

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between May 16, 2024, 12:00 a.m., and May 31, 2024, 11:59 p.m. are included in this, the June 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 July 15, 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 October 14, 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 SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R66-5	Filing ID: 56533

Agency Information

1. Title catchline:	Agriculture and Food, Medical Cannabis and Industrial Hemp	
Building:	Taylorsville State Office Building, South Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT	
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
Brandon Forsyth	801-710-9945	bforsyth@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:
R66-5. Medical Cannabis Pharmacy
3. Purpose of the new rule or reason for the change:
Changes are needed to ensure this rule is consistent with statutory changes passed in H.B. 233, Medical Cannabis Amendments, during the 2024 General Session. Additional clarifications have been added based on Department of Agriculture and Food (Department) needs that have arisen as medical cannabis pharmacies have transitioned to Department management.
4. Summary of the new rule or change:
In Section R66-5-2, this rule is clarified to ensure that pharmacy medical providers (PMP) satisfy new requirements in Subsection 4-41a-102(47). In Sections R66-5-4 and R66-5-5, language is added allowing pharmacists in charge to manage inventory pursuant to Subsection 4-41a-1101(12).

In Section R66-5-7, a requirement is added for a PMP to always carry their registration card and clarifications are added regarding visitor logs.
In Section R66-5-9, clarifications are added regarding the information that must be contained on a transport manifest.
Storage requirements are added in a new Section R66-5-10.
A new Section R66-5-18 and Section R66-5-19 have been added requiring notice of change in operating plans and outlining procedures for license renewal.
Language has been added in Section R66-5-21 delineating geographic regions, as allowed by Subsection 4-41a-1005(1).
Finally, violation procedures are set forth in Section R66-5-27.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
These changes are clarifying in nature and will not impact the state budget because they provide additional detail regarding how the Department administers the program rather than change current practices.
B) Local governments:
Local governments are not licensed under the cannabis program and will not be impacted by the rule change.
C) Small businesses ("small business" means a business employing 1-49 persons):
The clarifying rule changes may have a minimal fiscal impact on small businesses. The Department estimates a cost of \$1,000 per each of the state's 15 medical cannabis pharmacies in fiscal year 2025 to cover the cost of printing updated visitor logs and transport manifests and purchasing new storage shelving. Approximately 7 of the 15 pharmacies qualify as small businesses for a total cost of \$7,000.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The clarifying rule changes may have a minimal fiscal impact on non-small businesses. The Department estimates a cost of \$1,000 per each of the state's 15 medical cannabis pharmacies in fiscal year 2025 to cover the cost of printing updated visitor logs and transport manifests and purchasing new storage shelving.

Approximately 8 of the 15 pharmacies qualify as non-small businesses for a total cost of \$8,000.

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

Other persons do not participate in the medical cannabis program and will not be impacted by the rule change.

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

Compliance costs for affected will be impacted with an estimated cost of \$1,000 per pharmacy to print new transport manifests and visitor logs and purchase shelving to satisfy storage 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	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$7,000	\$0	\$0
Non-Small Businesses	\$8,000	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$15,000	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
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	\$(15,000)	\$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 4-41a-1101	Section 4-2-103	
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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: 07/15/2024

9. This rule change MAY become effective on: 07/22/2024

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:	Craig W. Buttars, Commissioner	Date:	05/31/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or Section Number:	R66-9	Filing ID: 56534

Agency Information

1. Title catchline:	Agriculture and Food, Medical Cannabis and Industrial Hemp
Building:	Taylorville Office Building, South Building
Street address:	4315 S 2799 W
City, state:	Taylorville, UT
Mailing address:	PO Box 146500
City, state and zip:	Salt Lake City, 84114-6500

Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-816-3842	bforsyth@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:
R66-9. Cannabis Licensing Process
3. Purpose of the new rule or reason for the change:
Changes are needed to ensure this rule is consistent with statutory changes passed in S.B. 233, Cannabis Amendments, during the 2024 General Session, as well as make necessary clarifications identified as the Department of Agriculture and Food (Department) has taken over management of medical cannabis pharmacies.
4. Summary of the new rule or change:
The definition of "medical cannabis pharmacy" has been added to Section R66-9-2.
Clarifications are added to the licensing process delineated in Section R66-9-3.
References to "pharmacy" have been added throughout this rule consistent with the Department's current management of pharmacies and the movement of pharmacies under the medical cannabis licensing board in S.B. 233 (2024).

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The state budget will not be impacted by the rule changes because the changes are clarifying in nature.
The Department previously administered licensing and will continue to do so with the approval of the licensing board.
B) Local governments:
Local governments are not impacted by the change because they do not participate in the medical cannabis program.

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

Small businesses will not be impacted by the change. The requirements for obtaining a licensing are not changing, they are just clarified.

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

Non-Small businesses will not be impacted by the change. The requirements for obtaining a licensing are not changing, they are just clarified.

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

Other persons will not be impacted and do not participate in the medical cannabis program.

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

Compliance costs and licensing requirements are not changing.

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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 4-41a-201	Section 4-2-103	

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:	07/15/2024

9. This rule change MAY become effective on:	07/22/2024
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:	Craig W. Buttars, Commissioner	Date:	05/24/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R70-530	Filing ID: 56529

Agency Information

1. Title catchline:	Agriculture and Food, Regulatory Services
Building:	Taylorville State Office Building, South Building
Street address:	4315 S 2700 W
City, state:	Taylorville, UT

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
Travis Waller	801-971-4943	twaller@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:
R70-530. Food Protection
3. Purpose of the new rule or reason for the change:
Changes are needed to incorporate the latest version of the FDA Food Code with exceptions needed by the Department of Agriculture and Food (Department), including those consistent with Rule R392-100 from the Department of Health and Human Services.
4. Summary of the new rule or change:
In the filing, Subsection R70-530-3(1) is updated to incorporate the most recent versions of 21 CFR, 1-200, 40 CFR 185, and 9 CFR 200.
Subsection R70-530-3(2) has also been updated to incorporate the 2022 version of the U.S. Public Health Service, Food and Drug Administration Food Code (Food Code), rather than the 2013 version, with some exceptions.
In Subsection R70-530-3(3), Annex I of the Food Code is incorporated with some exceptions.
In Subsection R70-530-3(4), Annex 2 is incorporated.
In Subsection R70-5303(5), modifications to the Food Code as incorporated are outlined. This rule change includes changes in the incorporation related to the following paragraphs or Sections: Paragraph 2-1-2.12(A); Paragraph 3-201.17(B); Paragraph 3-501.17(G) (exception removed); Subparagraph 3-501.19(B)(2) (exception removed); Paragraph 4-204.123(B) (exception removed); Paragraph 5-203.14; Paragraph 6-501.115(B); and Section 8-103.11.
Other nonsubstantive changes in the rule have been made for clarity 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 cost or savings to the state budget.

These changes will not change the Department's administration of the retail food program or inspection process or workload. The only changes would involve updating training and adding some new coding in the food safety management system, which involves minimal if any cost.

B) Local governments:

Local governments are not regulated by the Department and will not be impacted by these changes.

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

There is no anticipated cost or savings to small businesses.

The changes for businesses will be minimal and clarifying in nature and do not include additional compliance costs that can be estimated by the Department.

Several of the changes are nonsubstantive and involve consolidating exclusions and reorganizing references to improve clarity.

Other changes are generally clarifying in nature. Specifically: Subsection R70-530-3(5)(f) clarifies who must be a certified food safety manager but does not change the requirement that one employee receive the necessary training; and Subsection R70-530-3(5)(h) will allow businesses to sell wild game products that were not previously saleable. Any cost of documentation and tracking should be offset by sales revenue.

The Department cannot estimate the fiscal impact of the additional sales because the Department does not require business to keep records of each sale, does not have that information, and is not aware of how many non-compliant comingled products are currently sold, if any.

Subsection R70-530-3(5)(k) clarifies plumbing but does not add additional plumbing requirements.

Subsection R70-530-3(5)(n) adds additional clarity and detail with respect to the circumstances under which animals are allowed in the food establishment, although the general requirements have not changed with the exception of added signage requirements for outdoor areas which carry a minimal cost that the Department cannot estimate due to multiple factors that could impact the cost of signage.

Finally, the changes in Subsection R70-530-3(5)(o) with respect to variance procedures are also clarifying in nature and do not change current general requirements.

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

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

The changes for businesses will be minimal and clarifying in nature and do not include additional compliance costs that can be estimated by the Department.

Several of the changes are nonsubstantive and involve consolidating exclusions and reorganizing references to improve clarity.

Other changes are generally clarifying in nature. Specifically: Subsection R70-530-3(5)(f) clarifies who must be a certified food safety manager but does not change the requirement that one employee receive the necessary training.

Subsection R70-530-3(5)(h) will allow businesses to sell wild game products that were not previously saleable. Any cost of documentation and tracking should be offset by sales revenue.

The Department cannot estimate the fiscal impact of the additional sales because the Department does not require business to keep records of each sale, does not have access to that information, and is not aware of how many non-compliant comingled products are currently sold, if any.

Subsection R70-530-3(5)(k) clarifies plumbing but does not add additional plumbing requirements.

Subsection R70-530-3(5)(n) adds additional clarity and detail with respect to the circumstances under which animals are allowed in the food establishment, although the general requirements have not changed with the exception of added signage requirements for outdoor areas which carry a minimal cost that the Department cannot estimate due to multiple factors that could impact the cost of signage.

Finally, the changes in Subsection R70-530-3(5)(o) with respect to variance procedures are also clarifying in nature and do not change current general requirements.

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

Other persons will not be impacted by this rule change because they are not registered food establishments.

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

Compliance costs for affected persons will not change because the changes are generally clarifying in nature and do not impose additional 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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 4-5-104	Subsection 4-4-107(6)	
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Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	21 CFR 1-200
Publisher	US Government Printing Office
Issue Date	April 11, 2024

B) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	40 CFR 180
Publisher	US Government Printing Office
Issue Date	May 14, 2024

C) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	9 CFR 200 to End
Publisher	US Government Printing Office
Issue Date	April 8, 2024

D) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	US Public Health Service, Food and Drug Administration, Food Code
Publisher	US Food and Drug Administration
Issue Date	2022

E) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	US Public Health Service, Food and Drug Administration, Food Code, Annex 1
Publisher	US Food and Drug Administration
Issue Date	2022

F) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	US Public Health Service, Food and Drug Administration, Food Code, Annex 2
Publisher	US Food and Drug Administration
Issue Date	2022

G) This rule adds, updates, or removes the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	21 U.S.C 342
Publisher	US Government Printing Office
Issue Date	January 5, 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:	07/15/2024
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9. This rule change MAY become effective on:	07/25/2024
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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:	Craig W. Buttars, Commissioner	Date:	05/16/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R156-26a	Filing ID: 56531

Agency Information

1. Title catchline:	Commerce, Professional Licensing
Building:	Heber M. Wells Building
Street address:	160 E 300 S
City, state:	Salt Lake City, UT

Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
Tracy Taylor	801-530-6628	trtaylor@utah.gov

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

General Information

2. Rule or section catchline:
R156-26a. Certified Public Accountant Licensing Act Rule

3. Purpose of the new rule or reason for the change:
The proposed amendments update this rule to align with changes to the AICPA Uniform CPA Examination and continuing education reporting requirements.

4. Summary of the new rule or change:
The amendments update this rule to align the education requirements with changes to the AICPA Uniform CPA Examination and Continuing Education Reporting Requirement.

Section R156-26a-102 updates definitions pertaining to CPE reporting and education accreditation.

Section R156-26a-302a updates the education standards to align with the changes to the AICPA Uniform CPA Examination.

Section R156-26a-302c updates the minimum education standard to sit for the AICPA Uniform CPA Examination consistent with the changes made in Section R156-26a-302a.

Formatting changes are also made throughout this rule consistent with OAR's Rulewriting Manual for Utah and to update citation references.

Public Hearing Information:
The hearing will be on 06/18/2024 at 2 PM at the Heber Wells Building at 160 E 300 S, 4th Floor Conference Room 474, Salt Lake City, UT.

Also via Google Meet:
Join with Google Meet meet.google.com/imt-iuas-ixc

Or join by phone:
(US) +1 575-448-4172
PIN: 688 332 292#

Fiscal Information

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

A) State budget:

The American Institute of CPAs (AICPA) is the national association with representatives in every US state and territory that prescribes national standards for CPAs, and it owns the Uniform CPA Examination that is required nationwide for licensure as a CPA.

The proposed amendments that conform this rule to AICPA Uniform CPA Examination changes are required to keep Utah's education/exam/CPE requirements in line with national standards and describe the requirements for access to the licensure exam, but none of these amendments will have any fiscal impact on state government revenues or expenditures because these changes will not affect or modify any existing state government policies or procedures.

B) Local governments:

The proposed amendments are not expected to have any fiscal impact on local governments' revenues or expenditures because none of the changes will apply to local governments.

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

The proposed amendments are not expected to have any fiscal impact on small businesses' revenues or expenditures because none of the changes will apply to small businesses.

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

The proposed amendments are not expected to have any fiscal impact on non-small businesses' revenues or expenditures because none of the changes will apply to non-small businesses.

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

The proposed amendments relating to CPE reporting requirements will apply to the 6,321 licensed certified public accountants (CPAs) in Utah and their programs that provide CPE, but the proposed amendments are not expected to have any fiscal impact on these persons because the amendments only update the reference on standards for CPE programs to the newest AICPA/NASBA Statement of Standards for CPE Programs that the CPE industry is already using as required by AICPA/NASBA, and clarify that the venue for reporting CPE is CPE Audit Service, the online CPE reporting system administered by NASBA that CPA licensees use.

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

As described in Box 5E above, the proposed amendments are not expected to impose any compliance costs on any affected persons because they merely update this rule to reference the standards those in the industry are already using and pinpoint the venue for licensee CPE reporting and will not impose any additional financial or non-financial burdens on these 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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 W. Busse, has reviewed and approved this regulatory impact analysis.

The Division of Professional Licensing, in concert with the Utah Board of Accountancy, proposes to amend Rule

R156-26a to align the education requirement with changes to the AICPA Uniform CPA Examination and Continuing Education Reporting Requirement.

Section R156-26a-102 updates definitions pertaining to CPE reporting and education accreditation.

Section R156-26a-302c updates the minimum education standards to sit for the AICPA Uniform CPA Examination consistent with the changes made in R156-26a-302a.

Formatting changes are also made throughout this rule consistent with OAR's Rulewriting Manual for Utah and to update citation references.

Small Businesses (less than 50 employees): The proposed amendments are not expected to impose any fiscal impact on small businesses' revenues or expenditures.

The proposed amendments merely update and clarify provisions and conform the rule to the AICPA Uniform CPA Examination changes.

Regulatory Impact to Non-Small Businesses (50 or more employees); The proposed amendments are not expected to impose any fiscal impact on non-small businesses' revenues or expenditures.

The proposed amendments merely update and clarify provisions and conform this rule to the AICPA Uniform CPA Examination changes.

Citation Information

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

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-26a-101
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Incorporations by Reference Information

7. Incorporations by Reference:

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

Official Title of Materials Incorporated (from title page)	Standards for Performing and Reporting on Peer Reviews
Publisher	AICPA (American Institute of Certified Public Accountants)
Issue Date	June 1, 2023

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

Official Title of Materials Incorporated (from title page)	Code of Professional Conduct
Publisher	AICPA
Issue Date	December 15, 2014
Issue or Version	October 2023

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

Official Title of Materials Incorporated (from title page)	Statement on Standards for Continuing Professional Education (CPE) Programs
Publisher	AICPA/NASBA (National Association of State Boards of Accountancy)
Issue Date	January 2024

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: 07/15/2024

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

Date:	Time:	Place (physical address or URL):
06/18/2024	2:00 PM	See information in Box 4 above,

9. This rule change MAY become effective on: 07/25/2024

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:	Mark B. Steinagel, Division Director	Date:	05/23/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Repeal		
Rule or Section Number:	R448-10	Filing ID: 56541

Agency Information

1. Title catchline:	Health and Human Services, Disease Control and Prevention, Medical Examiner	
Building:	UPHL MOD 2	
Street address:	4451 S 2700 W	
City, state:	Taylorsville, UT	
Contact persons:		
Name:	Phone:	Email:
Michael Staley	801-816-3850	mstaley@utah.gov
Krisann Humphreys Bacon	801-816-3850	krisannbacon@utah.gov
Deirdre Amaro	801-816-3850	damaro@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R448-10. Unattended Death and Reporting Requirements
3. Purpose of the new rule or reason for the change:
The purpose of this filing is to repeal Rule R448-10 based on legislative and statutory changes that caused this rule to be outdated and irrelevant.
The definition of "attended death," previously defined in Section R448-10-3, was amended by the Legislature from care provided in the 30 days prior to death to care provided in the 365 days prior to death, now defined in Section 26B-8-214.
"Health care professional" is defined in Section 26B-8-201.
Section R448-10-2 previously defined who, when a death is attended, shall certify the death certificate, but requirements established by the Legislature in the cited portions of code establish who, in an attended death, shall certify the death certificate, superseding what was previously in Section R448-10-2.
Additionally, Section 26B-8-214 amends the previous reporting requirements established in Subsection R448-10-3(1), and the remainder of the reporting requirements are established in Section 26B-8-206.

The entirety of the provisions in Rule R448-10 were enumerated in the Utah Medical Examiner statute (26B-8-201), and therefore, this rule is no longer necessary.

4. Summary of the new rule or change:

This filing repeals Rule R448-10 in its entirety.

All of the provisions included in Rule R448-10 are now codified in the Utah Medical Examiner statute. See Box 6 of this filing to review the sections of Utah Code that supersede Rule R448-10.

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 associated with repealing Rule R448-10.

Section 26B-8-214 superseded Rule R448-10, extending the definition of "attended death" from care that was provided in the 30 days prior to death to 365 days, which reduced the number of attended deaths for which the medical examiner has jurisdiction.

Any cost savings, due to reduced case load, have already been realized in the previous two fiscal years.

Repealing this rule results in no additional cost or savings to the state budget.

B) Local governments:

This rule repeal will have no fiscal impact on local governments, as this rule does not apply to local governments.

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

This rule repeal will have no fiscal impact on small businesses, as this rule does not apply to small businesses.

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

This rule repeal will have no fiscal impact on non-small businesses, as this rule does not apply to non-small businesses.

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

This rule repeal will have no fiscal impact on other persons, as this rule does not apply to other persons.

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

There is no compliance cost associated with the repeal of 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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 Health 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-8-201	Section 26B-8-214	Section 26B-8-206
Section 26B-8-205	Section 26B-8-215	

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: 07/15/2024

9. This rule change MAY become effective on: 07/22/2024

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:	Tracy S. Gruber, Executive Director	Date:	05/29/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or Section Number:	R590-164-5	Filing ID: 56542

Agency Information

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
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:
R590-164-5. Electronic Data Interchange Transactions

3. Purpose of the new rule or reason for the change:
Two specific electronic data interchange transaction forms are being removed because the authorizing language in Section 31A-22-613.5 was repealed in H.B. 336 of the 2017 General Session.
4. Summary of the new rule or change:
The rule is being amended to remove Transparency Administration Performance Standard v2.0 and Transparency Denial Standard v2.0 from use by insurers.

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 of Insurance (Department) will continue collecting and reporting other data that is already available publicly.
B) Local governments:
There is no anticipated cost or savings to local governments. This rule governs the relationship between the Department and its licensees and does not affect local governments in any way.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. This rule applies only to health insurers in the state, all of which employ 50 or more persons.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses are likely to see small savings as a result of this rule, because they will no longer be required to collect and report certain information to the Department. However, because some insurers may have automated their reporting processes while others may have completely manual processes, the Department is not able to estimate the aggregate amount of those savings. Such savings will be specific to each insurer, and the Department has no way of knowing what that savings will be.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation,

association, governmental entity, or public or private organization of any character other than an agency):
There is no anticipated cost or savings to any other persons. This rule governs the relationship between the Department and its licensees and does not affect any other persons.
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
There are no compliance costs for any affected persons.

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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 Insurance Department, 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-22-614.5	
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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:	07/15/2024
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9. This rule change MAY become effective on:	07/22/2024
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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:	Steve Gooch, Public Information Officer	Date:	05/30/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R590-271	Filing ID: 56543

Agency Information

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
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:
R590-271. Data Reporting for Consumer Quality Comparison

3. Purpose of the new rule or reason for the change:
Many of the rule's provisions are being removed because the authorizing language in Section 31A-22-613.5 was repealed in H.B. 336 of the 2017 General Session.

4. Summary of the new rule or change:
This rule is being amended to remove the requirement that health insurers report certain information to the Insurance Department (Department), remove definitions related to the requirement, and remove a notice that the reported information is classified as a public record.

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 will continue collecting and reporting other data that is already available publicly.

B) Local governments:
There is no anticipated cost or savings to local governments.
This rule governs the relationship between the Department and its licensees and does not affect local governments in any way.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses.
This rule applies only to health insurers in the state, all of which employ 50 or more persons.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
Non-small businesses are likely to see small savings as a result of this rule, because they will no longer be required to collect and report certain information to the Department.
However, because some insurers may have automated their reporting processes while others may have completely manual processes, the Department is not able to estimate the aggregate amount of those savings. Such savings will be specific to each insurer, and the Department has no way of knowing what that savings will be.

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

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

This rule governs the relationship between the Department and its licensees and does not affect any other persons.

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

There are no compliance costs for any affected persons.

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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 Insurance Department, 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-2-216	
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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: 07/15/2024

9. This rule change MAY become effective on: 07/22/2024

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:	Steve Gooch, Public Information Officer	Date:	05/30/2024
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: New

Rule or Section Number:	R630-1	Filing ID:	56530
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Agency Information

1. Title catchline:	National Guard, Administration		
Building:	Utah National Guard Headquarters Building		
Street address:	12953 S Minuteman Dr		
City, state	Draper, UT		
Contact persons:			
Name:	Phone:	Email:	
Dan Schoenfeld	801-557-6260	dschoenfeld@utah.gov	

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

General Information

2. Rule or section catchline:
R630-1. Gifts to the Utah National Guard
3. Purpose of the new rule or reason for the change:
H.B. 245, passed during the 2024 General Session, requires the Department of the Utah National Guard (Department) to file rules regarding the acceptance of gifts to the Utah National Guard.
4. Summary of the new rule or change:
This rule authorizes the Department to accept gifts for its benefit and that of its members, employees, or dependents. Gift proceeds are considered non-lapsing funds and must comply with relevant regulations, with the Department tasked to establish acceptance rules.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The implementation of this program is designed to be cost-neutral to the state budget. This means there will be no additional costs associated with its implementation. The state government will not incur any charges, as they are not required to donate funds or allocate additional resources. All activities related to the program will be managed within existing resources and budget constraints. the Department does not anticipate the state needing to contribute any extra resources towards the program or its management.
B) Local governments:
No city, county, or special service district will have any impact by cost or association of this rule, as this rule does not impact these entities.
C) Small businesses ("small business" means a business employing 1-49 persons):
There will be no direct impact unless a small business gives a gift or donation to the Department and this rule does not require a small business to give a gift or donation, so no estimate can be provided
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The proposed rule changes are not expected to have a fiscal impact on non-small businesses, nor will they

necessitate any additional services or costs for implementation of the amendments.

Therefore, there is no anticipated financial effect 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**):

The proposed rule changes are not anticipated to have any fiscal impact on entities falling outside the categories of small businesses, non-small businesses, state, or local government entities.

Therefore, there is no expected financial implication for such persons or organizations and this rule does not require a small business to give a gift or donation, so no estimate can be provided.

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

There is no anticipated compliance cost for affected persons as a result of 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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 Adjutant General of the Utah National Guard, Major General Daniel D. Boyack, has reviewed and approved this analysis that there is no impact on the implementation of this rule.			

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 36A-9-101

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: 07/15/2024

9. This rule change MAY become effective on: 07/22/2024
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: Dan Schoenfeld, Deputy Director	Date: 04/02/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R708-7	Filing ID: 56539

Agency Information

1. Title catchline:	Public Safety, Driver License
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W

City, state:	Taylorville, UT	
Mailing address:	PO Box 144501	
City, state and zip:	Salt Lake City, UT 84114-4501	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Tara Zamora	801-964-4483	tarazamora@utah.gov
Britani Flores	801-884-8313	bflores@utah.gov

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

General Information

2. Rule or section catchline:
R708-7. Functional Ability in Driving: Responsibilities for Physicians and Drivers
3. Purpose of the new rule or reason for the change:
This rule filing is needed to prevent individuals from completing their own medical or vision forms.
This is not a new process; the Driver License Division (Division) is adding the verbiage to the rule for clarification.
The Incorporation by Reference (IBR) for this rule has also been updated.
4. Summary of the new rule or change:
This filing adds verbiage that clarifies that individuals are not allowed to complete their own medical and vision forms and is needed to protect the integrity of the Functional Ability In Driving: Guidelines and Standards for Health Care Professionals.
This information has also been added to the IBR for this rule.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The proposed rule is not expected to have any fiscal impacts on state budgets.
This rule filing is adding verbiage to the rule that prevents individuals from completing their own medical and vision forms. The completion of medical and vision forms has no

fiscal impact on the state budget and is the fiscal responsibility of the individual submitting the forms.

B) Local governments:

The proposed rule is not expected to have any fiscal impact on any local governments.

This rule does not regulate any local governments.

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

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

This rule does not regulate any small businesses.

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

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

This rule does not regulate any non-small businesses.

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

The proposed rule may have a direct inestimable fiscal cost to members of the public.

This rule is clarifying that individuals are not allowed to complete a medical or vision form for themselves.

This will require the individual to have the forms completed by a licensed health care professional, which would require the individual to pay a fee to the health care professional for the examination needed to fill out the forms.

The Division is not able to estimate the costs because there is not a way to anticipate how many individuals would try to fill out their own medical or vision forms.

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

The compliance costs for affected persons are inestimable.

The Division is not able to determine how much the cost to have an examination by a licensed health care professional due to varying factors such as personal health insurance coverages and differing co-pay amounts.

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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 53-3-104		
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Incorporations by Reference Information

7. Incorporations by Reference:	
A) This rule adds or updates the following title of materials incorporated by references:	
Official Title of Materials Incorporated (from title page)	Functional Ability In Driving: Guidelines and Standards for Health Care Professionals.
Publisher	Driver License Division
Issue Date	May 2024
Issue or Version	January 2024

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:	07/15/2024
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9. This rule change MAY become effective on:	07/22/2024
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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:	Christopher Caras, Division Director	Date:	05/29/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R708-22	Filing ID: 56540

Agency Information

1. Title catchline:	Public Safety, Driver License
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state:	Taylorville, UT
Mailing address:	PO Box 144501
City, state and zip:	Salt Lake City, UT 84114-4501

Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Tara Zamora	801-964-4483	tarazamora@utah.gov
Britani Flores	801-884-8313	bflores@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R708-22. Commercial Driver License Administrative Proceedings

3. Purpose of the new rule or reason for the change:
This rule filing updates formatting, corrects the cited statute granting authority, and adds language to specify a designation for administrative proceedings.

4. Summary of the new rule or change:
This rule filing updates the formatting to include a purpose section to be in compliance with the Driver License Division's (Division) other rules.

The statute granting authority has been changed from Section 53-3-104 to Sections 63G-4-202 and 63G-4-203.

Additionally, verbiage has been added to designate commercial driver license administrative proceedings as informal.

Fiscal Information

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

This rule change only clarifies an existing process that does not have any fiscal affect.

B) Local governments:
This rule change is not expected to have a fiscal impact on local governments.

This rule change only clarifies an existing process that does not have any fiscal affect.

NOTICES OF PROPOSED RULES

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.

This rule change only clarifies an existing process that does not have any fiscal affect.

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.

This rule change only clarifies an existing process that does not have any fiscal affect.

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 business, non-small business, state, or local governments.

This rule change only clarifies an existing process that does not have any fiscal affect.

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

This rule change does not have any compliance costs.

This rule change only clarifies an existing process that does not have any fiscal affect.

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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 63G-4-202	Section 63G-4-203	
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Public Notice Information

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

A) Comments will be accepted until: 07/15/2024

9. This rule change MAY become effective on: 07/22/2024

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:	Christopher Caras, Division Director	Date:	05/29/2024
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NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R990-300	Filing ID: 56544

Agency Information

1. Title catchline:	Workforce Services, Housing and Community Development	
Building:	Olene Walker Building	
Street address:	140 E 300 S	
City, state	Salt Lake City, UT	
Mailing address:	PO Box 45244	
City, state and zip:	Salt Lake City, UT 84145-0244	
Contact persons:		
Name:	Phone:	Email:
Robert Andreasen	801-517-4722	randreasen@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R990-300. Review Process for Plan for Moderate Income Housing Reports
3. Purpose of the new rule or reason for the change:
The purpose of this rule change is to implement legislative changes to the Housing and Community Development Division's process for reviewing moderate income housing reports, and to clarify terms and procedures for review of moderate income housing reports.
4. Summary of the new rule or change:
This rule change: 1) clarifies terms; 2) clarifies filing deadlines for moderate income housing reports; 3) provides additional information concerning review procedures and notification requirements; 4) identifies when additional or supplemental information will be accepted, 5) provides additional detail concerning appeals from a determination by the Housing and Community Development Division; and 6) clarifies how and when fees will be assessed for noncompliance. This change also makes nonsubstantive edits to this rule.

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 governments:
This rule change impacts local governments by making minor adjustments to requirements for submission of moderate income housing reports and determinations of compliance, and clarifies the assessment of fees for noncompliance as set forth by Utah Code. Fees imposed on local governments for noncompliance and a local government's eligibility for certain funds were adopted by the 2023 Utah Legislature and are not set or changed by this rule amendment. The Department of Workforce Services (Department) anticipates no fiscal cost to local governments other than the existing and ongoing costs of complying with the statutory moderate income housing requirements.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are no anticipated costs or savings for small businesses. This rule change requires no action or expenditure by small businesses.
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. This rule change requires no action or expenditure by non-small businesses.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
There are no anticipated costs to other persons as the rule change rule requires no action or expenditure by any person.

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 change does not create new administrative fees or change any fees or eligibility criteria set by Utah Code.

The Department anticipates that local governments will incur no costs beyond the existing and ongoing costs of complying with the statutory moderate income housing 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	FY2025	FY2026	FY2027
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	FY2025	FY2026	FY2027
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 Workforce Services, Casey Cameron, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Section 35A-8-803	Section 10-9a-408	Section 17-27a-408
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Public Notice Information

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

A) Comments will be accepted until: 07/15/2024

9. This rule change MAY become effective on: 07/22/2024

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:	Casey Cameron, Executive Director	Date:	05/31/2024
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End of the Notices of Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

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

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

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

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

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

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

NOTICE OF EMERGENCY (120-DAY) RULE		
Rule or Section Number:	R70-101	Filing ID: 56535
Effective Date:	06/01/2024	

Agency Information

1. Title catchline:	Agriculture and Food, Regulatory Services	
Building:	Taylorsville State Office Building, South Building, Floor 2	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
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
Travis Waller	801-982-2250	Twaller@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:
R70-101. Bedding, Upholstered Furniture, and Quilted Clothing
3. Purpose of the new rule or reason for the change:
In April 2023, the Department of Agriculture and Food (Department) published a rule change that clarified the law label requirements for upholstered furniture that are applicable online, as well as brick and mortar sales.
Based on feedback from the furniture industry regarding the difficulty of satisfying the new rule requirements, the Department has agreed to remove the reference to the online sales and draft new changes.
The Department has been working closely with the industry to set a requirement that ensures consumers receive relevant information.
Per the rulemaking timelines, the Bulletin will publish the revised rule in early summer, and after the original emergency rule filing has expired. This filing will allow the Department and industry to continue to collaborate on the revised rule.
The Department aims to maintain industry compliance until all parties agree on the updated changes that will apply to online sales.

4. Summary of the new rule or change:
The changes remove references to online sales from Sections R70-101-2, R70-101-3, and R70-101-18.
5A) The agency finds that regular rulemaking would:
<input checked="" type="checkbox"/> cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/> cause an imminent budget reduction because of budget restraints, or federal requirements; or
<input type="checkbox"/> place the agency in violation of federal or state law.
B) Specific reasons and justifications for this finding:
The Department has met with large furniture manufacturers who have reported that they cannot satisfy the requirements of the current rule regarding online sales.
The Department is concerned that these manufacturers will choose to discontinue selling products in Utah unless the Department changes the rule requirements.
The potential financial loss in Utah could be in the millions of dollars each year and detrimental to public welfare.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
The Department has not fully implemented the changes from the rule published in April 2023.
Removing these changes will not impact the state budget and the program will continue to operate under the current resources.
B) Local governments:
The changes will not impact local governments because they do not sell or regulate bedding, upholstered furniture, or quilted clothing.

C) Small businesses ("small business" means a business employing 1-49 persons):
The Department has not fully implemented the previous changes and these changes would not impact small businesses.
D) Persons other than small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
The changes will not impact other persons because the industry and Department have not fully implemented the removed changes.
E) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):
Compliance costs will not change. The rule changes decrease the regulatory burden.
F) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):
This rule change will not have a fiscal impact on business. Craig W. Buttars, Commissioner

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:
Section 4-10-103

Agency Authorization Information

Agency head or designee and title:	Craig W. Buttars, Commissioner	Date:	05/28/2024
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End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. 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.

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R35-1	Filing ID: 55850
Effective Date:	05/20/2024	

Agency Information

1. Title catchline:	Government Operations, Records Committee	
Building:	Taylorsville State Office Building	
Street address:	346 S Rio Grande St	
City, state	Salt Lake City, UT 84101	
Mailing address:	PO Box 141007	
City, state and zip:	Salt Lake City, UT 84114-1007	
Contact persons:		
Name:	Phone:	Email:
Rebekkah Shaw	385-386-1955	rshaw@utah.gov
Kendra Yates	801-531-3856	kendrayates@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R35-1. State Records Committee Hearing Procedures
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

The underlying legal authority for this rule still exists at Subsection 63G-2-403(4)(b)(ii)(B) which directs the State Records Committee (Committee) to establish procedures.

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

No written comments have been received on this rule 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:

This rule is still required to provide procedures for participating parties to prepare for a hearing before the Committee. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kenneth Williams, Director	Date:	05/23/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R35-1a	Filing ID: 55398
Effective Date:	05/20/2024	

Agency Information

1. Title catchline:	Government Operations, Records Committee
Building:	Taylorsville State Office Building
Street address:	346 S Rio Grande St

City, state	Salt Lake City, UT 84101	
Mailing address:	PO Box 141007	
City, state and zip:	Salt Lake City, UT 84114-1007	
Contact persons:		
Name:	Phone:	Email:
Rebekkah Shaw	385-386-1955	rshaw@utah.gov
Kendra Yates	801-531-3856	kendrayates@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R35-1a. State Records Committee Definitions
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
The underlying legal authority for this rule still exists at Subsection 63G-2-403(4)(b)(ii)(B) which directs the State Records Committee (Committee) to establish procedures.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received on this rule 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:
This rule is still required to provide procedures for participating parties to prepare for a hearing before the Committee. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kenneth Williams, Director	Date:	05/23/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R35-2	Filing ID:	56418
Effective Date:	05/20/2024		

Agency Information

1. Title catchline:	Government Operations Records Committee	
Building:	State Records Committee	
Street address:	346 S Rio Grande St	
City, state	Salt Lake City, UT 84101	
Contact persons:		
Name:	Phone:	Email:
Rebekkah Shaw	801-531-3851	rshaw@utah.gov
Michelle Adams	385-501-9006	michelledadams@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R35-2. Scheduling and Declining Hearings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
The underlying legal authority for this rule still exists at Subsection 63G-2-403(4)(b)(ii)(B) which directs the State Records Committee to establish filing and publication procedures.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received on this rule 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:
This rule is still required to provide procedures for the executive secretary to follow in scheduling or declining appeals. It also provides instruction for the public to know what is required to submit a complete appeal and what process was followed if their appeal is declined. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kenneth Williams, Director	Date:	05/23/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R35-4	Filing ID: 55400
Effective Date:	05/20/2024	

Agency Information

1. Title catchline:	Government Operations, Records Committee	
Building:	Taylorsville State Office Building	
Street address:	346 S Rio Grande St	
City, state	Salt Lake City, UT 84101	
Mailing address:	PO Box 141007	
City, state and zip:	Salt Lake City, UT 84114-1007	
Contact persons:		
Name:	Phone:	Email:
Rebekkah Shaw	385-386-1955	rshaw@utah.gov
Kendra Yates	801-531-3856	kendrayates@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R35-4. Compliance with State Records Committee Decisions and Orders
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
The underlying legal authority for this rule still exists at Subsection 63G-2-403(4)(b)(ii)(B) which directs the State Records Committee to establish filing and publication procedures.
This rule establishes requirements for a notice of compliance a governmental entity may need to submit to the committee when an appeal is granted per Subsections 63G-2-403(15)(c) and (d).
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received on this rule 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:
This rule is still required to provide procedures for participating parties to understand what is contained in a

notice of compliance. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kenneth Williams, Director	Date:	05/23/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R35-5	Filing ID: 55401
Effective Date:	05/20/2024	

Agency Information

1. Title catchline:	Government Operations, Records Committee.	
Building:	Taylorsville State Office Building	
Street address:	346 S Rio Grande St	
City, state	Salt Lake City, UT 84101	
Mailing address:	PO Box 141007	
City, state and zip:	Salt Lake City, UT 84114-1007	
Contact persons:		
Name:	Phone:	Email:
Rebekkah Shaw	385-386-1955	rshaw@utah.gov
Kendra Yates	801-531-3856	kendrayates@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R35-5. Subpoenas Issued by the Records Committee
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
The underlying legal authority for this rule still exists at Subsection 63G-2-403(4)(b)(ii)(B) which directs the State Records Committee to establish filing and publication procedures.
This rule establishes procedures regarding subpoena requests per Subsection 63G-2-403(10).
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:

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

No written comments have been received on this rule 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:

This rule is still required to provide procedures for participating parties to request a subpoena. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kenneth Williams, Director	Date:	05/23/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R35-6	Filing ID:	55845
Effective Date:	05/20/2024		

Agency Information

1. Title catchline: Government Operations, Records Committee.

Building: Taylorsville State Office Building

Street address: 346 S Rio Grande St

City, state: Salt Lake City, UT 84101

Mailing address: PO Box 141007

City, state and zip: Salt Lake City, UT 84114-1007

Contact persons:

Name:	Phone:	Email:
Rebekkah Shaw	385-386-1955	rshaw@utah.gov
Kendra Yates	801-531-3856	kendrayates@utah.gov

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

General Information

2. Rule catchline:
R35-6. Expedited Hearing

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

The underlying legal authority for this rule still exists at Subsection 63G-2-403(4)(b)(ii)(B) which directs the State Records Committee to establish filing and publication procedures.

This rule establishes procedures for the committee's expedited hearings per Subsection 63G-2-403(4)(a)(i).

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

No written comments have been received on this rule 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:

This rule is still required to provide expedited hearing procedures to the public and governmental entities who could participate in a hearing. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kenneth Williams, Director	Date:	05/23/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R380-25	Filing ID:	55930
Effective Date:	05/29/2024		

Agency Information

1. Title catchline: Health and Human Services, Administration

Building: Martha Hughes Cannon Building

Street address: 288 N 1460 W

City, state: Salt Lake City, UT

Contact persons:

Name:	Phone:	Email:
Valli Chidambaram	385-499-1595	vchidambaram@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:
R380-25. Submission of Data Through an Electronic Data Interchange

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

Subsections 26B-1-202(28), 26B-1-202(29), 26B-1-202(30), 26B-1-202(26), 26B-1-202(37), and 26B-1-202(42) and Sections 26B-8-404 and 26B-8-405 authorize this rule to allow the Department of Health and Human Services (Department) to accept submissions of data through an electronic data interchange.

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

The Department has received no comments 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 allows the Department to continue to accept submissions of data through an electronic data interchange. If the rule were to expire, the Department could be at risk of not receiving the data that an electronic data interchange provides and could therefore be at risk of operating with outdated or incomplete information. Therefore, this rule should be continued.

As there were no comments received in opposition to this rule, the Department did not respond to comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-7a	Filing ID:	55951
Effective Date:	05/17/2024		

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state	Salt Lake City, UT		
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
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Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:
R414-7a. Medicaid Certification of New Nursing Facilities

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

Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.

Additionally, Section 26B-3-312 specifies that adjudicative decisions are subject to review and appeal.

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

The Department has not received any written comments either in support or opposition regarding this rule since its 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 necessary because it implements the adjudicative process to administer Medicaid certification of nursing facility programs, as required by statute. Therefore, this rule should be continued.

The Department has not received any comments in opposition to this rule.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/06/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-31	Filing ID:	55977
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare		
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Building:	Cannon Health Building	
Street address:	288 N. 1460 W.	
City, state	Salt Lake City, UT	
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 catchline:
R414-31. Inpatient Psychiatric Services for Individuals Under 21 Years of Age
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments regarding this rule since its 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 sets forth conditions and coverage for inpatient psychiatric services for individuals under 21 years of age, which the state has elected to cover, and is therefore necessary for compliance with the state's choice.
As there were no comments in opposition to this rule, the Department has not responded to comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-49	Filing ID:	55938
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state	Salt Lake City, UT		
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 catchline:
R414-49. Dental, Oral, and Maxillofacial Surgeons and Orthodontia
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
Additionally, 42 CFR 440.130 authorizes preventive services for Medicaid members.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments regarding this rule since its 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 necessary for compliance with the Utah Medicaid State Plan, the Dental, Oral Maxillofacial, and Orthodontia Services Utah Medicaid Provider Manual, and

statute. This rule provides the scope of dental services for members who are eligible under the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) program, pregnant members, blind or disabled members, aged members, members of the targeted adult Medicaid population, and members who are otherwise eligible under Medicaid and qualify for emergency dental. Therefore, this rule should be continued.

As there were no comments in opposition to this rule, the Department has not responded to comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-502	Filing ID:	55498
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state	Salt Lake City, UT		
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 catchline:	R414-502. Nursing Facility Levels of Care
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213

grants the Department the authority to adopt, amend, or rescind these rules.

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

The Department has not received any written comments regarding this rule since its 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 necessary as it defines the levels of care that nursing facilities may provide for Medicaid members, as is statutorily required. Therefore, this rule should be continued.

As there were no comments in opposition to this rule, the Department has not responded to comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-503	Filing ID:	55609
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare		
Building:	Cannon Health Building		
Street address:	288 N 1460 W		
City, state	Salt Lake City, UT		
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 catchline:
R414-503. Preadmission Screening and Resident Review
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments regarding this rule since its 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:
The Department has determined this rule is necessary because it implements the federally required preadmission screening and resident review of nursing facility residents with serious mental illness or intellectual disability. Therefore, this rule should be continued.
As there were no comments in opposition to this rule, the Department has not responded to comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R512-310	Filing ID:	55643
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Health and Human Services, Child and Family Services		
Building:	Multi-Agency State Office Building		
Street address:	195 N 1950 W		
City, state:	Salt Lake City, UT		
Contact persons:			
Name:	Phone:	Email:	
Carol Miller	801-557-1772	carolmiller@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:
R512-310. Reasonable and Prudent Parent Standard
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 80-2-302 authorizes the Division of Child and Family Services (Division) to make rules to clarify the scope of services the division provides to families in Utah.
Section 80-2-301 assigns the Division responsibilities as the child, youth, and family services authority of the state.
Section 80-2-308 gives the Division the responsibility for normalizing the lives of children and outlines requirements for caregiver decision making.
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 Health and Human Services (Department) has not received any comments about this rule since its 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 necessary for the Division to establish standards for normalcy for a child who is in state custody, including a reasonable and prudent parent standard and normalizing activities for children, as required by statute. Therefore, this rule should be continued.
As there were no comments in opposition to this rule, the Department did not respond to any comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-171	Filing ID:	56218
Effective Date:	05/21/2024		

Agency Information

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
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:
R590-171. Surplus Lines Procedures 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 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, the Insurance Code.
Section 31A-15-103 authorizes the insurance commissioner to establish an organization to examine surplus lines policies to ensure compliance with the requirements of the law and payment of taxes.
Section 31A-15-111 authorizes the insurance commissioner to require that surplus lines brokers be members of an advisory organization established by this rule.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
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:
This rule defines the authority of the Surplus Line Association of Utah, outlines the conditions for placing insurance with surplus lines insurers, and provides examination requirements for the Surplus Line Association of Utah. This rule is necessary to provide a measure of accountability for the Surplus Line Association of Utah and how this line of insurance is sold in the state. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	05/21/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R590-230	Filing ID:	55861
Effective Date:	05/21/2024		

Agency Information

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
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:
R590-230. Suitability in Annuity Transactions
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, the Insurance Code.
Section 31A-22-425 authorizes the insurance commissioner to write rules dealing with definitions, disclosures, exclusions, or limitations in an annuity contract.
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 (Department) received one written comment about this rule in the past five years. The comment was the result of a proposed amendment the Department filed in 2023 and was in support of the amendment.

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

It is critical that this rule continue in force so producers and insurers have standards and procedures to follow when making financial recommendations to consumers who are considering the purchase of an annuity product. These recommendations require that the insurance needs and financial objectives of the consumer must be taken into account at the time of the transaction. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	05/21/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R698-5	Filing ID:	51859
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Public Safety, Administration		
Building:	Calvin Rampton Complex		
Street address:	4501 S 2700 W, 1st Floor		
City, state	Salt Lake City, UT 84119-5994		
Mailing address:	PO Box 141775		
City, state and zip:	Salt Lake City, UT 84114-1775		
Contact persons:			
Name:	Phone:	Email:	
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 catchline:
R698-5. State Hazardous Chemical Emergency Response Commission Advisory Committee
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized under Subsection 53-2a-702(2), which requires the Department of Public Safety to make rules necessary for the implementation of the federal Emergency Planning and Community Right To Know Act of 1986.

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 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 authorized under Subsection 53-2a-702(2), in connection with implementation of the federal Emergency Planning and Community Right To Know Act of 1986. This rule establishes the State Hazardous Chemical Emergency Response Commission Advisory Committee, outlines procedures for the creation, modification or dissolution of a Local Emergency Planning Committee, and outlines the procedures for adjudicative proceedings. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jess L. Anderson, Commissioner	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R704-1	Filing ID:	51857
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Public Safety, Emergency Management		
Building:	Taylorsville State Office Building		
Street address:	4315 S 2700 W		
City, state	Taylorsville, UT		
Contact persons:			
Name:	Phone:	Email:	
Kim Gibb	801-556-8198	kgibb@utah.gov	
Janna Wilkinson	385-214-5857	jannawilkinson@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R704-1. Search and Rescue Financial Assistance Program

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized under Subsection 53-2a-1102(7), which requires the Division of Emergency Management to make rules for the administration of the Search and Rescue Financial Assistance Program and the assistance card program.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments were received during and 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 required under Subsection 53-2a-1102(7), and is necessary to specify costs that qualify as reimbursable base expenses; define procedures of counties to submit expenses and be reimbursed; define a participant in the assistance card program; define the procedure for issuing a card to a participant; define excluded expenses that may not be reimbursed under the program, including medical expenses; establish the card renewal cycle for the Utah Search and Rescue Assistance Card Program; establish the frequency of review of the fee schedule; provide for the administration of the program; and provide a formula to govern the distribution of available money among the counties for uncompensated search and rescue expenses. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kris Hamlet, Division Director	Date:	05/29/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R714-600	Filing ID:	51935
Effective Date:	05/29/2024		

Agency Information

1. Title catchline:	Public Safety, Highway Patrol
Building:	Calvin Rampton Complex
Street address:	4501 S 2700 W
City, state	Salt Lake City, UT 84119-5994
Mailing address:	PO Box 141100

City, state and zip:	Salt Lake City, UT 84114-1100	
Contact persons:		
Name:	Phone:	Email:
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 catchline:
R714-600. Performance Standards for Tow Truck Motor Carriers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized under Subsection 41-6a-1406(1), which requires the Department of Public Safety (Department) to make rules setting the performance standards for towing companies to be used by the Department.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any comments 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 required under Subsection 41-6a-1406(10), which requires the Department to make rules setting the performance standards for towing companies to be used by the Department. This rule establishes standards for the dispatch of a tow truck, the creation and maintenance of a towing rotation list, and dispatch of tow truck motor carriers by the Department. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Michael Rapich, Colonel Utah Highway Patrol	Date:	05/29/2024
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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

Medical Cannabis and Industrial Hemp

No. 56367 (New Rule) R66-3: Quality Assurance Testing on Cannabis

Published: 04/15/2024

Effective: 05/28/2024

No. 56433 (New Rule) R66-36: Transport of Transportable Industrial Hemp Concentrate

Published: 05/01/2024

Effective: 06/11/2024

Plant Industry

No. 56366 (Repeal) R68-29: Quality Assurance Testing on Cannabis

Published: 04/15/2024

Effective: 05/28/2024

Education

Administration

No. 56422 (Amendment) R277-108: Annual Assurance of Compliance by Local School Boards

Published: 05/01/2024

Effective: 06/07/2024

No. 56423 (Amendment) R277-404: Requirements for Assessments of Student Achievement

Published: 05/01/2024

Effective: 06/07/2024

No. 56424 (Amendment) R277-406: Early Learning Program and Assessments

Published: 05/01/2024

Effective: 06/07/2024

No. 56425 (Amendment) R277-462: School Counseling Program

Published: 05/01/2024

Effective: 06/07/2024

No. 56426 (Amendment) R277-464: School Counselor Direct and Indirect Services

Published: 05/01/2024

Effective: 06/07/2024

No. 56427 (New Rule) R277-631: Student Toilet Training Requirements

Published: 05/01/2024

Effective: 06/07/2024

No. 56428 (Amendment) R277-700: The Elementary and Secondary School General Core

Published: 05/01/2024

Effective: 06/07/2024

Environmental Quality

Waste Management and Radiation Control, Radiation

No. 56419 (Amendment) R313-28: Definitions

Published: 05/01/2024

Effective: 06/17/2024

Waste Management and Radiation Control, Waste Management

No. 56420 (Amendment) R315-309: Financial Assurance

Published: 05/01/2024

Effective: 06/17/2024

No. 56421 (Amendment) R315-310: Permit Requirements for Solid Waste Facilities

Published: 05/01/2024

Effective: 06/17/2024

Government Operations

Records Committee

No. 56410 (Amendment) R35-1: State Records Committee

Appeal Hearing Procedures

Published: 05/01/2024

Effective: 06/18/2024

Health and Human Services

Population Health, Environmental Epidemiology
Disease Rule
No. 56384 (Amendment) R386-702: Communicable
Published: 04/01/2024
Effective: 05/29/2024

Insurance

Administration
No. 56414 (Amendment) R590-190: Standards for Prompt,
Fair, and Equitable Settlement for Automobile Insurance
Published: 05/01/2024
Effective: 06/07/2024

No. 56415 (Amendment) R590-200: Diabetes Treatment
and Management
Published: 05/01/2024
Effective: 06/07/2024

No. 56417 (Amendment) R590-230: Producer Training
Published: 05/01/2024
Effective: 06/07/2024

Title and Escrow Commission

No. 56416 (Amendment) R592-6: Unfair Inducements and
Marketing Practices in Obtaining Title Insurance Business
Published: 05/01/2024
Effective: 06/07/2024

Judicial Performance Evaluation Commission

Administration
No. 56394 (New Rule) R597-7: General Provisions
Published: 04/15/2024
Effective: 06/13/2024

Labor Commission

Boiler, Elevator and Coal Mine Safety
No. 56396 (Amendment) R616-2: Safety Codes and Rules
for Boilers and Pressure Vessels
Published: 04/15/2024
Effective: 05/22/2024

Lieutenant Governor

Administration
No. 56403 (New Rule) R622-3: Use of the Great Seal of
the State of Utah
Published: 04/15/2024
Effective: 05/31/2024

End of the Notices of Rule Effective Dates Section