effect, but they will now be codified in the Utah Code.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no anticipated cost or savings to small businesses. The Department's fees remain in effect, but they will now be codified in the Utah Code.			
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 Department's fees remain in effect, but they will now be codified in the Utah Code.			
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 Department's fees remain in effect, but they will now be codified in the Utah Code.			
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 Department's fees remain in effect, but they will now be codified in the Utah Code.			
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Commissioner 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-3-103 |

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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024
 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

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	05/01/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R614-1-4	Filing ID: 56435

Agency Information

1. Department:	Labor Commission	
Agency:	Occupational Safety and Health	
Room number:	3rd Floor	
Building:	Heber M Wells	
Street address:	160 E 300 S	
City, state and zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146600	
City, state and zip:	Salt Lake City, UT 84114-6600	
Contact persons:		
Name:	Phone:	Email:
Holly Lawrence	801-530-6901	hlawrence@utah.gov
Floyd Johnson	801-530-6901	Fjohnson@utah.gov
Chris Hill	801-530-6113	chill@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R614-1-4. Incorporation of Federal Standards
3. Purpose of the new rule or reason for the change:
The purpose of this amendment to Utah's Occupational Safety and Health (UOSH) rule is to update this rule to ensure UOSH is enforcing the most current 29 CFR 1904 standard.
4. Summary of the new rule or change:
The proposed amendment: 1. Federal Register Vol. 88, No. 139, Friday, July 21, 2023, Rules and Regulations, pages 47254 to and including 47349, "Improve Tracking of Workplace Injuries and Illnesses; Final Rule" is incorporated by reference. a. Requires establishments with 100 or more employees in certain designated industries (i.e., those on appendix B in subpart E of part 1904) to electronically submit information from their Occupational Safety and Health Administration (OSHA) Injury and Illness Recordkeeping Forms 300 and 301 (Form 300 and Form 301) to OSHA once a year; b. Updates the North American Industry Classification System (NAICS) codes used in appendix A in subpart E of part 1904, which designates the industries required to submit their OSHA Injury and Illness Recordkeeping Form 300A (Form 300A) data;

c. Adds appendix B in subpart E of part 1904, which designates the industries required to submit Form 300 and Form 301 data; and
d. Requires establishments to include their company name when making electronic submissions to OSHA.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
UOSH's enforcement of the proposed amendment will not result in additional costs or savings to the state budget. The amended rule requires certain establishments to electronically submit Form 300 and Form 301 data using OSHA's ITA web application and has no impact on UOSH's enforcement. OSHA created, modifies, and updates the ITA as needed with no cost to the state.
B) Local governments:
There should be no cost or savings to local governments because the amendment requires certain establishments to electronically submit Form 300 and Form 301 data using OSHA's ITA web application. OSHA maintains the application and it is free to use.
C) Small businesses ("small business" means a business employing 1-49 persons):
There should be no cost of saving to small businesses because the amendment requires certain establishments to electronically submit Form 300 and Form 301 data using OSHA's ITA web application. OSHA maintains the application and it is free to use.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed amendment will have no anticipated cost or savings to non-small businesses with establishments that have less than 100 employees. The proposed amendment will have no anticipated cost or savings to non-small businesses with establishments that have 100 or more employees and are not classified in an industry listed in appendix B to subpart E of 29 CFR 1904. The proposed amendment will result in an approximate cost of \$136.62 per establishment that has 100 or more employees and is classified in an industry listed in appendix B to subpart E of 29 CFR 1904. The cost of electronic data submission per establishment was estimated by multiplying the hourly compensation (in

dollars) of the person expected to submit the records electronically by the time required for the submission.

The Bureau of Labor Statistics' (BLS's) Occupational Employment and Wage Statistics (OEWS) data were used to determine that the mean hourly wage for an Occupational Health and Safety Specialist was \$37.86 per hour.

Then, June 2021 data from the BLS National Compensation Survey were used to derive a mean fringe benefit factor of 1.45 for civilian workers in general. Then, the mean hourly wage (\$37.86) was multiplied by the mean fringe benefit factor (1.45) to obtain an estimated total compensation (wages and benefits) for Occupational Health and Safety Specialists of \$54.90 per hour $[(\$37.86 \text{ per hour}] \times 1.45)$.

A 17% overhead rate was then applied to the base wage $[(\$37.86 \text{ per hour}] \times 0.17)$, totaling \$6.44 per hour. The \$6.44 was added to the total compensation (\$54.90), yielding a fully loaded wage rate of \$61.34 $[\$54.90 + \$6.44]$ per hour.

It is estimated that establishments will take 0.1667 hours (10 minutes), on average, to familiarize themselves with changes to the recordkeeping requirements in the proposed rule.

Based on this, a one-time cost for familiarization is calculated at \$10.23 $(0.1667 \text{ hour/establishment} \times \$61.34)$ per establishment.

In addition, it is estimated that it will take 15 minutes to manually submit information about each injury and illness case manually into OSHA's Injury Tracking Application (ITA), the electronic reporting website. OSHA estimated there will be 15.82 cases per establishment, on average. Using the mean of 15.82 cases per establishment and an estimated time of 15 minutes per case, OSHA estimated 237.3 minutes (3.96 hours) per establishment to submit records electronically.

At a wage rate of \$61.34 per hour, the estimated cost per establishment to manually submit records electronically is \$242.91 $(3.96 \text{ hours} \times \$61.34/\text{hour})$. Establishments have the option to submit data to the ITA by uploading a batch file, and not enter cases manually. It is estimated that it will take 10 minutes (0.17 hours) to submit data by uploading a batch file.

At a wage rate of \$61.34 per hour, the estimated cost per establishment for batch file submission is \$10.43 $(0.17 \text{ hours} \times \$61.34/\text{hour})$. OSHA estimated that 47 percent of all reporting establishments will submit data via batch file and the remaining 53 percent will manually submit each case. At \$10.43 per establishment that submits data via batch file and \$242.91 per establishment that manually enters the cases, the estimated average cost for establishments covered by the rule is \$133.64 $[(0.47 \times \$10.43) + (0.53 \times \$242.91)]$ per establishment.

Annualized over 10 years with a discount rate of 7%, it is estimated that this rule will have an average overall cost of \$136.62 per year for affected establishments with 100 or more employees.

Using data from Utah's Department of Workforce Services, it was determined that approximately 665 of establishments in Utah will be affected by the proposed amendment. The amended rule will affect approximately 498 employers with an establishment size of 100 – 249 employees; 95 establishments with an establishment size of 250 – 499 employees; 50 establishments with an establishment size of 500 – 999; 10 establishments with an establishment size of 1,000 – 1,999; 5 establishments with an establishment size of 2,000 – 2,999; 4 establishments with an establishment size of 3,000 – 3,999; 1 establishment with an establishment size of 4,000 – 4,999; 1 establishment with an establishment size of 5,000 – 6,999; and 1 establishment with an establishment size of 7,000 – 9,999.

The proposed amendment, which affects approximately 665 establishments in Utah, will have an approximate total cost of \$90,852.30 $(665 \text{ establishments} \times \$136.62 \text{ per establishment})$.

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 should be no cost or savings to persons other than small businesses, non small businesses, state of local government entities as this rule change requires only certain entities to file electronically.

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 compliance costs for affected persons since Federal OSHA maintains the web application and it is free to use.

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

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Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Utah Labor Commission, Jaceson R. Maughan, 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:		
Title 34A, Chapter 6		

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	FR Vol 88, No. 139I.
Issue Date	July 21, 2023

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:	06/15/2024

9. This rule change MAY become effective on:	06/22/2024
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

Agency head or designee and title:	Jaceson R. Maughan, Commissioner	Date:	04/16/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R628-23	Filing ID: 56450

Agency Information

1. Department:	Money Management Council	
Agency:	Administration	
Room number:	180	
Building:	State Capitol	
Street address:	350 N. State Street	
City, state and zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 140510	
City, state and zip:	Salt Lake City, UT 84114-2314	
Contact persons:		
Name:	Phone:	Email:
Ann Pedroza	801-538-1883	apedroza@utah.gov

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

General Information

2. Rule or section catchline:
R628-23. Requirements for the Use of Investment Advisers by Public Treasurers
3. Purpose of the new rule or reason for the change:
The purpose of this rule is to outline basic requirements for the use of investment advisers for public treasurers who contract with investment advisers to invest public funds. This rule is required under Subsection 51-7-18(2) and was in place as Rule R628-19. Due to an oversight, Rule R628-19 expired.

4. Summary of the new rule or change:

This rule describes the basic requirements for public treasurers to be aware of when they consider using an investment adviser to invest public funds.

It describes the minimum standards that the treasurer needs to assure are in place with the investment adviser, such as certification of an adviser by the Council as described in Rule R628-15, a written advisory services agreement and the review of SEC for ADV Part II by the treasurer.

The Council reviewed this rule in their March meeting and found it current and noted that this rule needs to be in place as use of advisory services has grown substantially. This rule was in place as Rule R628-19, but due to oversight it expired. There are no substantive changes between this rule and the original Rule R628-19.

Fiscal Information

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

A) State budget:

There will be no impact on the state budget, there are no fees associated with this rule.

B) Local governments:

There will be no cost or savings impact on local governments as this rule has been in place and there are no fees associated with this rule.

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

This rule has no fiscal impact on small businesses, it applies only to Utah public treasurers.

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

This rule has no fiscal impact on non-small businesses, it applies only to Utah public treasurers.

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 has no fiscal impact on other persons, it applies only to Utah public treasurers.

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

There will be no compliance costs for affected persons as this rule has been in place and there are no changes.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Chairman of the Money Management Council, K. Wayne Cushing, 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 51-7-18(2)(b)	Section 61-1-13	
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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

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agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/14/2024

9. This rule change MAY become effective on:	06/21/2024
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

Agency head or designee and title:	K. Wayne Cushing, Chairman	Date:	04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R628-24	Filing ID: 56451

Agency Information

1. Department:	Money Management Council	
Agency:	Administration	
Room number:	180	
Building:	State Capitol	
Street address:	350 N State Street	
City, state and zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 142315	
City, state and zip:	Salt Lake City, UT 84114-2315	
Contact persons:		
Name:	Phone:	Email:
Ann Pedroza	801-538-1883	apedroza@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R628-24. Foreign Deposits for Higher Education Institutions
3. Purpose of the new rule or reason for the change:
Subsection 51-7-11(1)(c) says that a higher education institution may make a deposit in a foreign depository as defined in Section 7-1-103, in accordance with Section 53B-7-601.

Section 53B-7-601 states that the funds deposited under this section shall meet the requirements of rules made by the State Money Management Council under Section 51-7-18.

The Council reviewed this rule in their March meeting and found it current and noted that this rule needs to be in place as use of foreign depositories by higher education institutions is ongoing.

This rule has been in effect previously as Rule R628-20, but due to an oversight, the five-year review was not filed in time and the rule expired.

4. Summary of the new rule or change:

This rule replaces Rule R628-20 that expired due to an oversight on filing the five-year review.

This rule provides guidelines to higher education institutions when depositing funds in foreign countries as allowed in Section 53B-7-601.

It provides requirements for ratings on the foreign depository institutions (FDI), notes which foreign depositories are prohibited for use and requires the Council to approve the foreign depository, and requires the higher education institution to report on the status of the funds in these FDI's semiannually to the Money Management Council.

There are no substantive differences between this rule and the original Rule R628-20.

Fiscal Information

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

A) State budget:

There is no anticipated state cost or savings as this rule does not cover state funds as it allows higher education institutions the ability to deposit funds in foreign depositories.

B) Local governments:

This rule has no impact on local governments, it is for higher education institutions.

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

There is no fiscal impact on small businesses as this rule only covers funds for higher education institutions.

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

This rule does not affect any non-small business as it only applies to higher education institutions.

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 only applies to higher education institutions and does not affect other persons.

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

This rule just provides rating requirements on foreign depositories for higher education institutions that need to use foreign depositories.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Chairman of the Money Management Council, K. Wayne Cushing, 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 51-7-4(1)(b)(iii)	Subsection 51-7-17(4)(a)	Section 53B-7-601
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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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	K Wayne Cushing, Chairman	Date:	04/30/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Rule or Section Number:	R628-25	Filing ID:	56452
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Agency Information

1. Department:	Money Management Council
Agency:	Administration
Room number:	180
Building:	State Capitol
Street address:	350 N State Street
City, state and zip:	Salt Lake City, UT 84114
Mailing address:	PO Box 142315
City, state and zip:	Salt Lake City, UT 84114-2315

Contact persons:		
Name:	Phone:	Email:
Ann Pedroza	801-538-1883	apedroza@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R628-25. Conditions and Procedures for the Use of Reciprocal Deposits

3. Purpose of the new rule or reason for the change:
This filing reenacts Rule R628-21 as Rule R628-25 after Rule R628-21 expired due to an oversight on filing the five-year review.
This rule is required by Subsections 51-7-17(4)(b) and 51-7-29(2)(b). These sections of the Money Management Act require that a rule be in place for public entities to be able to use these types of investments.

4. Summary of the new rule or change:
This rule reenacts Rule R628-21 as Rule R628-25 after Rule R628-21 expired.
This rule provides the conditions under which a public entity may utilize reciprocal deposits. It provides limits on how much of a public entity's funds may be invested in these types of deposits and requires that these types of deposits be reported semi-annually to the Council.
This rule requires deposit account registry services that hold Utah public funds to maintain errors and omission coverage, and to also report the amount of Utah public funds held as reciprocal deposits to the Department of Financial Institutions monthly.
There are no substantive differences between this rule and the original Rule R628-21.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated state cost or savings as the rule does not cover state funds.
B) Local governments:
This rule has no cost or savings impact on local governments as it is allowing a type of investment for local governments to use.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no fiscal impact on small businesses as this rule affects public entities and reciprocal deposit providers. Most reciprocal deposit providers are non-small businesses.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule does not affect any non-small business as reciprocal depository providers will have no additional cost or savings as they already provide services to non-public entities in Utah.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule does not affect any other person as reciprocal depository providers will have no additional cost or savings as they already provide services to non-public entities in Utah.

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 costs for the reciprocal depository provider as these reports are already generated for other reporting purposes.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Chairman of the Money Management Council, K. Wayne Cushing, 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 51-7-17(4)(b)	Subsection 51-7-18(2)(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.)

A) Comments will be accepted until: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	K Wayne Cushing, Chairman	Date:	04/30/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING:	New	
Rule or Section Number:	R650-414	Filing ID: 56439

Agency Information

1. Department:	Natural Resources	
Agency:	Outdoor Recreation	
Room number:	100	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
India Nielsen Barfuss	385-268-2570	indianielsen@utah.gov
JC Bailey	801-538-7361	jcbailey@utah.gov
Shane Stroud		Sstroud@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
 R650-414. Nonresident OHV User Decals and Fees

3. Purpose of the new rule or reason for the change:
 Per H.B. 346 (passed in the 2021 General Session), the Division of Outdoor Recreation (Division) was created from State Parks and this new rule replaces the State Parks Rule R651-634.

4. Summary of the new rule or change:
 This rule clarifies the fees, purchase, and display of non-resident OHV permits.

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 instructional in nature and will have no impact on how the Division functions or the parties this applies to as the OHV fee is required by Law, Subsection 41-22-35(1)(2).

B) Local governments:
 This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures.
 This rule only clarifies the purchasing of a nonresident Off-Highway Vehicle decal and fees.

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

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

This rule only clarifies the purchasing of a nonresident Off-Highway Vehicle decal and fees.

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

This rule change is not expected to have a fiscal impact on non-small businesses' revenues or expenditures.

This rule only clarifies the purchasing of a nonresident Off-Highway Vehicle decal and fees.

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

This rule change is not expected to have a fiscal impact on persons other than small businesses', non-small businesses', state, or local government entities' revenues or expenditures.

This rule only clarifies the purchasing of a nonresident Off-Highway Vehicle decal and fees.

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

There are no compliance costs for affected persons.

This rule only clarifies the purchasing of a nonresident Off-Highway Vehicle decal and fees.

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

Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 41-22-35	Subsection 41-6a-102(74)	Section 41-22-3
Subsection 41-1a-102(45)	Subsection 41-22-35(1)(b)	

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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Jason Curry, Director	Date:	04/12/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Repeal and Reenact		
Rule or Section Number:	R651-101	Filing ID: 56448

Agency Information

1. Department:	Natural Resources	
Agency:	State Parks	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146001	
City, state and zip:	Salt Lake City, UT 84114-6001	
Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R651-101. Adjudicative Proceedings
3. Purpose of the new rule or reason for the change:
This repeal and reenact change simplifies the process and procedure for initiating and conducting adjudicatory proceedings before the Division of State Parks (Division).
4. Summary of the new rule or change:
This rule provides the process for initiating adjudicatory proceedings before the Division and sets out procedures for conducting Division adjudicatory proceedings.
The new language simplifies the process for all Division adjudicatory proceedings and further clarifies how an individual may initiate declaratory adjudicatory proceedings.
This new rule also clarifies the adjudicatory proceedings for which an individual may request a hearing.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This proposed rule change is not expected to have a fiscal impact on state government revenues or expenditures.

This rule pertains only to initiating and conducting adjudicatory proceedings before the Division and does not directly require the commitment or expenditure of revenues.

Accordingly, it is not anticipated that this rule would impact state government revenues, or require state government expenditures, that are not otherwise required by the Utah Administrative Procedures Act.

B) Local governments:

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

This rule pertains only to initiating and conducting adjudicatory proceedings before the Division and does not directly require the commitment or expenditure of revenues.

Accordingly, it is not anticipated that this rule would impact legal government revenues, or require local government expenditures, that are not otherwise required by the Utah Administrative Procedures Act.

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

This proposed rule amendment is not expected to have a fiscal impact on small businesses' revenues or expenditures, nor will a service be required of them for the implementation of this rule.

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

This proposed rule amendment is not expected to have a fiscal impact on non-small businesses' revenues or expenditures, nor will a service be required of them for the implementation of this rule.

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 proposed rule amendment is not expected to have a fiscal impact on persons other than small businesses, non-small business, state, or local government entities revenues or expenditures, nor will a service be required of them for the implementation of this rule.

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

There are no compliance costs for affected persons.

This rule pertains only to initiating and conducting adjudicatory proceedings before the Division and does not directly require the expenditure of any costs.

NOTICES OF PROPOSED RULES

To the extent this rule does require the expenditure of costs, it is anticipated such costs would otherwise be required to comply with the Utah Administrative Procedures Act and thus would be imposed by the statute as opposed to this rule.

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

Regulatory Impact Table

Fiscal Cost	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
Total Fiscal Cost	\$0	\$0	\$0

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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 63G-4-202	Section 63G-4-201	Subsection 63G-4-201(3)
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Subsection 63G-4-203(1)	Subsection 63G-4-203(1)(i)	
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Public Notice Information

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

A) Comments will be accepted until: 07/01/2024

9. This rule change MAY become effective on: 07/08/2024

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

Agency head or designee and title:	Scott Strong, Director	Date:	04/16/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	Repeal
Rule or Section Number:	R651-634
Filing ID:	56440

Agency Information

1. Department:	Natural Resources	
Agency:	State Parks	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146001	
City, state and zip:	Salt Lake City, UT 84114-6001	
Contact persons:		
Name:	Phone:	Email:
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov

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

General Information

2. Rule or section catchline:
R651-634. Nonresident OHV User Permits and Fees

3. Purpose of the new rule or reason for the change:
This rule content is being moved to the Division of Outdoor Recreation.
4. Summary of the new rule or change:
This rule is being repealed in its entirety and is being enacted in the Division of Outdoor Recreation as Rule R650-414.
(EDITOR'S NOTE: The proposed new Rule R650-414 is under ID 56439 in this issue, May 15, 2024, of the Bulletin.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The repeal of this rule does not affect the state budget.
This rule is moving to the Division of Outdoor Recreation as Rule R650-414 and will have no effect on the Division of State Parks.
B) Local governments:
The repeal of this rule does not affect local governments.
This rule is moving to the Division of Outdoor Recreation and will have no effect on the Division of State Parks.
C) Small businesses ("small business" means a business employing 1-49 persons):
The repeal of this rule does not affect small businesses.
This rule is moving to the Division of Outdoor Recreation and will have no effect on the Division of State Parks.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The repeal of this rule does not affect non-small businesses.
This rule is moving to the Division of Outdoor Recreation and will have no effect on the Division of State Parks.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
The repeal of this rule does not affect persons other than small businesses, non-small businesses, state, or local government entities.
This rule is moving to the Division of Outdoor Recreation and will have no effect on the Division of State Parks.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
The repeal of this rule does not affect compliance costs for affected persons.
This rule is moving to the Division of Outdoor Recreation and will have no effect on the Division of State Parks.
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Joel Ferry, 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 41-22-35	Section 79-4-304	
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Scott Strong, Interim Director	Date:	02/08/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R652-122	Filing ID: 56438

Agency Information

1. Department:	Natural Resources	
Agency:	Forestry, Fire and State Lands	
Room number:	3520	
Building:	DNR	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84114-5703	
Contact persons:		
Name:	Phone:	Email:
Emily Hawley	385-441-6667	ehawley@utah.gov

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

General Information

2. Rule or section catchline:
R652-122. Cooperative Agreements

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

The purpose of this rule change is to address recent changes to Sections 65A-8-203.3; 65A-8-203.4; and Subsection 65A-8-203.2(3) as a result of the passage of H.B. 437, Fire Amendments, during the 2024 General Session.

4. Summary of the new rule or change:

The proposed amendments are necessary to clarify the requirements for a county, city, or town to enter into a cooperative fire protection agreement with the Division of Forestry, Fire and State Lands (Division) and to address recent Utah Code changes to Sections 65A-8-203.3 and 65A-8-203.4 as a result of the passage of H.B. 437 (2024).

Changes to Sections 65A-8-203.3 and 65A-8-203.4 provide clarifying language that a country or municipality that is not covered by a cooperative fire protection agreement with the Division may enter into such an agreement if they:

- (a) file with the Division an annual accounting of wildfire prevention, preparedness, mitigation actions, and associated costs;
- (b) meet the eligibility entity's participation commitment by making direct payments to the Division;
- (c) or do a combination of (a) and (b).

In addition, the recent change to Subsection 65A-8-202.3(3) with the passage of H.B. 437 (2024), provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations.

To be in alignment with this code change, the proposed rule changes clarify that the cost of wildfire suppression to a county or municipality that is not covered by a cooperative agreement with the Division shall be calculated by determining the number of acres burned within the borders of a county or municipality, dividing that number by the total number of "nonfederal" acres burned by a wildfire, and multiplying the resulting percentage by the state's total cost of wildfire suppression for that wildfire.

The proposed rule change is needed to reflect the recent change to Subsection 65A-8-202.3(3) which provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations. This distinction needs to be made because costs associated with federal acres that are burned are already covered by federal agencies and not covered by the state.

Fiscal Information

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

A) State budget:

This rule change should have no impact on the state budget.

Payments will not change for a county, city, or town that are not covered by a cooperative agreement with the Division. The rule change provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations rather than including federal acres. Federal acres burned are already covered by federal agencies.

The proposed amendments make the process clearer in this rule and remove previous ambiguity. It does not provide savings or impact costs, but ensures the costs are calculated accurately.

B) Local governments:

This rule change clarifies how costs of wildland fire suppression specific to some local governments is calculated. While it does not provide savings or impact costs, it ensures the costs are calculated accurately.

Payments will not change for a county, city, or town that are not covered by a cooperative agreement with the Division. This rule change provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations rather than including federal acres. Federal acres burned are already covered by federal agencies and are not duplicated by the state.

The proposed amendments make the process clearer in this rule and eliminate previous ambiguity to ensure costs are calculated accurately.

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 pertains only to a county, city, or town and will not aggregate costs or savings.

This rule change provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations rather than including federal acres. Federal acres burned are already covered by federal agencies and are not duplicated by the state.

The proposed amendments make the process clearer in this rule and remove previous ambiguity to ensure costs are calculated accurately.

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.

This rule pertains only to a county, city, or town and will not aggregate costs or savings. This rule change provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations rather than including federal acres. Federal acres burned are already covered by federal agencies.

The proposed amendments make the process clearer in this rule and remove previous ambiguity to ensure costs are calculated accurately.

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 will not have a fiscal impact on "persons". Payments will not change for a county, city, or town that are not covered by a cooperative agreement with the Division.

The rule change provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations rather than including federal acres. Federal acres burned are already covered by federal agencies.

The proposed amendments make the process clearer in this rule and remove previous ambiguity. It does not provide savings or impact costs, but ensures the costs are calculated accurately.

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 with this proposed rule change.

Payments will not change for a county, city, or town that are not covered by a cooperative agreement with the Division. The rule change provides clarification that "nonfederal" acres burned by a wildfire should be used for calculations rather than including federal acres. Federal acres burned are already covered by federal agencies and not covered by the state.

The proposed amendments makes the process clearer in this rule and take out any previous ambiguity to ensure costs are calculated accurately.

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

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Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Department of Natural Resources, Joel Ferry, 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 65A-8-203(5)(b)	Section 65A-8-203.3	Section 65A-8-207
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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:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Joel Ferry, Executive Director	Date:	04/24/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R653-11	Filing ID: 56404

Agency Information

1. Department:	Natural Resources	
Agency:	Water Resources	
Room number:	310	
Building:	Natural Resources Building	
Street address:	1594 W North Temple	
City, state and zip:	Salt Lake City, UT 84116	
Contact persons:		
Name:	Phone:	Email:
Carly Payne	801-538-7235	carlypayne@utah.gov
Shelby Cooley	801-300-1623	scooley@utah.gov
Martin Bushman	801-538-7273	martinbushman@agutah.gov

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

General Information

2. Rule or section catchline:
R653-11. Water Conservation Requirements and Incentives
3. Purpose of the new rule or reason for the change:
The Utah Legislature passed S.B. 118 in the 2023 General Session, which amended Section 73-10-37.
This section of code directs the Utah Division of Water Resources (Division) to provide a financial incentive to landowners that convert lawn to water efficient landscaping, consistent with statutory and regulatory requirements.
The proposed changes amend Rule R653-11 to clarify defined terms, add flexibility in minimum project sizes, expand evidence proving an applicant is a water end user under contract with a water provider, increase the maximum incentive to \$2 a square foot, add notice and cure provisions for participants whose projects initially fail to conform with approved plans, and provide other clarifying language.
4. Summary of the new rule or change:
The proposed amendments to Rule R653-11 clarify defined terms (Subsection R653-11-2(f)), add flexibility in

minimum project sizes (Subsection R653-11-7(2)(b)), expand acceptable evidence proving an applicant is a water end user under contract with a water provider (Subsection R653-11-7(3)(e)), increase the maximum incentive to \$2 a square foot (Subsection R653-11-7(4)(d)(ii)), add notice and cure provisions for participants whose projects initially fail to conform with approved plans (Subsection R653-11-7(7)), and provide other nonsubstantive and clarifying language ((Subsections R653-11-(3)(e)(ii)(B), R653-11-7(6)(b), and R653-11-8(6)).

Fiscal Information

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

A) State budget:

The rule amendments implement water conservation incentives imposed in Section 73-10-37.

In 2023, S.B. 118 appropriated \$3,000,000 in ongoing funding to the Division for administering and funding the lawn conversion incentive programs and to distribute to landowners and water conservancy districts for financial incentives to convert existing lawn to drought resistant landscaping (see Section 73-10-37).

This rule, including amendments govern the distribution of \$3,000,000 to:

- 1) reimburse some costs incurred converting lawn to drought resistant landscaping; and
- 2) assist eligible water conservancy districts fund incentives under their respective lawn conversion incentive programs.

The incentive programs will be administered by existing staff at the Division -- no new hires or overtime pay will be required.

B) Local governments:

The lawn conversion incentive program, including rule amendments, will not fiscally impact local governments negatively.

The program simply makes funding available to:

- 1) property owners as an incentive to convert lawns into water efficient landscaping; and
- 2) water conservancy districts for use in funding financial incentives awarded through their respective lawn conversion incentive programs.

The rule does not require:

- 1) landowners to convert their lawns to drought resistant landscaping or to seek reimbursement of costs for such conversions from the Division; or
- 2) water conservancy districts to implement and fund lawn conversion incentive programs or to seek a grant from the Division.

Grants are not reimbursed to the Division or any other entity by recipient districts. Participation in the program is completely voluntary under this rule.

Those that choose to participate and receive funding, however, must pay whatever portion of the conversion's costs not covered by the incentive award. The cost to convert lawn to drought resistant landscaping varies considerably depending on contractor, region of the state, and actual work performed -- but average costs are generally between \$4 and \$12 a square foot. The state incentive provided in this rule amendment is \$ 2.00 a square foot.

A lawn conversion, once completed, will reduce the landowner's outdoor water use and the associated costs, and eliminate lawn maintenance. It will also conserve water supplies in the community, reduce the likelihood of shortages, and delay the need for further water development by water providers.

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

To the extent a landowner is not a local government and more closely related to a small or non-small business, it will be impacted similarly to that described in the local government section.

A residual benefit of the rule amendment and the incentive program it implements to small and non-small businesses will be increased demand for:

- 1) landscaping services by qualified contractors; and
 - 2) organic and inorganic materials (plants, shrubs, trees, gravel, rock, etc.) used in water efficient landscaping
- In total, the incentive program over the next year will infuse \$3,000,000 in state incentive money and participant's corresponding cost share into the purchase of landscaping services and associated materials.

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

Impacts to non-small businesses are anticipated to be no different than to small businesses. See small business impact response, above.

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

No anticipated impacts to other persons different than local governments, small businesses, or non-small businesses. See previous responses above.

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

The rule does not require landowners to convert their lawns to drought resistant landscaping or to seek

reimbursement of costs for such conversions from the Division. Nor does it compel water conservancy districts to implement and fund lawn conversion incentive programs or to seek a grant from the Division.

Participation in the program is completely voluntary under this rule. Those that choose to participate and receive funding, however, must pay whatever portion of the conversion's costs not covered by the incentive award.

The cost to convert lawn to water efficient landscaping varies considerably depending on contractor, region of the state, and actual work performed -- but average costs are generally between \$4 and \$12 a square foot.

The state incentive provided in this rule amendment \$ 2 a square foot. A lawn conversion, once completed, will reduce the landowner's outdoor water use and the associated costs, and the need for eliminate lawn maintenance.

It will also conserve water supplies in the community, reduce the likelihood of shortages, and delay the need for further water development by water providers.

Again, participation in the program under this rule is voluntary.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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 73-10-37	Subsection 73-10-37(5)	
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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: 06/14/2024

9. This rule change MAY become effective on: 06/21/2024

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

Agency head or designee and title:	Candice Hasenyager, Division Director	Date:	04/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	New
Rule or Section Number:	R653-15
Filing ID:	56405

Agency Information

1. Department:	Natural Resources
Agency:	Water Resources
Room number:	310
Building:	Natural Resources Building
Street address:	1594 West N Temple, 310

City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 14602	
City, state and zip:	Salt Lake City, UT 84114-6201	
Contact persons:		
Name:	Phone:	Email:
Carly Payne	801-538-7235	carlypayne@utah.gov
Shalaine De Bernardi	801-652-1668	shalainedebernardi@utah.gov
Elizabeth Harris	385-395-0857	eharris@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R653-15. 2024 Grant Funding for Water Infrastructure Projects
3. Purpose of the new rule or reason for the change:
The Utah Legislature appropriated \$21,989,200.00 to the Department of Natural Resources, Division of Water Resources (Division) in the 2024 General Session to help fund water infrastructure projects (see H.B. 3, Item 54). The purpose of this new rule is to outline the application and approval process for receiving grant money from the Division for the construction or improvement of water infrastructure projects.
4. Summary of the new rule or change:
The proposed rule language does not amend or repeal any existing administrative rule. It is a new chapter in an existing Title of the Administrative Code (R653) and is singularly devoted to the purposes identified in the response to Box 3, above. The rule outlines the eligibility requirements, limitations, conditions, and application and approval process for the water infrastructure grants.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The Legislature appropriated \$21,989,200.00 in one-time funding to the Division for "Water Infrastructure Projects" in H.B. 3, Item 54 (2024).

The Legislature did not provide further specifics or direction on the distribution of the appropriated funds. This rule is necessary under Subsection 63G-3-201(2) to guide the Division and ensure consistency in its distribution of the appropriated funds through grants.

Funding is not ongoing and the grant program set forth in the proposed rule will likely expire. The grant program will be administered by existing staff at the Division -- no new hires or overtime pay will be required.

B) Local governments:

The grant program will not fiscally impact local governments negatively.

The program makes funding available to eligible entities for improving water infrastructure.

This rule does not require anyone to make infrastructure improvements, and participation in the grant program is completely voluntary under this rule.

Those that choose to participate and receive grant funding may contribute matching funds if they choose.

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

To the extent a grant recipient is not a local government and more closely related to a small or non-small business, it will be impacted similarly to that described in the local governments section.

A residual benefit of this rule and the grant program it implements to small and non-small businesses will be the opportunity to receive a grant to help with needed water infrastructure projects.

In total, the grant program will infuse \$21,989,200.00 in grants for Utah water infrastructure projects that will, in turn, make its way to small businesses retained to study, design, and construct the projects.

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

Other than what has been stated in Box 5C above, this rule is not expected to have a fiscal impact on non-small businesses' revenues or expenditures.

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

No anticipated impacts to others different than to local governments and small businesses. See previous responses above.

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

This rule does not require anyone to construct or improve water infrastructure projects or to seek grant funds to do so.

Participation in the program is completely voluntary under this rule.

Those that choose to participate and receive grant funding may contribute matching funds but are not required to.

Any out-of-pocket expense to a grant recipient will depend entirely upon the recipient.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Natural Resources, Joel Ferry, 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:

H.B. 3, Item 54 (2024)	Subsection 63G-3-201(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.)

A) Comments will be accepted until:	06/14/2024
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9. This rule change MAY become effective on:	06/21/2024
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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

Agency head or designee and title:	Candice Hasenyager, Division Director	Date:	04/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R671-201	Filing ID: 56407

Agency Information

1. Department:	Pardons (Board of)	
Agency:	Administration	
Street address:	448 E Winchester St. #300	
City, state and zip:	Murray, UT 84107	
Contact persons:		
Name:	Phone:	Email:
Jennifer Yim	801-261-6464	jmyim@utah.gov
Amanda Montague	801-440-0545	amontague@agutah.gov

Zarah Borja	385-910-3215	zborja@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R671-201. Original Hearing Schedule and Notice
3. Purpose of the new rule or reason for the change:
These changes are proposed as a result of public comment on this rule received in March 2024.
4. Summary of the new rule or change:
These proposed changes are to expressly include victim input consideration in the original hearing scheduling process. Comment from the prior rulemaking process suggested that explicit reference to attending to victim needs would appropriate in this rule as well.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated impact on state budgets, as this rule change makes mention of things already completed by other administrative rules.
B) Local governments:
This rule change is not anticipated to have any fiscal impact on local governments as this rule change makes mention of things already completed by other administrative rules.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule change does not have fiscal impact on small businesses as this rule change makes mention of things already completed by other administrative rules.
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 as this rule change makes mention of things already completed by other administrative rules.
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 amendment does not affect other persons as listed above as this rule change makes mention of things already completed by other administrative rules.

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 as this rule change makes mention of things already completed by other administrative rules.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:		
Article VII, Section 12	Section 77-27-5	Section 77-27-7
Section 77-27-9		

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:	07/01/2024

9. This rule change MAY become effective on:	07/08/2024
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

Agency head or designee and title:	J. Scott Stephenson, Chairman	Date:	05/08/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R671-312A	Filing ID: 56408

Agency Information

1. Department:	Pardons (Board of)	
Agency:	Administration	
Street address:	448 E Winchester St. #300	
City, state and zip:	Murray, UT 84107	
Contact persons:		
Name:	Phone:	Email:
Jennifer Yim	801-261-6464	jmyim@utah.gov
Amanda Montague	801-440-0545	amontague@agutah.gov
Zarah Borja	385-910-3215	zborja@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R671-312A. Commutation Procedures Applicable to Persons Sentence to Death On or Before April 26, 1992
3. Purpose of the new rule or reason for the change:
These changes are proposed as a result of public comment on this rule received in March 2024.
4. Summary of the new rule or change:
Due to concerns expressed by public comment for the prior rule change, this amendment proposes that service should occur in accordance to the Utah Rules of Civil Procedure.

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 Board functions.
B) Local governments:
There is no expected fiscal impact on local governments, as this rule change is clerical and clarifying in nature and will have no impact on local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule does not affect small businesses and so has no expected fiscal impact, as this rule change is clerical and clarifying in nature and will have no impact on small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change has no effect on non-small businesses and so has no expected financial impact, as this rule change is clerical and clarifying in nature and will have no impact on non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
This rule amendment will have no fiscal impact on persons other than small businesses, non-small businesses, or 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?):

This rule change entails no compliance costs for affected persons, as this rule change is clerical and clarifying in nature and will have no impact on 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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:

Article VII, Section 12	Section 77-19-8	Section 77-27-2
Section 77-27-4	Section 77-27-5	Section 77-27-5.5
Section 77-27-8	Section 77-27-9	Section 77-27-9.5

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:	07/01/2024
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9. This rule change MAY become effective on:	07/08/2024
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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

Agency head or designee and title:	J. Scott Stephenson, Chairman	Date:	05/03/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: Amendment		
Rule or Section Number:	R671-312B	Filing ID: 56409

Agency Information

1. Department:	Pardons (Board of)	
Agency:	Administration	
Street address:	448 E Winchester St. #300	
City, state and zip:	Murray, UT 84107	
Contact persons:		
Name:	Phone:	Email:
Jennifer Yim	801-261-6464	jmyim@agutah.gov

NOTICES OF PROPOSED RULES

Amanda Montague	801-440-0545	amontague@agutah.gov
Zarah Borja	385-910-3215	zborja@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R671-312B. Commutation Procedures Applicable to Persons Sentenced to Death After April 26, 1992
3. Purpose of the new rule or reason for the change:
These changes are proposed as a result of public comment on this rule received in March 2024.
4. Summary of the new rule or change:
Due to concerns expressed by public comment for the prior rule change, this amendment proposes that service should occur in accordance to the Utah Rules of Civil Procedure.

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 Board functions.
B) Local governments:
There is no expected fiscal impact on local governments, as this rule change is clerical and clarifying in nature and will have no impact on local governments.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule does not affect small businesses and so has no expected fiscal impact, as this rule change is clerical and clarifying in nature and will have no impact on small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule change has no effect on non-small businesses and so has no expected financial impact, as this rule change is clerical and clarifying in nature and will have no impact on non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule amendment will have no fiscal impact on persons other than small businesses, non-small businesses, or state or local government entities, as this rule change is clerical and clarifying in nature and will have no impact on other persons mentioned above.

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 entails no compliance costs for affected persons, as this rule change is clerical and clarifying in nature and will have no impact on 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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Administrative Director of the Board of Pardons and Parole, Jennifer Yim, 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:

Article VII, Section 12	Section 77-19-8	Section 77-27-2
Section 77-27-4	Section 77-27-5	Section 77-27-5.5
Section 77-27-8	Section 77-27-9	Section 77-27-9.5

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: 07/01/2024

9. This rule change MAY become effective on: 07/08/2024

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

Agency head or designee and title:	J. Scott Stephenson, Chairman	Date:	04/03/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New

Rule or Section Number:	R911-1	Filing ID:	56485
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Agency Information

1. Department:	Public Safety
Agency:	Emergency Medical Services
Building:	Calvin Rampton Building
Street address:	4501 S 2700 W
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 141775
City, state and zip:	Salt Lake City, UT 84114-1775

Contact persons:

Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov

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

General Information

2. Rule or section catchline:

R911-1. General Definitions

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

This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.

4. Summary of the new rule or change:

This rule establishes definitions applicable to Title R911 administrative rules under DPS, EMS. This filing essentially moves Rule R426-1 from DHHS to DPS with the new rule number being R911-1 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024).

(EDITOR'S NOTE: The proposed repeal of Rule R426-1 is under ID 56460 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-1 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

B) Local governments:

There is no anticipated cost or savings to local governments, as this rule filing only moves R426-1 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-1 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-1 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-1 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-1 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, 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 53-2d-101.1		
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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:	06/14/2024
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9. This rule change MAY become effective on:

07/01/2024
 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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R911-2	Filing ID: 56486

Agency Information

1. Department:	Public Safety	
Agency:	Emergency Medical Services	
Building:	Calvin Rampton Building	
Street address:	4501 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-2. Emergency Medical Services Provider Designations for Pre-Hospital Providers, Critical Incident Stress Management and Quality Assurance Reviews
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.
4. Summary of the new rule or change:
This filing essentially moves Rule R426-2 from DHHS to DPS with the new rule number being R911-2 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024). (EDITOR'S NOTE: The proposed repeal of Rule R426-2 is under ID 56461 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-2 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
B) Local governments:
There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-2 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-2 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-2 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-2 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-2 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
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

NOTICES OF PROPOSED RULES

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, 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 53-2d-101.1		
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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: 06/14/2024

9. This rule change MAY become effective on: 07/01/2024

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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R911-3	Filing ID: 56488

Agency Information

1. Department:	Public Safety	
Agency:	Emergency Medical Services	
Building:	Calvin Rampton Building	
Street address:	4501 S. 2700 W.	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov

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

General Information

2. Rule or section catchline:
R911-3. Licensure

3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and

authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.

4. Summary of the new rule or change:

This filing essentially moves Rule R426-3 from DHHS to DPS with the new rule number being R911-3 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024).

(EDITOR'S NOTE: The proposed repeal of Rule R426-3 is under ID 56462 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-3 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

B) Local governments:

There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-3 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-3 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-3 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves

Rule R426-3 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-3 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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
Total Fiscal Cost	\$0	\$0	\$0

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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, 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 53-2d-103(1)(e)	Section 53-2d-104	Section 53-2d-101.1

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/14/2024

9. This rule change MAY become effective on:	07/01/2024
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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R911-4	Filing ID: 56489

Agency Information

1. Department:	Public Safety	
Agency:	Emergency Medical Services	
Building:	Calvin Rampton Building	
Street address:	4501 S. 2700 W.	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-4. Operations
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.
4. Summary of the new rule or change:
This filing essentially moves Rule R426-4 from DHHS to DPS with the new rule number being R911-4 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024). (EDITOR'S NOTE: The proposed repeal of Rule R426-4 is under ID 56463 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-4 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
B) Local governments:
There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-4 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-4 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-4

from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-4 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-4 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, 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 53-2d-101.1		
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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:	06/14/2024
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9. This rule change MAY become effective on: 07/01/2024

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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	New		
Rule or Section Number:	R911-5	Filing ID:	56490

Agency Information

1. Department:	Public Safety
Agency:	Emergency Medical Services
Building:	Calvin Rampton Building
Street address:	4501 S. 2700 W.
City, state and zip:	Taylorsville, UT 84129

Mailing address: PO Box 141775		
City, state and zip: Salt Lake City, UT 84114-1775		
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-5. Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.
4. Summary of the new rule or change:
This filing essentially moves Rule R426-5 from DHHS to DPS with the new rule number being R911-5 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024). (EDITOR'S NOTE: The proposed repeal of Rule R426-5 is under ID 56464 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-5 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
B) Local governments:
There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-5

from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-5 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-5 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-5 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-5 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Public Safety, Jess L. Anderson, 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		
53-2d-101.1		

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	National EMS Scope of Practice Model
Publisher	National Association of State EMS Officials (NASEMSO)
Issue Date	February 2019
Issue or Version	2019

B) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	EMT Student Handbook

Publisher	Utah Department of Health and Human Services
Issue Date	July 2023

C) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular
Publisher	American Heart Association
Issue Date	2020

D) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Recertification Guide
Publisher	National Registry of Emergency Medical Technicians
Issue Date	February 1, 2023
Issue or Version	Version 4

E) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	EMS Instructor Training Program
Publisher	United States Department of Transportation
Issue Date	May 1996

F) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Course Coordinator Manual
Publisher	Utah Department of Health and Human Services
Issue Date	March 2023

G) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Training Officer Manual

NOTICES OF PROPOSED RULES

Publisher	Utah Department of Health and Human Services
Issue Date	July 2023

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

Official Title of Materials Incorporated (from title page)	Standard and Guidelines for the Accreditation of Education Programs in the Emergency Medical Services Professions
Publisher	Commission on Accreditation of Allied Health Education Programs (CAAHEP)
Issue Date	2023

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:	06/14/2024
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9. This rule change MAY become effective on:	07/01/2024
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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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R911-6	Filing ID: 56491

Agency Information

1. Department:	Public Safety
Agency:	Emergency Medical Services
Building:	Calvin Rampton Building
Street address:	4501 S. 2700 W.
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 141775
City, state and zip:	Salt Lake City, UT 84114-1775

Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-6. Emergency Medical Services Per Capita Grants and Competitive Grants Program

3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.

4. Summary of the new rule or change:
This filing essentially moves Rule R426-6 from DHHS to DPS with the new rule number being R911-6 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024).

(EDITOR'S NOTE: The proposed repeal of Rule R426-6 is under ID 56465 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-6 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
B) Local governments: There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-6 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-6 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-6 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-6 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-6 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, 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 53-2d-101.1		
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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:	06/14/2024
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9. This rule change MAY become effective on:

07/01/2024
 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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R911-7	Filing ID: 56492

Agency Information

1. Department:	Public Safety	
Agency:	Emergency Medical Services	
Building:	Calvin Rampton Building	
Street address:	4501 S. 2700 W.	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-7. Emergency Medical Services Prehospital Data System Rules
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.
4. Summary of the new rule or change:
This filing essentially moves Rule R426-7 from DHHS to DPS with the new rule number being R911-7 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024).
(EDITOR'S NOTE: The proposed repeal of Rule R426-7 is under ID 56466 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-7 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
B) Local governments:
There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-7 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-7 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-7 from t DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-7 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-7 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Public Safety, Jess L. Anderson, 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 53-2d-203

Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	NEMSIS Data Dictionary

Publisher	National EMS Information System and National Highway Traffic Safety Administration
Issue Date	March 17, 2023
Issue or Version	3.5

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

Official Title of Materials Incorporated (from title page)	NEMSIS State Data Set Utah
Publisher	National EMS Information System
Issue Date	April 2024
Issue or Version	3.5

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:	06/14/2024
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9. This rule change MAY become effective on:	07/01/2024
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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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING:	New	
Rule or Section Number:	R911-8	Filing ID: 56493

Agency Information

1. Department:	Public Safety
Agency:	Emergency Medical Services
Building:	Calvin Rampton Building
Street address:	4501 S. 2700 W.
City, state and zip:	Taylorsville, UT 84129
Mailing address:	PO Box 141775

City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-8. Emergency Medical Services Ground Ambulance Rates and Charges
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.
4. Summary of the new rule or change:
This filing essentially moves Rule R426-8 from DHHS to DPS with the new rule number being R911-8 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024). (EDITOR'S NOTE: The proposed repeal of Rule R426-8 is under ID 56467 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-8 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.
B) Local governments:
There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-8 from DHHS to DPS in response to the passage of S.B. 64

(2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-8 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-8 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-8 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-8 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Public Safety, Jess L. Anderson, 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 53-2d-503 Section 53-2d-103

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: 06/14/2024

9. This rule change MAY become effective on: 07/01/2024
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

Agency head or designee and title: Darin Bushman, Director EMS Bureau	Date: 05/01/2024
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NOTICE OF PROPOSED RULE		
TYPE OF FILING: New		
Rule or Section Number:	R911-9	Filing ID: 56494

Agency Information

1. Department:	Public Safety	
Agency:	Emergency Medical Services	
Building:	Calvin Rampton Building	
Street address:	4501 S. 2700 W.	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-9. Specialty Care Systems Facility Designations
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.
4. Summary of the new rule or change:
This filing essentially moves Rule R426-9 from DHHS to DPS with the new rule number being R911-9 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024).
(EDITOR'S NOTE: The proposed repeal of Rule R426-9 is under ID 56468 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-9 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

B) Local governments:

There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-9 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-9 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-9 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-9 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-9 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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
Total Fiscal Cost	\$0	\$0	\$0

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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	Resources for Optimal Care of the Injured Patient
Publisher	American College of Surgeons
Issue or Version	2014

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

Official Title of Materials Incorporated (from title page)	National Trauma Data Standard Data Dictionary
Publisher	American College of Surgeons
Issue Date	July 2023
Issue or Version	2024

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

Official Title of Materials Incorporated (from title page)	Utah Trauma Registry State Required Elements Addendum to the NTDS Data Dictionary
Publisher	Utah Department of Health and Human Services
Issue or Version	2023

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		
53-2d-101.1		

Public Notice Information

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

A) Comments will be accepted until:	06/14/2024
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9. This rule change MAY become effective on:	07/01/2024
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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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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NOTICE OF PROPOSED RULE

TYPE OF FILING: New		
Rule or Section Number:	R911-10	Filing ID: 56495

Agency Information

1. Department:	Public Safety	
Agency:	Emergency Medical Services	
Building:	Calvin Rampton Building	
Street address:	4501 S. 2700 W.	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Darin Bushman	801-608-7367	dbushman@utah.gov
Kim Gibb	801-556-8198	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R911-10. Air Ambulance Licensure and Operations
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 64 during the 2023 General Session, which moves the Bureau of Emergency Medical Services (EMS) from the Department of Health and Human Services (DHHS) to the Department of Public Safety (DPS); and S.B. 72 during the 2024 General Session, which includes some cleanup language to address issues from S.B. 64 (2023), and authorizes DPS to engage in the rulemaking process effective 03/13/2024 to transfer administrative rules from DHHS to DPS.
4. Summary of the new rule or change:
This filing essentially moves Rule R426-10 from DHHS to DPS with the new rule number being R911-10 and incorporates new statutory references due to the passage of S.B. 64 (2023), and S.B. 72 (2024).
(EDITOR'S NOTE: The proposed repeal of Rule R426-10 is under ID 56469 in this issue, May 15, 2024, of the Bulletin.)

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 filing only moves Rule R426-10 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

B) Local governments:

There is no anticipated cost or savings to local governments, as this rule filing only moves Rule R426-10 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to small businesses, as this rule filing only moves Rule R426-10 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There is no anticipated cost or savings to non-small businesses, as this rule filing only moves Rule R426-10 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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 persons other than small businesses, non-small businesses, state, or local government entities, as this rule filing only moves Rule R426-10 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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

There are no anticipated compliance costs or savings for affected persons, as this rule filing only moves Rule R426-10 from DHHS to DPS in response to the passage of S.B. 64 (2023) and will have no impact on how DPS functions or the parties this applies to.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Department of Public Safety, Jess L. Anderson, 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		
53-2d-101.1		

Public Notice Information

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

A) Comments will be accepted until:	06/14/2024
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9. This rule change MAY become effective on:	07/01/2024
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

Agency head or designee and title:	Darin Bushman, Director EMS Bureau	Date:	05/01/2024
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End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Digest* ends June 14, 2024.

From the end of the 30-day waiting period through September 12, 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.

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF CHANGE IN PROPOSED RULE		
Rule or Section Number:	R317-16	Filing ID: 56312
Date of Previous Publication:	02/15/2024	

Agency Information

1. Department:	Environmental Quality	
Agency:	Water Quality	
Room number:	DEQ, 3rd Floor	
Building:	Multi Agency State Office Building	
Street address:	195 N 1950 W	
City, state and zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144870	
City, state and zip:	Salt Lake City, UT 84114-4870	
Contact persons:		
Name:	Phone:	Email:
James Harris	801-541-3069	jamesharris@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R317-16. Great Salt Lake Mineral Extraction Facility Operator Certification Approval
3. Reason for this change:
The changes are proposed in response to comments received during the public comment period.
4. Summary of this change:
The changes in the proposed rule include refinements to definitions, minor additions to the feasibility assessment requirements, changes to citations to ensure compatibility with related rules and general edits for clarity. (EDITOR'S NOTE: The original proposed new rule upon which this change in proposed rule (CPR) was based was published in the February 15, 2024, issue of the Utah State Bulletin, on page 4. Underlining in the rule below indicates text that has been added since the publication of the proposed new rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed new rule together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

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 impact to the state budget since the proposed changes are primarily for the purposes of clarification and consistency in response to comments received during the initial comment period.
B) Local government:
There is no anticipated cost or savings impact to local governments since proposed changes are primarily for the purposes of clarification and consistency in response to comments received during the initial comment period.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule modification is not anticipated to impact small businesses' costs or savings, since the proposed changes are primarily for the purposes of clarification and consistency in response to comments received during the initial comment period.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule modification is not anticipated to impact non-small businesses' costs or savings, since the proposed changes are primarily for the purposes of clarification and consistency in response to comments received during the initial comment period.
E) Persons other than small businesses, non-small businesses, or state or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
Persons other than small businesses, non-small businesses, or state or local government entities will not be financially affected, since the proposed changes are primarily for the purposes of clarification and consistency in response to comments received during the initial comment period.
F) Compliance costs for affected persons:
These changes are in response to comments received during the initial comment period and intended to provide clarification and consistency with related rules. There are no additional anticipated compliance costs for affected persons due to the proposed changes.
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

NOTICES OF CHANGES IN PROPOSED RULES

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

The Executive Director of the Department of Environmental Quality, Kimberly Shelley, 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 65A-6-4(6)(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.)

A) Comments will be accepted until: 06/17/2024

9. This rule change MAY become effective on: 06/26/2024

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

Agency head or designee and title:	John K. Mackey, Division Director	Date:	04/30/2024
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NOTICE OF CHANGE IN PROPOSED RULE

Rule or Section Number:	R990-200-4	Filing ID: 56283
Date of Previous Publication:	02/15/2024	

Agency Information

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

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

General Information

2. Rule or section catchline:
R990-200-4. Applicant Qualifications

3. Reason for this change:

The purpose of this change is to clarify the procedure and timeline for submission of additional materials in support of a private activity bond project application.

4. Summary of this change:

This change clarifies that the Private Activity Bond Review Board will accept additional documentation in support of a project application only if program staff request additional documentation and that program staff will establish the timeline for submission.

(EDITOR'S NOTE: The original proposed amendment upon which this change in proposed rule (CPR) was based was published in the February 15, 2024, issue of the Utah State Bulletin, on page 36. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

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

A) State budget:
 This rule change is not expected to have any fiscal impact on state revenues or expenditures.
 No additional state employees or resources will be needed to oversee this rule change. This rule change will not increase workload and can be carried out with existing budget.

B) Local government:
 This rule change is not expected to have a fiscal impact on local governments' revenues or expenditures because the program does not rely on local governments for funding, administration, or enforcement.

C) Small businesses ("small business" means a business employing 1-49 persons):
 This rule change may have an indirect fiscal impact on small businesses because it requires authorization from program staff before an applicant may submit corrected or updated documentation for an existing application.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 This rule change may have an indirect fiscal impact on non-small businesses because it requires authorization from program staff before an applicant may submit corrected or updated documentation for an existing application.

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

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

This rule change does not have a fiscal impact on other persons. This rule change requires no action or compliance by a person other than an applicant to the Board of Review.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons because this rule change does not create new administrative fees.

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
Total Fiscal Cost	\$0	\$0	\$0
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
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

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

NOTICES OF CHANGES IN PROPOSED RULES

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

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

A) Comments will be accepted until:	06/14/2024
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Citation Information

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

Section 35A-8-2104		
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9. This rule change MAY become effective on:	06/21/2024
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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.

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 Authorization Information

Agency head or designee and title:	Casey Cameron, Executive Director	Date:	04/29/2024
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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. 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

Rule Number:	R13-2	Filing ID: 53850
Effective Date:	04/30/2024	

Agency Information

1. Department:	Government Operations	
Agency:	Administration	
Room number:	3rd Floor	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W, Floor 3	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 141002	
City, state and zip:	Salt Lake City, UT 84114-1002	
Contact persons:		
Name:	Phone:	Email:
Marvin Dodge	801-957-7171	govopsinfo@utah.gov

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

General Information

2. Rule catchline:	R13-2. Management of Records and Access to Records
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	As this rule is being renewed, the original statutory provisions authorizing this rule still apply.

Subsection 63G-2-204(3) grants rulemaking authority to government agencies in general on how to access records.

Subsection 63A-12-104 grants the state archivist authority to make rules for an executive branch agency regarding records access.

Subsection 63A-1-105.5 grants the executive director of government operations rulemaking authority in general.

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

No comments received in the last five years.

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

Rules regarding records access within the agencies of government operations continue to be contemplated by the authorizing statutes. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Marvin Dodge, Executive Director	Date:	04/29/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R156-60a	Filing ID: 56210
Effective Date:	04/16/2024	

Agency Information

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

General Information

2. Rule catchline:
R156-60a. Social Worker Licensing Act Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 58, Chapter 60, Part 2, provides for the licensure and regulation of various classifications of social workers.
Subsection 58-1-106(1) provides that the Division of Professional Licensing (Division) may adopt and enforce rules to administer Title 58.
Subsection 58-1-202(1)(a) provides that the Social Worker Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules.
This rule was enacted to clarify the provisions of Title 58, Chapter 60, Part 2, with respect to social workers.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
Since this rule was last reviewed in June 2019, this rule has been amended three times.
The Division has received no written comments with respect to this rule or any of the proposed rule filings done in 2020, 2023, and 2024.
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 as it provides a mechanism to inform potential licensees of the requirements for licensure

as allowed under statutory authority provided in Title 58, Chapter 60, Part 2.

It also provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Mark B. Steinagel, Division Director	Date:	04/16/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R156-60b	Filing ID:	56211
Effective Date:	04/16/2024		

Agency Information

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

General Information

2. Rule catchline:
R156-60b. Marriage and Family Therapist Licensing Act Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Title 58, Chapter 60, Part 3, provides for the licensure and regulation of marriage and family therapists and associate marriage and family therapists.

Subsection 58-1-106(1) provides that the Division of Professional Licensing (Division) may adopt and enforce rules to administer Title 58.

Subsection 58-1-202(1)(a) provides that the Marriage and Family Therapist Licensing Board's duties, functions and responsibilities includes recommending to the director appropriate rules.

This rule was enacted to clarify the provisions of Title 58, Chapter 60, Part 3, with respect to marriage and family therapists and associate marriage and family therapists.

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

Since this rule was last reviewed in June 2019, it has been amended four times.

The Division received, January 2022, written comments from approximately 40 marriage and family therapist (MFT) licensees and MFT students who were opposing proposed rule amendments, but specifically the reduction in clinical hours from 500 hours to 300 hours.

The written comments were reviewed by the Division and Marriage and Family Therapist Licensing Board and the proposed amendments were eventually made effective on March 7, 2022, with no further amendments.

The Division has received no other written comments with respect to this rule beyond the written comments identified above.

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 as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 60, Part 3.

This rule also provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Mark B. Steinagel, Division Director	Date:	04/16/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R156-60c	Filing ID:	56216
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Effective Date:	04/16/2024
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Agency Information

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

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

General Information

2. Rule catchline:
R156-60c. Clinical Mental Health Counselor Licensing Act Rule

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

Title 58, Chapter 60, Part 4, provides for the licensure and regulation of clinical mental health counselors and associate clinical mental health counselors.

Subsection 58-1-106(1) provides that the Division of Professional Licensing (Division) may adopt and enforce rules to administer Title 58.

Subsection 58-1-202(1)(a) provides that the Clinical Mental Health Counselors Licensing Board's duties, functions, and responsibilities includes recommending to the director appropriate rules.

This rule was enacted to clarify the provisions of Title 58, Chapter 60, Part 4, with respect to clinical mental health counselors and associate clinical mental health counselor.

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

Since this rule was last reviewed in September 2019, this rule has been amended three times.

The only written comment the Division received with respect to this rule was a November 3, 2020, email from Trent Landon/Utah State University in which he summarized his comments made during an October 5,

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

2020, rule hearing. Mr. Landon confirmed that changes were being made in the clinical mental health counselor program at Utah State University which would be in line with the proposed 2020 amendments to this rule.

Mr. Landon's written public comment also discussed Code of Ethics being identified in this rule and what surrounding states were using for clinical mental health counselor Code of Ethics. The Division and Clinical Mental Health Counselor Licensing Board considered Mr. Landon's written comments and eventually made the proposed amendments to the rule effective on November 10, 2020, with no further changes to this rule.

No other written comments have been received by the Division with respect to this rule.

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

This rule is necessary as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 60, Part 4.

This rule also provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Mark B. Steinagel, Division Director	Date:	04/16/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R527-10	Filing ID:	55581
Effective Date:	04/22/2024		

Agency Information

1. Department:	Health and Human Services		
Agency:	Recovery Services		
Building:	Taylorsville State Office Building		
Street address:	4315 S 2700 W		
City, state and zip:	Taylorsville, UT 84129		
Mailing address:	PO Box 45033		
City, state and zip:	Salt Lake City, UT 84145-0033		
Contact persons:			
Name:	Phone:	Email:	

Jodi Witte	801-741-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov

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

General Information

2. Rule catchline:

R527-10. Disclosure of Information to the Office of Recovery Services

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

Sections 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.

Subsection 26B-9-105(2) requires ORS to specify, by rule, the type of health insurance and financial record information financial institutions and insurance companies are required to provide.

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 in support or opposition 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:

This rule is necessary for ORS to comply with Subsection 26B-9-105(2). Information from financial institutions and insurance companies helps ORS successfully collect child support and provide insurance information to families. Therefore, this rule should be continued.

Tere have been no comments in opposition to this rule.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/19/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R527-332	Filing ID: 55571
Effective Date:	04/22/2024	

Agency Information

1. Department:	Health and Human Servicers	
Agency:	Recovery Services	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Jodi Witte	801-741-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R527-332. Unreimbursed Assistance
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Sections 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.
45 CFR 302.32 requires ORS to refund collections in excess of the unreimbursed assistance (URA) amount to the family within two calendar days of the end of the months that assistance was received. 45 CFR 302.32 further requires that ORS define URA and the process for making a URA calculation.
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 in support or opposition 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:
This rule is necessary to comply with federal regulations under which this rule was enacted are still in effect.
In addition, this rule provides the necessary information for ORS to calculate unreimbursed assistance (URS). Therefore, this rule should be continued.
There have been no comments in opposition to this rule.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/19/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R527-450	Filing ID: 55576
Effective Date:	04/22/2024	

Agency Information

1. Department:	Health and Human Services	
Agency:	Recovery Services	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 45033	
City, state and zip:	Salt Lake City, UT 84145-0033	
Contact persons:		
Name:	Phone:	Email:
Jodi Witte	801-471-7417	jwitte@utah.gov
Casey Cole	801-741-7523	cacole@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R527-450. Federal Tax Refund Intercept

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

Sections 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 responsibility.

42 USC 664 authorizes the Secretary of Treasury to determine whether any past-due child support amounts are payable to an individual upon receiving a notice from the state agency administering a plan for collecting child support.

45 CFR 303.72 outlines federal requirements for requesting collection of past-due support by federal tax refund intercept and how collections received by ORS shall be distributed.

As authorized under these laws, this rule provides the certification criteria for federal tax intercept, the notice requirements, the conditions under which an earned income credit may be refunded, the requirement for distribution of funds collected through this process, and when ORS is required to delete or modify a previously certified debt.

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 in support or opposition 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:

This rule provides the information necessary for certifying a support debt for federal tax refund intercept, for making necessary refunds and adjustments, and for distributing collected amounts.

The federal statutory provisions upon which this rule is based are still in effect. Therefore, this rule should be continued.

There have been no comments in opposition to this rule.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	04/19/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-280	Filing ID:	55050
Effective Date:	04/16/2024		

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room number:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state and zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone:	Email:
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 catchline:
R590-280. Counting Short-Term Funds

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

Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.

Section 31A-18-105 authorizes the insurance commissioner to write rules to permit specific investments as a part of a company's capital requirements.

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

The Department of Insurance has received no written comments regarding this rule during the past five years.

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

To operate in Utah, insurers are required to meet certain capital reserve levels to ensure their ongoing solvency. These reserves can be made of several different classes of financial instrument including investments, cash, and property.

This rule allows an insurer to count short-term funds as part of its investment portfolio that is used to meet capital reserve requirements. This rule is used to help insurers maintain solvency. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	04/16/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R661-13	Filing ID:	56272
Effective Date:	04/30/2024		

Agency Information

1. Department:	Navajo Trust Fund		
Agency:	Trustees		
Street address:	151 E 500 N		
City, state and zip:	Blanding, UT 84511		
Contact persons:			
Name:	Phone:	Email:	
Maury Bergman	435 678-1461	mbergman@utah.gov	
Tony Dayish	435 678-1468	tdayish@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R661-13. Veteran's Housing Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Statutory provisions are under Subsection 51-10-205(4): The Trust Administrator shall make rules in accordance with Subsection 51-10-205(6) that establish policies and criteria for expenditure of fund money.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received since the last five-year review of this rule from interested persons.
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 enables the Utah Navajo Trust Fund to honor veterans by providing funding for new housing construction or remodeling projects. Therefore, this rule should be continued.

No comments in opposition to this rule have been received.

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	04/30/2024
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R909-2	Filing ID:	54997
Effective Date:	04/30/2024		

Agency Information

1. Department:	Transportation		
Agency:	Motor Carrier		
Room no.:	Administrative Suite, 1st Floor		
Building:	Calvin Rampton Bldg.		
Street address:	4501 S. 2700 W.		
City, state and zip:	Taylorsville, UT 84129		
Mailing address:	PO Box 148455		
City, state and zip:	Salt Lake City, UT 84114-8455		
Contact person(s):			
Name:	Phone:	Name:	
Leif Elder	801-580-8296	lelder@utah.gov	
Marlene Galindo	801-965-4026	mgalindo1@utah.gov	
James Godin	801-573-7181	jamesjgodin@agutah.gov	
Lori Edwards	801-965-4048	loriedwards@agutah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R909-2. Utah Size and Weight Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 41-1a-231 requires the Department of Transportation (Department) to make rules for application, identification, approval, denial, and appeal of special mobile equipment status.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Section 72-7-406 requires the Department to make rules governing the issuance and revocation of all permits for oversized and escort vehicles, etc.

Section 72-9-502 requires the Department to make rules for the issuance of a temporary port-of-entry by-pass permit.

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

No written comments were received during and since the last five-year review.

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

This rule is still serving its same purpose it did five years ago. Therefore, this rule should be continued.

The Department is planning to make some amendments to this rule, but those amendments will not be finalized before the forthcoming five-year review deadline.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, PE, Executive Director	Date:	04/30/2024
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Animal Industry

No. 56256 (Amendment) R58-11: Slaughter of Livestock and Poultry

Published: 01/01/2024

Effective: 04/22/2024

No. 56256 (Change in Proposed Rule) R58-11: Slaughter of Livestock and Poultry

Published: 03/15/2024

Effective: 04/22/2024

Medical Cannabis and Industrial Hemp

No. 56340 (New Rule) R66-1: Cannabis Cultivation

Published: 04/01/2024

Effective: 05/13/2024

No. 56365 (New Rule) R66-2: Cannabis Processing

Published: 04/01/2024

Effective: 05/13/2024

No. 56342 (New Rule) R66-5: Medical Cannabis Pharmacy

Published: 04/01/2024

Effective: 05/13/2024

No. 56344 (New Rule) R66-6: Home Delivery and Courier

Published: 04/01/2024

Effective: 05/13/2024

No. 56346 (New Rule) R66-7: Educational Event and Educational Material Rules

Published: 04/01/2024

Effective: 05/13/2024

No. 56348 (New Rule) R66-8: Academic Medical Cannabis Research

Published: 04/01/2024

Effective: 05/13/2024

No. 56350 (New Rule) R66-9: Cannabis Licensing Process

Published: 04/01/2024

Effective: 05/13/2024

No. 56352 (New Rule) R66-30: Industrial Hemp Program - Cannabinoid Product Processors

Published: 04/01/2024

Effective: 05/13/2024

No. 56354 (New Rule) R66-31: Industrial Hemp Cannabinoid Product Testing

Published: 04/01/2024

Effective: 05/13/2024

No. 56356 (New Rule) R66-32: Industrial Hemp Testing Laboratory

Published: 04/01/2024

Effective: 05/13/2024

No. 56358 (New Rule) R66-33: Industrial Hemp Producer Registration

Published: 04/01/2024

Effective: 05/13/2024

No. 56360 (New Rule) R66-34: Industrial Hemp Retailer Permit

Published: 04/01/2024

Effective: 05/13/2024

No. 56362 (New Rule) R66-35: Cannabinoid Product Registration and Labeling

Published: 04/01/2024

Effective: 05/13/2024

Plant Industry

No. 56351 (Repeal) R68-25: Industrial Hemp Program - Cannabinoid Product Processors

Published: 04/01/2024

Effective: 05/13/2024

NOTICES OF RULE EFFECTIVE DATES

No. 56361 (Repeal) R68-26: Cannabinoid Product Registration and Labeling
Published: 04/01/2024
Effective: 05/13/2024

No. 56339 (Repeal) R68-27: Cannabis Cultivation
Published: 04/01/2024
Effective: 05/13/2024

No. 56364 (Repeal) R68-28: Cannabis Processing
Published: 04/01/2024
Effective: 05/13/2024

No. 56334 (Amendment) R68-30: Independent Cannabis Testing Laboratory
Published: 03/15/2024
Effective: 05/06/2024

No. 56359 (Repeal) R68-33: Industrial Hemp Retailer Permit
Published: 04/01/2024
Effective: 05/13/2024

No. 56345 (Repeal) R68-34: Educational Event and Educational Material Rules
Published: 04/01/2024
Effective: 05/13/2024

No. 56347 (Repeal) R68-35: Academic Medical Cannabis Research
Published: 04/01/2024
Effective: 05/13/2024

No. 56368 (Repeal) R68-36: Industrial Hemp Testing Laboratory
Published: 04/01/2024
Effective: 05/13/2024

No. 56353 (Repeal) R68-37: Industrial Hemp Cannabinoid Product Testing
Published: 04/01/2024
Effective: 05/13/2024

No. 56349 (Repeal) R68-38: Cannabis Licensing Process
Published: 04/01/2024
Effective: 05/13/2024

No. 56357 (Repeal) R68-39: Industrial Hemp Producer Registration
Published: 04/01/2024
Effective: 05/13/2024

No. 56341 (Repeal) R68-40: Medical Cannabis Pharmacy
Published: 04/01/2024
Effective: 05/13/2024

No. 56343 (Repeal) R68-41: Home Delivery and Courier
Published: 04/01/2024
Effective: 05/13/2024

Auditor
Administration
No. 56331 (Amendment) R123-6: Allocation of Money in the Property Tax Valuation Agency Fund
Published: 03/15/2024
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Professional Licensing
No. 56322 (Amendment) R156-1: General Rule of the Division of Occupational and Professional Licensing
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No. 56336 (Amendment) R162-2e: Appraisal Management Company Administrative Rules
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No. 56385 (Amendment) R277-302: Educator Licensing Renewal
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No. 56386 (Amendment) R277-305: School Leadership License Areas of Concentration and Programs
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No. 56387 (Amendment) R277-310: International Guest Teachers
Published: 04/01/2024
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No. 56388 (Amendment) R277-472: Charter School Student Enrollment and Transfers and School District Capacity Information
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Environmental Quality
Waste Management and Radiation Control, Waste Management
No. 56319 (Amendment) R315-320: Waste Tire Transporter and Recycler Requirements
Published: 03/01/2024
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Administration
No. 56036 (Amendment) R380-70: Standards for Electronic Exchange of Clinical Health Information
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No. 56036 (Change in Proposed Rule) R380-70: Standards for Electronic Exchange of Clinical Health Information
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Population Health, Environmental Health
 No. 56391 (Repeal and Reenact) R392-100: Food Service Sanitation
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Patient Safety Program
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 Published: 01/01/2024
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Data, Systems and Evaluation, Vital Records and Statistics
 No. 55961 (Amendment) R436-7: Death Registration
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No. 55961 (Change in Proposed Rule) R436-7: Death Registration
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 No. 56269 (Amendment) R501-15: Therapeutic Schools
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 Published: 01/01/2024
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Judicial Performance Evaluation Commission Administration
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 Published: 04/01/2024
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 Published: 03/15/2024
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