

# UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
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Sunnie Burningham, Managing Editor

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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# TABLE OF CONTENTS

<b>NOTICES OF PROPOSED RULES .....</b>	<b>1</b>
AGRICULTURE AND FOOD, REGULATORY SERVICES	
R58-18. Elk Farming.....	2
R58-20. Elk Ranches .....	5
AGRICULTURE AND FOOD, REGULATORY SERVICES	
R70-101. Bedding, Upholstered Furniture, and Quilted Clothing.....	7
LABOR COMMISSION, OCCUPATIONAL SAFETY AND HEALTH	
R614-1-6. Inspections, Citations, and Proposed Penalties.....	11
NATURAL RESOURCES; OIL, GAS AND MINING; OIL AND GAS	
R649-12. Certification of Pollution Control Facility or Freestanding Pollution Control Property .....	13
NATURAL RESOURCES, WILDLIFE RESOURCES .....	15
R657-4. Possession and Release of Pen-reared Gamebirds	
R657-13. Taking Fish and Crayfish .....	20
R657-14. Commercial Harvesting of Protected Aquatic Wildlife .....	22
R657-37. Cooperative Wildlife Management Units for Big Game or Turkey .....	24
R657-38. Dedicated Hunter Program.....	26
R657-41. Conservation and Sportsman Permits.....	28
R657-42. Fees, Exchanges, Surrenders, Refunds, and Reallocation of Wildlife Documents.....	30
R657-43. Landowner Permits.....	32
R657-44. Big Game Depredation .....	35
TRANSPORTATION, PROGRAM DEVELOPMENT	
R926-17. Road Usage Charge Program .....	37
<b>FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION .....</b>	<b>39</b>
AGRICULTURE AND FOOD, REGULATORY SERVICES	
R70-960. Weights and Measures Fee Registration .....	39
HEALTH AND HUMAN SERVICES, POPULATION HEALTH, ENVIRONMENTAL HEALTH	
R392-104. Feeding Disadvantaged Groups.....	40
HEALTH AND HUMAN SERVICES, FAMILY HEALTH, CHILDREN WITH SPECIAL HEALTH CARE NEEDS	
R398-5. Birth Defects and Critical Congenital Heart Disease Reporting .....	41
HEALTH AND HUMAN SERVICES, INTEGRATED HEALTHCARE	
R414-61. Home and Community-Based Services Waivers .....	42
R414-522. Electronic Visit Verification Requirements for Personal Care and Home Health Care Services .....	43

TABLE OF CONTENTS

HEALTH AND HUMAN SERVICES, DATA, SYSTEMS AND EVALUATION, RESEARCH AND EVALUATION  
, HEALTH CARE STATISTICS44

R428-15. Health Data Authority Health Insurance Claims Reporting .....44

HEALTH AND HUMAN SERVICES, SERVICES FOR PEOPLE WITH DISABILITIES

R539-3. Rights and Protections .....45

R539-4. Behavior Interventions.....46

R539-5. Self-Administered Services .....47

INSURANCE, ADMINISTRATION

R590-254. Annual Financial Reporting Rule .....48

NATURAL RESOURCES; OIL, GAS AND MINING; COAL

R645-100. Administrative: Introduction .....49

R645-101. Restrictions on State Employees .....49

R645-102. Exemptions for Coal Extraction Incident to Government  
-Financed Highway or Other Construction .....50

R645-103. Areas Unsuitable for Coal Mining and Reclamation Operations .....51

R645-104. Protection of Employees.....52

R645-105. Blaster Training, Examination and Certification .....53

R645-106. Exemption for Coal Extracted Incidental to the Extraction of  
Other Minerals .....54

R645-200. Coal Exploration: Introduction .....54

R645-201. Coal Exploration: Requirements for Exploration Approval .....55

R645-202. Coal Exploration: Compliance Duties .....56

R645-203. Coal Exploration: Public Availability of Information .....57

R645-300. Coal Mine Permitting: Administrative Procedures .....58

R645-301. Coal Mine Permitting: Permit Application Requirements.....58

R645-302. Coal Mine Permitting: Special Categories and Areas of Mining.....59

R645-303. Coal Mine Permitting: Change, Renewal, and Transfer,  
Assignment, or Sale of Permit Rights.....60

R645-400. Inspection and Enforcement: Division Authority and Procedures .....61

R645-401. Inspection and Enforcement: Civil Penalties .....62

R645-402. Inspection and Enforcement: Individual Civil Penalties.....62

R645-403. Alternative Enforcement .....63

NATURAL RESOURCES; OIL, GAS AND MINING; OIL AND GAS

R649-10. Administrative Procedures.....64

NATURAL RESOURCES, STATE PARKS

R651-635. Commercial, Privileged, and Special Uses of Division Manage  
Park Areas .....65

PUBLIC SAFETY, DRIVER LICENSE

R708-45. Renewal or Duplicate License for Utah Residents Unable to Appear

at a Licensing Office .....66

WORKFORCE SERVICES, UNEMPLOYMENT INSURANCE

R994-309. Nonprofit Organizations.....67

R994-310. Coverage .....68

R994-311. Governmental Units and Indian Tribes .....69

R994-312. Employing Units Records .....70

**NOTICES OF RULE EFFECTIVE DATES .....71**



## NOTICES OF PROPOSED RULES

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A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between June 15, 2024, 12:00 a.m., and July 01, 2024, 11:59 p.m. are included in this, the July 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 August 14, 2024. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through November 12, 2024, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

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

**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Repeal and Reenact

**Rule or Section Number:**

**R58-18**

**Filing ID: 56605**

**Agency Information**

<b>1. Title catchline:</b>	Agriculture and Food, Regulatory Services	
<b>Building:</b>	Taylorsville State Office Building, South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state:</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
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Amanda Price	801-386-4189	amandaprice@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R58-18. Elk Farming
<b>3. Purpose of the new rule or reason for the change:</b>
During the 2024 General Session, H.B. 375 passed and amended the requirements for importing domesticated elk into Utah. H.B. 375 (2024) established the requirements for importing domesticated elk from East of the 100-degree meridian into Utah.  The amendments in this rule reflect those requirements and include technical changes to align this rule with the Rulewriting Manual for Utah.
<b>4. Summary of the new rule or change:</b>
The changes to this rule include: 1) adding additional definitions, 2) updating the application and licensing process, 3) adding a requirement to reconcile inventory and Chronic Wasting Disease (CWD) testing records, 4) updating the records kept to two years to match statute, 5) adding the calculation used to determine compliance with inventory requirements, 6) removing red deer genetic testing requirements, 7) adding the requirement that elk will be tagged with a RFID tag and visual tag before 12 months of age, 8) reorganizing the import requirements, 9) removing the restriction on elk East of the 100th meridian, 10) adding the requirement that elk coming from East of the 100th meridian be harvested or treated within 150 days and report that information to the Department of Agriculture and Food (Department), 11) requiring elk facilities hold elk for harvest until slaughter withdrawal times are complete, and 12) requiring elk farms to ensure slaughtered elk are tested for CWD.  Most of the changes to this rule are clarifying and technical changes to align with the Rulewriting Manual for Utah and be consistent with active voice and present tense terms.

**Fiscal Information**

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



**A) State budget:**

Per H.B. 375 (2024), the fiscal impact indicates that the state budget may incur additional expenses.

Specifically, the Department may require an additional \$2,300 for staff to validate the revised import requirements and it plans to absorb these costs internally.

The revised Rule R58-20 accounts for the fiscal impact on the state budget because most verification procedures will take place on elk ranches, not elk farms. Therefore, the proposed modifications in this rule will not impact the state budget because the Department already reported the fiscal impact.

The other proposed changes are clarifying in nature, and the requirements themselves remain unchanged. The proposed rule amends the wording to use active voice and now specifies the parties responsible for the existing requirements.

**B) Local governments:**

Local governments are not expected to be impacted by the changes in this rule because local government does not administer the program and does not oversee elk farms that import elk into the state.

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

The proposed changes may impact small businesses if they choose to purchase new or additional elk for an elk farm.

While the Department's requirement to deworm elk is not new, removing the restriction on importing elk east of the 100th meridian will allow elk farms to increase the number of elk in the state, potentially impacting them.

The Department estimates the cost of deworming to be approximately \$4.50 per animal. On average, elk farms import about 4.2 elk per year, resulting in an estimated impact of \$18.90 per elk farm. If an elk farm needs to conduct additional testing to comply with inventory controls, costs may increase by approximately \$50 per elk.

However, the Department expects these costs to be minimal, as most elk farms already comply with the inventory requirements. At this time, there are 22 elk farms licensed with the Department.

In total, the Department anticipates the annual cost to small business elk farms to be approximately \$2,640.

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

The changes in this rule would not impact non-small businesses because none of the elk farms licensed in the state have more than 50 employees.

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

The proposed changes in this rule will not impact other persons because a person does not import elk.

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

The Department anticipates a minimal increase in compliance costs for small businesses that import elk into the state from east of the 100<sup>th</sup> meridian because of the cost to deworm elk that is not harvested within 150 days.

In addition, farms that do not meet the inventory compliance requirement in Subsection R58-18-6(5) may need to conduct additional testing on their elk.

The Department anticipates this cost to be around \$50 per elk.

**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

NOTICES OF PROPOSED RULES

Local Governments	\$0	\$0	\$0
Small Businesses	\$2,640	\$2,640	\$2,640
Non-Small Businesses	\$	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$2,640</b>	<b>\$2,640</b>	<b>\$2,640</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$(2,640)</b>	<b>\$(2,640)</b>	<b>\$(2,640)</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Commissioner of the Department of Agriculture and Food, Craig 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 4-39-106	Subsection 4-39-303(6)	
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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:**

<b>Official Title of Materials Incorporated (from title page)</b>	Chronic Wasting Disease (CWD) Program Standards
<b>Publisher</b>	United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services
<b>Issue Date</b>	May 2019

**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:** 08/14/2024

**9. This rule change MAY become effective on:** 08/21/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig Buttars, Commissioner	<b>Date:</b>	06/21/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b>	Repeal and Reenact		
<b>Rule or Section Number:</b>	R58-20	<b>Filing ID:</b>	56607

**Agency Information**

<b>1. Title catchline:</b>	Agriculture and Food, Animal Industry	
<b>Building:</b>	Taylorsville State Office Buildings, South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state:</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO BOX 16500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
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<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R58-20. Elk Ranches
<b>3. Purpose of the new rule or reason for the change:</b>
During the 2024 General Session, H.B. 375 passed and amended the requirements for importing domesticated elk into Utah. H.B. 375 (2024) established the requirements for importing domesticated elk from East of the 100-degree meridian into Utah.  The amendments in this rule reflect those requirements and include technical changes to align the rule with the Rulewriting Manual for Utah.
<b>4. Summary of the new rule or change:</b>
The changes to this rule include: 1) adding additional definitions, 2) updating the application and licensing process, 3) adding a requirement to reconcile inventory and Chronic Wasting Disease (CWD) testing records, 4) updating the records kept to two years to match statute, 5) adding the calculations used to determine compliance with inventory and testing requirements, 6) clarifying the process for the Domesticated Elk Advisory Council to review a ranch size before receiving a license, 7) removing red deer genetic testing requirements, 8) adding the requirement that elk will be tagged with a RFID tag and visual tag before 12 months of age, 9) reorganizing the import requirements, 10) removing the restriction on elk East of the 100th meridian, 11) adding the requirement that elk coming from East of the 100th meridian be harvested or treated within 150 days and report that information to the Department of Agriculture and Food ( department), 12) requiring elk facilities hold elk for harvest until slaughter withdrawal times are complete, and 13) requiring elk ranches to ensure slaughtered elk are tested for CWD.  Most of the changes to this rule are clarifying and technical changes to align with the Rulewriting Manual for Utah and be consistent with active voice and present tense terms.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The Department anticipates minimal costs to the state's budget because it will absorb the staff costs needed to verify that an elk ranch meets the importation requirements.  The Department anticipates this cost to be about \$2,300 starting in FY 2025.

**B) Local governments:**

Local governments are not expected to be impacted by the changes in this rule because local government does not administer the program and does not oversee elk ranches that import elk into the state.

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

The proposed changes will not impact small businesses because an elk ranch will harvest the elk within 150 days of importing per Section R58-18-9.

Also, Subsection R58-20-10(10) requires harvesting elk by the end of the year so an elk ranch would not have any extra elk to test for non-compliance.

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

The changes in this rule would not impact non-small businesses because none of the elk ranches licensed in the state have more than 50 employees.

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

The proposed changes in this rule will not impact other persons because a person does not import elk.

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

The proposed changes do not impact compliance costs for an elk ranch because the changes to the requirements do not impact the compliance costs for elk ranches.

**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	\$2,500	\$2,500	\$2,500
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$2,500</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>(\$2,500)</b>	<b>(\$2,500)</b>	<b>(\$2,500)</b>

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

The Commissioner of the Department of Agriculture and Food, Craig Butters, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 4-39-106	Subsection 4-39-303(6)	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	08/14/2024
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<b>9. This rule change MAY become effective on:</b>	08/21/2024
---	------------

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig Buttars, Commissioner	<b>Date:</b>	06/28/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Repeal and Reenact

<b>Rule or Section Number:</b>	<b>R70-101</b>	<b>Filing ID:</b> 56603
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**Agency Information**

<b>1. Title catchline:</b>	Agriculture and Food, Regulatory Services	
<b>Building:</b>	Taylorsville State Office Buildings, South Bldg, Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state:</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO Box 16500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
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<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R70-101. Bedding, Upholstered Furniture, and Quilted Clothing
<b>3. Purpose of the new rule or reason for the change:</b>
Over the past few years, the Department of Agriculture and Food (Department) has received an increase in consumer complaints regarding articles purchased online that fail to meet the labeling requirements specified in this rule.
In April 2023, the Department filed a revised rule to include labeling requirements for online sales. Following receipt of comments and feedback from industry partners, the Department filed an emergency rule to temporarily remove the online sales requirements.
During the emergency rule period, the Department engaged with various stakeholders to discuss the online sales requirements and addressed the concerns expressed.

As part of the proposed changes and requirements, the Department seeks to protect businesses from unfair practices and bolster consumer protection through the online sales requirements listed in Section R70-101-13.

Based on consumers reporting complaints and concerns to the Department, the updated requirements will help inform the consumer about their online purchases to help ease the burden of returning items that may not meet the consumer's expectations.

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

Many of the revisions in this rule clarify and align it with the Rulewriting Manual for Utah.

Section R70-101-13 specifies the online sales criteria for bedding and upholstered furniture, and quilted clothing to post either a digital law label or a digital textile label, respectively. The Department adds additional definitions to clarify which articles require the applicable filling material, URN, and sterilization number on the appropriate article landing page.

To further clarify, the Department updates the terms "law label" and "textile label" throughout this rule to differentiate between the different industry articles.

The sections that provide general requirements for articles regulated under this rule remain general but include some revisions for alignment with the Rulewriting Manual for Utah.

**Fiscal Information**

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

**A) State budget:**

The Department anticipates the fiscal impact on the state's budget to be minimal during FY2025, as the online requirements do not become effective until 04/01/2025.

The Department plans to educate retailers during FY2025 of the requirements and will absorb about \$10,000 in costs by utilizing current resources.

In FY2026, the Department expects an increase in inspections and estimates the continued cost of approximately \$10,000 for educating retailers and ensuring compliance.

In the subsequent years, the Department projects that these requirements will deter non-compliant sellers from the online marketplace and bolster consumer confidence by providing clear and reliable product information.

**B) Local governments:**

The changes will not impact local governments because they do not participate in or administer the program.

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

The Department anticipates a minimal fiscal impact on small businesses because most small businesses that sell these articles online or through an online retailer typically receive the necessary law or textile label information from their suppliers and can integrate these expenses into their current online article marketing expenditures.

A small business owner may maintain their online listings and absorb these costs by utilizing existing resources.

Assuming an average digital content creator salary of \$25 per hour and estimating that these tasks comprise about 25% of their duties and potentially take an hour per article to complete, the Department estimates that a small business selling an average of 100 items online would incur a monthly cost of \$625 or an annual expense of \$7,500 to meet and maintain the requirements in Section R70-101-13.

Although the updated rule includes a new requirement for online retailers, the Department does not require online retailers to register with the Department.

Currently, the Department cannot estimate the total impact for small business retailers in Utah.

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

The fiscal impact on non-small businesses may be larger due to the higher volume of articles sold.

A non-small business employing a digital content creator with a salary of \$25 per hour and estimating that these tasks constitute 25% of their duties, spending an hour for each article and would need to complete 1,000 articles, would incur a monthly cost of \$6,250.

Additionally, non-small businesses may consult with legal teams and other professionals to ensure ADA compliance on their website and to correctly state the appropriate terms. The Department anticipates this initial consultation cost to be approximately \$5,000.

The Department anticipates a fiscal impact of \$5,000 for FY2024, due to the consulting fees and once the online requirements become effective, the Department anticipates those costs increasing to an average of \$75,000 each year based on the ongoing 1,000 article, \$6250 per month cost.

Although the updated rule includes a new requirement for online retailers, the Department does not require online retailers to register with the department.

Currently, the Department cannot estimate the total impact for non-small business retailers in Utah.

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

Other persons will not be impacted by the changes because the updated requirements apply to small and non-small businesses that post articles online to be sold to the final consumer.

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

As mentioned above, the compliance costs vary depending on the entity, the person responsible for the article information online, the experience of the employee in completing the task, and the number of articles an entity may sell.

The Department estimates a digital content creator salary of \$25 per hour that would dedicate 25% of job duties to this requirement, approximate an hour per article to post and maintain online information, and the number of online articles a retailer chooses to post online, the compliance costs may vary from \$3,750 to \$75,000 annually.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$10,000	\$10,000	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$10,000</b>	<b>\$10,000</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$(10,000)</b>	<b>\$(10,000)</b>	<b>\$0</b>

<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>
The Commissioner of the Utah Department of Agriculture and Food, Craig Buttars, has reviewed and approved this regulatory impact analysis.

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 4-10-103		

**Incorporations by Reference Information**

<b>7. Incorporations by Reference :</b>	
<b>A) This rule adds or updates the following title of materials incorporated by references :</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	16 CFR Parts 300, 301, and 303, RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT
<b>Publisher</b>	Federal Trade Commission
<b>Issue Date</b>	March 2024

<b>B) This rule adds or updates the following title of materials incorporated by references :</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	2024 Manual of Labeling Laws
<b>Publisher</b>	International Sleep Products Association
<b>Issue or Version</b>	2024

<b>C) This rule adds or updates the following title of materials incorporated by references :</b>	
<b>Official Title of Materials Incorporated (from title page)</b>	USA-2000 Labeling Standards - Down & Feather Products (Jan. 2009) Bedding and Apparel
<b>Publisher</b>	IDFL Laboratory Institute
<b>Issue or Version</b>	January 2009

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	08/14/2024

<b>9. This rule change MAY become effective on:</b>	08/21/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig Buttars, Commissioner	<b>Date:</b>	06/24/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	R614-1-6	<b>Filing ID:</b> 56604



**Agency Information**

<b>1. Title catchline:</b>	Labor Commission, Occupational Safety and Health	
<b>Building:</b>	Heber M. Wells Building	
<b>Street address:</b>	160 E 300 S, 3rd Floor	
<b>City, state:</b>	Salt Lake City UT	
<b>Mailing address:</b>	PO Box 146600	
<b>City, state and zip:</b>	Salt Lake City UT 84114-6600	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Floyd Johnson	801-530-68989	fjohnson@utah.gov
Holly Lawrence	801-530-6494	hlawrence@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R614-1-6. Inspections, Citations, and Proposed Penalties
<b>3. Purpose of the new rule or reason for the change:</b>
The purpose of this amendment to Utah's Occupational Safety and Health (UOSH) rules is to update this rule to ensure UOSH remains at least as effective as the Federal Occupational Safety and Health Administration (OSHA).
<b>4. Summary of the new rule or change:</b>
In Subsection R614-1-6(H)(3), Representative of Employers and Employees. UOSH is amending its Representatives of Employers and Employees rule to clarify that the representatives authorized by employees may be an employee of the employer or a third party; such third-party employee representatives may accompany the UOSH Compliance Safety and Health Officer (CSHO) when, in the judgment of the CSHO, good cause has been shown why they are reasonably necessary to aid in the inspection.  UOSH also clarified that a third party may be reasonably necessary because of their relevant knowledge, skills, or experience with hazards or conditions in the workplace or similar workplaces, or language or communication skills.  These clarifications aid UOSH's workplace inspections by better enabling employees to select representatives of their choice to accompany the CSHO during a physical workplace inspection.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The proposed amendment will not result in additional costs or savings to the state budget.  This rule imposes no new direct cost burden on employers and does not require them to take any action to comply.  This rule merely clarifies who can be an authorized employee representative during UOSH's walkaround inspection and is not a citable rule since an employer cannot "violate" this rule.
<b>B) Local governments:</b>
The proposed amendment will not result in additional costs or savings to local governments.  This rule imposes no new direct cost burden on employers and does not require them to take any action to comply. This rule does not require or prohibit any employer conduct, and an employer cannot "violate" this rule.  This rule merely clarifies who can be an authorized employee representative during UOSH's walkaround inspection.

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

The proposed amendment will have no anticipated cost or savings to small businesses.

This rule imposes no new direct cost burden on employers and does not require them to take any action to comply.

This rule does not require or prohibit any employer conduct, and an employer cannot "violate" this rule.

This rule merely clarifies who can be an authorized employee representative during UOSH's walkaround inspection.

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

The proposed amendment will have no anticipated cost or savings to non-small businesses.

This rule imposes no new direct cost burden on employers and does not require them to take any action to comply.

This rule does not require or prohibit any employer conduct, and an employer cannot "violate" this rule.

This rule merely clarifies who can be an authorized employee representative during UOSH's walkaround inspection.

**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 amendment will have no anticipated cost or savings to persons other than small businesses, non-small businesses, state, or local government entities.

This rule imposes no new direct cost burden on employers and does not require them to take any action to comply.

This rule does not require or prohibit any employer conduct, and an employer cannot "violate" this rule.

This rule merely clarifies who can be an authorized employee representative during UOSH's walkaround inspection.

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

The proposed amendment will have no anticipated compliance costs for affected persons.

This rule imposes no new direct cost burden on employers and does not require them to take any action to comply.

This rule does not require or prohibit any employer conduct, and an employer cannot "violate" this rule.

This rule merely clarifies who can be an authorized employee representative during UOSH's walkaround inspection.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Commissioner of the Utah Labor Commission, Jaceson Maughan, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Title 34, Chapter 6		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	08/14/2024
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<b>9. This rule change MAY become effective on:</b>	08/21/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Jaceson R. Maughan, Commissioner	<b>Date:</b>	06/28/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> New		
<b>Rule or Section Number:</b>	<b>R649-12</b>	<b>Filing ID: 56606</b>

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Oil and Gas	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state:</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R649-12. Certification of Pollution Control Facility or Freestanding Pollution Control Property
<b>3. Purpose of the new rule or reason for the change:</b>
H.B. 373 of the 2024 General Session directs the Division of Oil, Gas and Mining (Division) to administer a program of issuing tax certificates to qualifying purchases of pollution control facilities.  Within the bill, rulemaking authority is granted to the Board of Oil, Gas and Mining to establish procedures relating to the processing and evaluation of an application for a certificate and the issuance or revocation of a certificate.

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

This new rule will establish the processes for applying for the certification, issuing a certification, exemptions, and appeals or revocations.

This rule will cover the authorization, purpose, scope, and applicable definitions of this new process the Division has been tasked with by the legislature.

**Fiscal Information**

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

**A) State budget:**

There is a total of one state agency, the Division, that will be associated with this proposed rule.

H.B. 373 (2024) appropriated funding to implement this program, so no additional money will be needed.

**B) Local governments:**

This rule does not apply to local governments as the tax incentive can only be granted by the Division, the Division of Air Quality, and the Division of Water Quality.

Additionally, this new rule is only applicable to operators who are permitted with the Division's Oil and Gas program.

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

There are 303 small businesses, oil and gas operators, (for a complete listing of North American Industry Classification System (NAICS) codes used in this analysis, please contact the agency) in the state of Utah.

There will be an estimated fiscal savings to oil and gas operators who receive a certificate, as they can be submitted to the Tax Commission for a sales and use incentive, however, it cannot be estimated how many oil and gas operators will apply and receive a certificate from the Division.

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

There are a total of 4 non-small businesses, oil and gas operators, (for a complete listing of NAICS codes used in this analysis, please contact the agency) in the state of Utah.

There will be an estimated fiscal savings to oil and gas operators who receive a certificate, as they can be submitted to the Tax Commission for a sales and use incentive, however, it cannot be estimated how many oil and gas operators will apply and receive a certificate from the Division.

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

This rule change will not affect persons other than small businesses, businesses, or one state government agency as this rule change will only affect oil and gas operators who are currently permitted with the oil and gas program within the Division.

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

There will be no compliance costs since updating pollution control facilities isn't a requirement and applying for the tax certificate is free.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this regulatory impact analysis.

**Citation Information**

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

Section 40-6-1	Subsection 19-12-305(3)	
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**Public Notice Information**

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

**A) Comments will be accepted until:** 08/15/2024

**9. This rule change MAY become effective on:** 08/28/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas, Director	<b>Date:</b>	06/27/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment

<b>Rule or Section Number:</b>	<b>R657-4</b>	<b>Filing ID:</b> 56602
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**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources
<b>Building:</b>	DNR Complex
<b>Street address:</b>	1594 W North Temple
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 146301
<b>City, state and zip:</b>	Salt Lake City, UT 84414-6301

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-4. Possession and Release of Pen-reared Gamebirds
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to taking protected wildlife.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule update a rule reference.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-4 are administrative in nature, the DWR determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>
The proposed rule amendments do not have the potential to impact other persons that pen raise gamebirds in Utah, nor is a service required of them.
<b>F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):</b>
The DWR has determined that this amendment may not create additional costs for those individuals wishing to raise pen reared gamebirds in Utah because it simply updates a rule reference.
<b>G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)</b>

Regulatory Impact Table			
Fiscal Cost	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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 23A-5-302	Section 23A-2-305	Section 23A-2-304

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	08/14/2024

<b>9. This rule change MAY become effective on:</b>	08/21/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	06/19/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-5</b>	<b>Filing ID:</b> 56596

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources
<b>Building:</b>	DNR Complex
<b>Street address:</b>	1594 W North Temple
<b>City, state:</b>	Salt Lake City, UT

<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-5. Taking Big Game
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to taking Big Game.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule place this rule in line with H.B. 382, Wildlife Amendments, passed in the 2024 General Session which clarifies a voided license/permit.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-5 are administrative in nature, DWE has determines that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
The proposed rule amendments do not have the potential to impact other persons that hunt big game in Utah, nor is a service required of them.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
The DWR has determined that this amendment may not create additional costs for those individuals wishing to hunt big game in Utah because it simply clarifies what an invalid license/permit is.
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)



Regulatory Impact Table			
Fiscal Cost	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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 23A-2-304	Section 23A-2-305	

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	08/14/2024

<b>9. This rule change MAY become effective on:</b>	08/21/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	06/19/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-13</b>	<b>Filing ID:</b> 56597

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources
<b>Building:</b>	DNR Complex
<b>Street address:</b>	1594 W North Temple
<b>City, state:</b>	Salt Lake City, UT

<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-13. Taking Fish and Crayfish
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to taking Fish and Crayfish.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule place this rule in line with H.B. 382, Wildlife Amendments, passed in the 2024 General Session which amends a statutory reference.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Ruel R657-13 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
The proposed rule amendments do not have the potential to impact other persons that fish in Utah, nor is a service required of them.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
The DWR has determined that this amendment may not create additional costs for those individuals wishing to fish in Utah because it simply updates a statutory reference.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

**Citation Information**

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

Section 23A-2-305	Section 23A-2-304	Section 23A-4-201
Section 23A-2-403		

**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:** 08/14/2024

**9. This rule change MAY become effective on:** 08/21/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	06/19/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment
<b>Rule or Section Number:</b> R657-14 <b>Filing ID:</b> 56598

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources	
<b>Building:</b>	DNR Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-14. Commercial Harvesting of Protected Aquatic Wildlife
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to taking protected wildlife.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule update a scientific name for leatherside chub.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-14 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
<b>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</b>
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):</b>
The proposed rule amendments do not have the potential to impact other persons that fish in Utah, nor is a service required of them.

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

The DWR has determined that this amendment may not create additional costs for those individuals wishing to fish in Utah because it simply updates a scientific name.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

**Citation Information**

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

Section 23A-2-102	Section 23A-2-304	Section 23A-2-305
Section 23A-5-304	Section 23A-9-305	Section 23A-9-304

**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:** 08/14/2024

**9. This rule change MAY become effective on:** 08/21/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	06/19/2024
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NOTICE OF SUBSTANTIVE CHANGE		
<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-37</b>	<b>Filing ID: 56609</b>

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources	
<b>Building:</b>	DNR Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-37. Cooperative Wildlife Management Units for Big Game or Turkey
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule regulating the operations of Cooperative Wildlife Management Units (CWMUs).
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule: 1) eliminate acreage variances and allow for under acreage applications if the CWMU is within 90% of the acreage requirements and agree to allocate an additional permit for each species to be awarded in the public draw; 2) create strategies and tools to help with CWMUs that are over objective on management units; 3) allow for the addition of non-contiguous lands to a CWMU under certain circumstances; 4) provide guidelines for the administration of trade lands; 5) clarify the purpose of the CWMU Advisory Committee; and 6) make technical corrections.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-37 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

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

These amendments do not have the potential to create a cost impact to those individuals wishing to participate in operating a CWMU because the rule amendments clarify processes currently in place and allow additional management tools to be used by operators that will be beneficial to the operation of all CWMUs. These additional tools will not create a cost impact to those wishing to employ them.

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

The DWR has determined that this amendment will not create additional costs for those participating in hunting in Utah on a CWMU because the rule amendments clarify processes currently in place and allow additional management tools to be used by operators that will be beneficial to the operation of all CWMUs.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

**Citation Information**

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

Section 23A-7-102		
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	08/14/2024
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<b>9. This rule change MAY become effective on:</b>	08/21/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	07/01/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-38</b>	<b>Filing ID:</b> 56599

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources	
<b>Building:</b>	DNR Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-38. Dedicated Hunter Program
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to the Dedicated Hunter Program.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule place the rule in line with H.B. 382, Wildlife Amendments, passed in the 2024 General Session which clarifies an invalid license/permit.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-38 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses ("small business" means a business employing 1-49 persons):</b>



The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

**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 amendments do not have the potential to impact other persons that participate in the Dedicated Hunter program in Utah, nor is a service required of them.

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

The DWR gas determined that this amendment may not create additional costs for those individuals wishing to participate in the Dedicated Hunter program in Utah because it simply clarifies what an invalid license/permit is.

**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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

**Citation Information**

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

Section 23A-2-305

**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:** 08/14/2024

<b>9. This rule change MAY become effective on:</b>	08/21/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	06/19/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-41</b>	<b>Filing ID:</b> 56610

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources	
<b>Building:</b>	DNR Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-41. Conservation and Sportsman Permits
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to taking Big Game with Conservation and Sportsman Permits.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule: 1) remove cougar as a conservation permit species; 2) clean up the definitions section and removal of items that are not true definitions; 3) change the season type and draft order for elk and deer conservation permits; 4) clarify the process DWR will notify the Wildlife Board as to the results of the conservation permit distribution post conservation permit draft; 5) require the Conservation Groups to have both a COR issued by the DWR and a contract with the DWR in order to sell conservation permits; 6) allow Conservation organizations to sell a permit to the runner-up bidder when the winning bidder defaults as long as the original high bid price is met; 7) clarify that retained revenue must be spent in a manner according to the DWR's strategic plan and or consistent with a conservation species management plan; and 8) extend unit conservation Bighorn permits through December 31, this was previously done through a variance; and 9) technical corrections.

**Fiscal Information**

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

**A) State budget:**

The amendments to Rule R657-41 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

**B) Local governments:**

Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

This amendment clarifies an existing Conservation and Sportsmen permit program, the Conservation Organization's are not regulated as a non-small business nor do they have an employer/employee relationship therefore, this rule does not impose any additional financial requirements on non-small businesses, nor generate a cost or saving impact to non-small-businesses because this rule does not create a situation requiring services from them.

**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 amendments do not have the potential to impact other persons that hunt big game in Utah, nor is a service required of them.

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

The DWR has determined that this amendment may not create additional costs for those individuals wishing to participate in hunting with Conservation or Sportsman permits in Utah because it simply clarifies regulations already in place with the program.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**  
 After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**  
 Section 23A-2-304                      Section 23A-2-305

**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:** 08/14/2024

**9. This rule change MAY become effective on:** 08/21/2024

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

**Agency Authorization Information**

**Agency head or designee and title:** J. Shirley, Division Director                      **Date:** 07/01/2024

**NOTICE OF SUBSTANTIVE CHANGE**

**TYPE OF FILING:** Amendment  
**Rule or Section Number:** R657-42                      **Filing ID:** 56600

**Agency Information**

**1. Title catchline:** Natural Resources, Wildlife Resources  
**Building:** DNR Complex  
**Street address:** 1594 W North Temple  
**City, state:** Salt Lake City, UT  
**Mailing address:** PO Box 146301  
**City, state and zip:** Salt Lake City, UT 84114-6301

**Contact persons:**  
**Name:**                      **Phone:**                      **Email:**  
 Staci Coons                      801-450-3093                      stacicoons@utah.gov

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

**General Information**

**2. Rule or section catchline:**  
 R657-42. Fees, Exchanges, Surrenders, Refunds, and Reallocation of Wildlife Documents

**3. Purpose of the new rule or reason for the change:**  
 This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to administrative processes.

**4. Summary of the new rule or change:**  
 The proposed amendments to this rule place this rule in line with H.B. 382, Wildlife Amendments, passed in the 2024 General Session which clarifies an invalid license/permit.

**Fiscal Information**

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

**A) State budget:**

The amendments to Ruel R657-42 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.

**B) Local governments:**

Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.

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

The proposed rule amendments will not directly impact small businesses because a service is not required of them.

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

The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.

**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 amendments do not have the potential to impact other persons that participate in activities in Utah, nor is a service required of them.

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

The DWR has determined that this amendment may not create additional costs for those individuals wishing to participate in activities in Utah because it simply clarifies what an invalid license/permit is.

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

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 23A-4-201	Section 23A-4-207	Section 23A-4-301

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)</b>	
<b>A) Comments will be accepted until:</b>	08/14/2024
<b>9. This rule change MAY become effective on:</b>	08/21/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	06/19/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment		
<b>Rule or Section Number:</b>	<b>R657-43</b>	<b>Filing ID:</b> 56595

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources	
<b>Building:</b>	DNR Complex	
<b>Street address:</b>	1594 W North Temple	
<b>City, state:</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 146301	
<b>City, state and zip:</b>	Salt Lake City UT 84114-6301	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-43. Landowner Permits
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Resources' (DWR) rule pursuant to Landowner Association Program

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

The proposed amendments to this rule:

- 1) clarify 640 acre minimum for General Season Private Land Landowner Buck Deer Vouchers;
- 2) amend the allocation of additional permits from 10% to 7%;
- 3) clarify the issuance of General Season Private Land Landowner Buck Deer Vouchers; and
- 4) require one permit per unit in the Limited Entry Landowner Program.

**Fiscal Information**

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

**A) State budget:**

The amendments to Rule R657-43 are program changes that are administrative in nature for the DWR, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget

**B) Local governments:**

Since the proposed amendments clarify existing program requirements and restrictions this filing does not create any direct cost or savings impact to local governments. Nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments

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

This amendment clarifies an existing Landowner program, the LOA's are not regulated as a small business therefore, this rule does not impose any additional financial requirements on small businesses, nor generate a cost or saving impact to small businesses because the rule does not create a situation requiring services from them

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

This amendment clarifies an existing Landowner program, the LOA's are not regulated as a non-small business nor do they have an employer/employee relationship therefore, this rule does not impose any additional financial requirements on small non-businesses, nor generate a cost or saving impact to small non-businesses because the rule does not create a situation requiring services from them.

**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 rule amendments do have the potential to affect the number of vouchers being issued to each LOA. Because the vouchers are based on the market the LOA's that may decrease in permit numbers may actually see an increase in the tag price and may not have a financial loss. A majority of the LOA's were receiving vouchers recommended at the same rate and will see no change.

There has always been potential for the vouchers to increase or decrease each year however, some of the vouchers consistently sell for more than \$40,000. The DWR has determined that with the market flexibility the decrease in the percentage of vouchers issued could be off-set with the purchasing demand, therefore the cost impact could remain the same.

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

The DWR has determined that there will be no change in cost for those wishing to participate as a Landowner Association in the program.

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

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.

**Citation Information**

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

Section 23A-2-304	Section 23A-2-305	
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**Public Notice Information**

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

<b>A) Comments will be accepted until:</b>	08/14/2024
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<b>9. This rule change MAY become effective on:</b>	08/21/2024
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	J. Shirley, Division Director	<b>Date:</b>	06/19/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment	
<b>Rule or Section Number:</b> R657-44	<b>Filing ID:</b> 56601

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources, Wildlife Resources
<b>Building:</b>	DNR Complex
<b>Street address:</b>	1594 W North Temple
<b>City, state:</b>	Salt Lake City, UT
<b>Mailing address:</b>	PO Box 146301
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6301



<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Staci Coons	801-450-3093	stacicoons@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R657-44. Big Game Depredation
<b>3. Purpose of the new rule or reason for the change:</b>
This rule is being amended pursuant to Regional Advisory Council and Wildlife Board meetings conducted annually for taking public input and reviewing the Division of Wildlife Ewsources' (DWR) rule pursuant to big game depredation.
<b>4. Summary of the new rule or change:</b>
The proposed amendments to this rule place this rule in line with H.B. 382, Wildlife Amendments, passed in the 2024 General Session which amended Section 23A-1-206, New development, and Subsection 23-A-2-201(4), Division of Wildlife Resources – Limits on authority of political subdivisions.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The amendments to Rule R657-44 are administrative in nature, the DWR has determined that these changes can be initiated within the current workload and resources of the DWR, therefore, the DWR does not believe that these amendments would create a cost or savings impact to the state budget or the DWR's budget since the changes will not increase workload and can be carried out with existing budget.
<b>B) Local governments:</b>
Local governments are not directly or indirectly impacted by these proposed amendments because this rule does not create a situation requiring services from local governments.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
The proposed rule amendments will not directly impact small businesses because a service is not required of them.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
The proposed rule amendments will not directly impact non-small businesses because a service is not required of them.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i> ):
The proposed rule amendments do not have the potential to impact other persons that participate in activities in Utah, nor is a service required of them.
<b>F) Compliance costs for affected persons</b> (How much will it cost an impacted entity to adhere to this rule or its changes?):
The WR has determined that this amendment may not create additional costs for those individuals wishing to participate in activities in Utah because it simply aligns with the Utah Code.
<b>G) Regulatory Impact Summary Table</b> (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H) Department head comments on fiscal impact and approval of regulatory impact analysis:</b>			
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a measurable fiscal impact to businesses. The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this fiscal analysis.			

**Citation Information**

<b>6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:</b>		
Section 23A-1-206	Section 23A-2-201	Section 23A-8-401
Section 23A-8-402		

**Public Notice Information**

<b>8. The public may submit written or oral comments to the agency identified in box 1.</b> (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)
<b>A) Comments will be accepted until:</b> 08/14/2024

<b>9. This rule change MAY become effective on:</b> 08/21/2024
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information**

<b>Agency head or designee and title:</b> J. Shirley, Division Director	<b>Date:</b> 06/19/2024
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**NOTICE OF SUBSTANTIVE CHANGE**

<b>TYPE OF FILING:</b> Amendment	
<b>Rule or Section Number:</b> R926-17	<b>Filing ID:</b> 56608

**Agency Information**

<b>1. Title catchline:</b>	Transportation, Program Development
<b>Building:</b>	Calvin Rampton
<b>Street address:</b>	4501 S 2700 W
<b>City, state:</b>	Taylorsville, UT

<b>Mailing address:</b>	PO Box 148455	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-8455	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Leif Elder	801-580-8296	lelder@utah.gov
James Godin	801-965-4026	Mgalindo1@utah.gov
Lori Edwards	801-573-7181	jamesjgodin@agutah.gov
Marlene Galindo	801-965-4048	loriedwards@agutah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R926-17. Road Usage Charge Program
<b>3. Purpose of the new rule or reason for the change:</b>
The Department of Transportation submits this amendment for the purposes of clarifying the existing rule language, adding new rule language, and making various clerical edits.
<b>4. Summary of the new rule or change:</b>
This amendment: 1) adds subsections to Section R926-17-2 by adding new definitions; 2) cleans up the language in Sections R926-17-3, R926-17-4, R926-17-5 and R926-17-6, lessening the amount of subsections needed to convey those sections' provisions; 3) adds more language to Sections R926-17-7 and R926-17-8 to clarify requirements set forth in those sections; and 4) reorganizes the subsection ordering of Section R926-17-9.

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
There is no anticipated cost or savings to the state budget, as this rule is clerical in nature and will not affect how the state operates or conducts its business under this rule.
<b>B) Local governments:</b>
There is no anticipated cost or savings to local governments, as this rule is clerical in nature and will not affect how local governments operate or conduct business under this rule.
<b>C) Small businesses</b> ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses, as this rule is clerical in nature and will not affect how small businesses operate or conduct business under this rule.
<b>D) Non-small businesses</b> ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses, as this rule is clerical in nature and will not affect how non-small businesses operate or conduct business under this rule.
<b>E) Persons other than small businesses, non-small businesses, state, or local government entities</b> ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <b>agency</b> ):
There is no anticipated cost or savings to persons, as this rule is clerical in nature and will not affect how persons operate or conduct business under this rule.

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

There are no compliance costs for affected persons because this rule change will not affect how persons operate or conduct business under 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
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

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

**Citation Information**

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

Section 72-1-213.1

**Public Notice Information**

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

**A) Comments will be accepted until:** 08/14/2024

**9. This rule change MAY become effective on:** 08/21/2024

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Carlos M. Braceras, PE, Executive Director	<b>Date:</b>	06/28/2024
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**End of the Notices of Proposed Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

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

<b>Rule Number:</b>	R70-960	<b>Filing ID:</b> 50181
<b>Effective Date:</b>	06/28/2024	

### Agency Information

<b>1. Title catchline:</b>	Agriculture and Food, Regulatory Services	
<b>Building:</b>	Taylorsville State Office Building, South Bldg., Floor 2	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO Box 146500	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6500	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Amber Brown	385-245-5222	Ambermbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Travis Waller	801-982-2200	Twaller@Utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

### General Information

<b>2. Rule catchline:</b>	R70-960. Weights and Measures Fee Registration	
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	<p>Per Section 4-9-118, the Department of Agriculture and Food (Department) is authorized to create rules to determine if a Weight and Measure device is accurate and being used correctly.</p> <p>This rule provides specific guidelines for the inspection and testing of Weights and Measures devices used across the state through a process that requires an establishment to register Weights and Measures devices with the Department.</p> <p>This process promotes fair business practices and safeguards consumers when purchasing commodities sold by weight, ensuring accurate and reliable measurements, and maintaining compliance with Section 4-9-118.</p>	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

The Department has not received public comments regarding the Weights and Measures Program, specifically about this rule during 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:**

Weights and Measures inspections ensure accurate commercial transactions. Regular inspections by the Department guarantee the accuracy of measuring instruments like scales and meters. This rule aims to protect consumers, promote fair competition, and uphold fairness in economic exchanges through inspections and testing reports. Therefore, this rule should be continued.

However, this rule has not been revised in almost 20 years. The Department is currently drafting an amendment and will file it after this five-year review is complete.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Craig Buttars, Commissioner	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R392-104</b>	<b>Filing ID:</b>	<b>55887</b>
<b>Effective Date:</b>	<b>06/24/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Population Health, Environmental Health		
<b>Building:</b>	Cannon Health Building		
<b>Street address:</b>	288 N 1460 W		
<b>City, state</b>	Salt Lake City, UT		
<b>Mailing address:</b>	PO Box 142102		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-2102		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Karl Hartman	801-538-6191	khartman@utah.gov	
Mariah Noble	385-214-1150	mariahnoble@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R392-104. Feeding Disadvantaged Groups
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsections 26B-1-202(1), 26B-1-202(26), 26B-7-413(14)(b) and 26B-7-411(3) authorize the Department of Health and Human Services (Department) to establish additional requirements for charitable organizations providing food for free.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department has not received any written comments supporting or opposing 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 requires adherence to uniform statewide standards for feeding a disadvantaged group at an event in a manner that safeguards public health.

It also establishes exemptions and certain requirements as required by Subsection 26B-7-411(3). Therefore, this rule should be continued.

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	06/24/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R398-5</b>	<b>Filing ID:</b>	<b>55685</b>
<b>Effective Date:</b>	<b>06/24/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Family Health, Children with Special Health Care Needs		
<b>Building:</b>	Multi Agency State Office Building (MASOB), Room 2025		
<b>Street address:</b>	195 N 1950 W		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Stephanie Pocius	801-419-6006	stephaniepocius@utah.gov	
Alexis Weight	801-273-2956	abweight@utah.gov	
Mariah Noble	385-214-1150	mariahnoble@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R398-5. Birth Defects and Critical Congenital Heart Disease Reporting
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Rule R398-5 establishes reporting requirements for birth defects and related test results. Authority for this rule is found in Section 26B-1-202 and is enacted through Sections 26B-4-318, 26B-4-319, and 26B-1-229. These statutory provisions allow for the Utah Birth Defect Network within the Utah Department of Health and Human Services (Department) to execute Department duties and conduct surveillance under the state agency; participate in strategies and activities benefiting women, children, and children with special health care needs; implement the newborn screening program; and provide data to designated facilities.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments in support or opposition to this rule have been received by the Department since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

This rule is necessary for compliance with statute requiring the Department to provide services and oversight of birth defects, critical congenital heart disease (CCHD), and stillbirths, as well as monitor emerging threats against women and children. Therefore, this rule should be continued.

As the Department has not received comments in opposition to this rule, there is no response to comments.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	06/24/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R414-61</b>	<b>Filing ID: 55935</b>
<b>Effective Date:</b>	<b>06/24/2024</b>	

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
R414-61. Home and Community-Based Services Waivers
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and 42 U.S.C. 1396n(c) authorizes payment for home and community-based services (HCBS) under an HCBS waiver.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department has not received any written comments in support or opposition to this rule since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary for compliance with state and federal statute allowing the Department to administer HCBS waivers for Medicaid members. Therefore, this rule should be continued.
As there have been no comments in opposition to this rule, the agency has not responded to such comments.



**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	06/24/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	<b>R414-522</b>	<b>Filing ID: 55616</b>
<b>Effective Date:</b>	<b>06/24/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Integrated Healthcare	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state</b>	Salt Lake City, UT	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R414-522. Electronic Visit Verification Requirements for Personal Care and Home Health Care Services
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 26B-3-108 requires the Department of Health and Human Services (Department) implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.  Additionally, Section 12006(a) of the 21st Century Cures Act of 2016, Pub. L. No. 114 255, 130 Stat. 1275 mandates that states implement electronic visit verification (EVV) for Medicaid personal care services and home health services that require an in-home visit by a provider.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
After the initial filing of this rule, the Department received public comments that expressed concern for increased costs in personal care and consumer-directed services, as well as concern for individual autonomy, privacy, security, and access.  None of the comments, however, oppose this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
The Department has determined this rule is necessary because it implements EVV to ensure that required in-home visits for personal care and home health services are occurring, as mandated by federal law. Therefore, this rule should be continued.  The Department does not disagree with comments expressing concerns about this rule but maintains that this rule provides maximum flexibility under federal law for individual autonomy while offering federal protections of privacy, security, and access.  The Department also maintains that current legislative appropriations offset price increases for personal care and consumer-directed services.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	06/24/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R428-15</b>	<b>Filing ID: 55902</b>
<b>Effective Date:</b>	<b>07/01/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Data, Systems and Evaluation, Research and Evaluation, Health Care Statistics	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 144004	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4004	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Lori Savoie	385-242-6404	lsavoie@utah.gov
Bri Murphy	385-501-9347	brilmurphy@utah.gov
Mike Martin	801-538-9205	mikemartin@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R428-15. Health Data Authority Health Insurance Claims Reporting
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized by Subsection 26B-8-501.1(b) to direct a statewide effort to collect, analyze, and distribute health care data to facilitate the promotion and accessibility of quality and cost-effective health care and also to facilitate interaction among those with concern for health care issues.
The current Utah Code, effective 05/01/2024, is cited within this section. A request for amendment of the rule text will be submitted to align with the current applicable statute.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Health Care Statistics Program has not received any written comments about this rule since the last five-year review from interested persons supporting or opposing the rule.
Only general inquiries have been made and responded to by the Program.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule establishes requirements for certain entities that pay for health care to submit data to the Department of Health and Human Services (Department) . This data is needed to develop and maintain an All Payer Claims Database (APCD), which assists in the comparison of health care cost efficiencies and effectiveness statewide from a cross-sectional as well as from a more longitudinally-based, disease progression perspective. Analytic reports will continue to be released over the next several years that will help monitor trends in claims, costs, and quality of care for the people in Utah. The use of data and reports are justifications for this rule. Therefore, this rule should be continued.

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

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	07/01/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
<b>Rule Number:</b>	<b>R539-3</b>	<b>Filing ID: 55879</b>
<b>Effective Date:</b>	<b>06/24/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Services for People with Disabilities	
<b>Building:</b>	Cannon Health Building	
<b>Street address:</b>	288 N 1460 W	
<b>City, state</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 145145	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-5145	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bruce Quaglia	435-669-4855	bquaglia@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R539-3. Rights and Protections
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsections 26B-6-402(6), 26B-6-403(2)(b), 26B-6-403(2)(l), and 26B-6-403(2)(q) authorize and establish the Division of Services for People with Disabilities' (Division) responsibilities related to rulemaking and determining appropriate services for applicants and people receiving services.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department of Health and Human Services (Department) has not received any written comments in support of or opposition to this rule since its last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary to establish procedure to protect the rights and freedoms of individuals in services with the Division, as authorized by statute and Medicaid State Implementation Plans (SIPs). The Division plans to significantly amend this rule within the first part of the continuation period to account for recent changes to federal guidance. These changes are required by 42 CFR 430 through 42 CFR 431, 42 CFR 435 through 42 CFR 436, 42 CFR 440 through 42 CFR 441, and 42 CFR 447 (2024). Therefore, this rule should be continued.
As there were no comments in opposition to this rule. The Department did not respond to any such comments.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	06/24/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R539-4</b>	<b>Filing ID:</b>	<b>55880</b>
<b>Effective Date:</b>	<b>06/24/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Health and Human Services, Services for People with Disabilities		
<b>Building:</b>	Cannon Health Building		
<b>Street address:</b>	288 N 1460 W		
<b>City, state</b>	Salt Lake City, UT		
<b>Mailing address:</b>	PO Box 145145		
<b>City, state and zip:</b>	Salt Lake City, UT 84114-5145		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Bruce Quaglia	435-669-4855	bquaglia@utah.gov	
Mariah Noble	385-214-1150	mariahnoble@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R539-4. Behavior Interventions
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Subsections 26B-6-402(6), 26B-6-403(2)(b), 26B-6-403(2)(l), and 26B-6-403(2)(q) authorize and establish the Division of Services for People with Disabilities' (Division) responsibilities related to rulemaking and determining appropriate services for applicants and people receiving services.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department of Health and Human Services (Department) has not received written comments in support of or opposition to this rule since its last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary to establish procedure for behavior interventions and to set a standard that protects a person's rights from infringement, as authorized by statute. The Division plans to significantly amend this rule within the first part of the continuation period to account for recent changes to federal guidance. These changes are required by 42 CFR 430 through 42 CFR 431, 42 CFR 435 through 42 CFR 436, 42 CFR 440 through 42 CFR 441, and 42 CFR 447 (2024). Therefore, this rule should be continued.  As there were no comments in opposition to this rule, the Department did not respond to any such comments.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Tracy S. Gruber, Executive Director	<b>Date:</b>	06/24/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R539-5	Filing ID: 56297
Effective Date:	06/24/2024	

**Agency Information**

1. Title catchline:	Health and Human Services, Services for People with Disabilities	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state	Salt Lake City, Utah	
Mailing address:	PO Box 145145	
City, state and zip:	Salt Lake City, UT 84114-5145	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Bruce Quaglia	435-669-4855	bquaglia@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:	R539-5. Self-Administered Services
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	Sections 26B-6-402 and 26B-6-403 authorize the Division of Services for People with Disabilities' (Division) to administer services and supports for persons with disabilities and their families, with Subsection 26B-6-403(2)(b) providing direct rulemaking authority.
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 written comments in support of or opposition to 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:	<p>This rule is necessary to establish standards and procedure for eligibility and administration of the self-administered services program. The Division is in the process of drafting significant amendments, with input from another agency that is drafting a similar filing, for a planned repeal and reenact of this rule, but the current rule is necessary to be in place to ensure that proper administration and enforcement continues in the interim. Therefore, this rule should be continued.</p> <p>As there were no comments in opposition to this rule, the Department did not respond to any such comments.</p>

**Agency Authorization Information**

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	06/24/2024
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R590-254	Filing ID: 55092
Effective Date:	06/25/2024	

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
R590-254. Annual Financial Reporting Rule
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 31A-2-201 authorizes the insurance commissioner to write rules to implement Title 31A, Insurance Code.  Section 31A-2-203 authorizes the insurance commissioner to write rules pertaining to annual financial reporting requirements.  Section 31A-5-412 authorizes the insurance commissioner to write rules pertaining to audit committee requirements.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is critical in maintaining oversight of the financial condition of insurers licensed in Utah, which is one of the Department's major responsibilities. One way this is done is by requiring insurers to submit annual reports and documents relating to their financial stability, as specified in this rule. Ensuring the financial strength of insurers doing business in Utah is important to maintaining the optimal operation of the market, so policyholders can be made whole when they file covered claims. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Steve Gooch, Public Information Officer	<b>Date:</b>	06/25/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-100</b>	<b>Filing ID:</b> 51575
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-100. Administrative: Introduction
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-100 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.  Rule R645-100 explains the program, responsibilities of the Division, lists relevant definitions, and availability of records. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-101</b>	<b>Filing ID: 51572</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-101. Restrictions on State Employees

<p><b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b></p> <p>Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).</p>
<p><b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b></p> <p>No written comments have been received on this rule.</p>
<p><b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b></p> <p>Rule R645-101 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.</p> <p>Rule R645-101 explains restrictions on employees of the Division, including responsibilities, penalties, filing of financial reports, resolving prohibited interests, and the appeals procedure. Therefore, this rule should be continued.</p>

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-102</b>	<b>Filing ID: 51569</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<p><b>2. Rule catchline:</b></p> <p>R645-102. Exemptions for Coal Extraction Incident to Government-Financed Highway or Other Construction</p>
<p><b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b></p> <p>Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).</p>
<p><b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b></p> <p>No written comments have been received on this rule.</p>



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

Rule R645-102 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.

Rule R645-102 establishes procedures for determining which coal mining and reclamation operations are exempt from the OSMRE Act, the applicability, and the information to be maintained on site. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-103</b>	<b>Filing ID: 51570</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-103. Areas Unsuitable for Coal Mining and Reclamation Operations
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-103 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-103 establishes procedures for designating lands unsuitable for all or certain types of coal mining, including areas designated by Congress and Utah's criteria for designation. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-104</b>	<b>Filing ID:</b>	<b>51574</b>
<b>Effective Date:</b>	<b>06/27/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>	R645-104. Protection of Employees
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>	No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	<p>Rule R645-104 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.</p> <p>Rule R645-104 establishes protection of state employees from being fired or discriminated against because of any proceeding under the R645 Coal Program Rules. Therefore, this rule should be continued.</p>

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-105</b>	<b>Filing ID:</b>	<b>51571</b>
<b>Effective Date:</b>	<b>06/27/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-105. Blaster Training, Examination and Certification
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-105 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-105 establishes requirements for blaster training, examination and certification at coal mining operations, with the objective to minimize duplicative certifying, licensing, and training efforts. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-106</b>	<b>Filing ID:</b> 51579
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-106. Exemption for Coal Extracted Incidental to the Extraction of Other Minerals
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-106 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.  Rule R645-106 implements the exemption of other minerals where coal does not exceed 16-2/3 percent of the total tonnage removed for purposes of commercial use or sale. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-200</b>	<b>Filing ID: 51573</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-200. Coal Exploration: Introduction
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).

**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.

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

Rule R645-200 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.

Rule R645-200 establishes the scope and responsibilities of any person seeking to conduct coal exploration. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-201</b>	<b>Filing ID: 51580</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-201. Coal Exploration: Requirements for Exploration Approval
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-201 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-201 explains the requirements for conducting coal exploration projects in the state, including notices of intention and permits. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-202</b>	<b>Filing ID:</b>	<b>51576</b>
<b>Effective Date:</b>	<b>06/27/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-202. Coal Exploration: Compliance Duties
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-202 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-202 explains the compliance duties and performance standards for coal mining operations. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-203</b>	<b>Filing ID:</b>	<b>51577</b>
<b>Effective Date:</b>	<b>06/27/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-203. Coal Exploration: Public Availability of Information
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-203 is necessary to continue as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-203 explains that all information submitted to the Division will be made available to the public, unless marked confidential by the operator. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-300</b>	<b>Filing ID: 51578</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-300. Coal Mine Permitting: Administrative Procedures
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-300 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.  Rule R645-300 establishes the internal administrative review process, adjudicative hearings, and judicial review. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-301</b>	<b>Filing ID: 51592</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-301. Coal Mine Permitting: Permit Application Requirements
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).



**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.

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

Rule R645-301 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.

Rule R645-301 establishes the requirements for a coal mine permit, including explanations on soil, biology, land and air quality, and bonding and insurance. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-302</b>	<b>Filing ID: 51581</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-302. Coal Mine Permitting: Special Categories and Areas of Mining
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-302 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-302 establishes the minimum requirements to receive approval on a coal mining operation and presents special categories of mining. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-303</b>	<b>Filing ID:</b>	<b>51586</b>
<b>Effective Date:</b>	<b>06/27/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>	R645-303. Coal Mine Permitting: Change, Renewal, and Transfer, Assignment, or Sale of Permit Rights		
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).		
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>	No written comments have been received on this rule.		
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	<p>Rule R645-303 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.</p> <p>Rule R645-303 provides procedures for the Division to review, change, and renew permits under the regulatory program and provides procedures for the transfer, sale, or assignment of rights grants in permits under the state program. Therefore, this rule should be continued.</p>		

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-400</b>	<b>Filing ID:</b>	<b>51582</b>
<b>Effective Date:</b>	<b>06/27/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-400. Inspection and Enforcement: Division Authority and Procedures
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-400 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-400 explains the Division's authority, such as enforcement authority and aerial inspections, and the associated procedures. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-401</b>	<b>Filing ID: 51584</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal	
<b>Building:</b>	Department of Natural Resources	
<b>Street address:</b>	1594 W North Temple	
<b>City, state</b>	Salt Lake City, UT 84116	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Natasha Ballif	801-589-5486	natashaballif@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R645-401. Inspection and Enforcement: Civil Penalties
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-401 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.  Rule R645-401 explains the procedures for civil penalties, such as when penalties will be assessed, the point system, and requests for formal hearings. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-402</b>	<b>Filing ID: 51589</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-402. Inspection and Enforcement: Individual Civil Penalties
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).

**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.

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

Rule R645-402 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.

Rule R645-402 explains the procedures for individual civil penalties, such as when penalties will be assessed, the amounts, and how to pay a penalty. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R645-403</b>	<b>Filing ID: 51583</b>
<b>Effective Date:</b>	<b>06/27/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Coal		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>
R645-403. Alternative Enforcement
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received on this rule.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
Rule R645-403 is necessary as it is required by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to retain our primacy over our Coal Program.
Rule R645-403 provides guidance to exercise alternative enforcement through criminal penalties and civil actions. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R649-10</b>	<b>Filing ID:</b>	<b>53306</b>
<b>Effective Date:</b>	<b>06/27/2024</b>		

**Agency Information**

<b>1. Title catchline:</b>	Natural Resources; Oil, Gas and Mining; Oil and Gas		
<b>Building:</b>	Department of Natural Resources		
<b>Street address:</b>	1594 W North Temple		
<b>City, state</b>	Salt Lake City, UT 84116		
<b>Contact persons:</b>			
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>	
Natasha Ballif	801-589-5486	natashaballif@utah.gov	
<b>Please address questions regarding information on this notice to the persons listed above.</b>			

**General Information**

<b>2. Rule catchline:</b>	R649-10. Administrative Procedures		
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>	Section 40-6-2 gives the Board of Oil, Gas and Mining the jurisdiction to make rules necessary to administer the programs within the Division of Oil, Gas and Mining (Division).		
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>	No written comments have been received on this rule.		
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>	Rule R649-10 is necessary as it describes Informal Adjudicative Proceedings including the commencement, procedures, and appeals, which allows operators an alternative avenue outside of a Formal Board Hearing. Therefore, this rule should be continued.		

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Mick Thomas; Director	<b>Date:</b>	06/27/2024
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**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R651-635</b>	<b>Filing ID:</b>	<b>55261</b>
<b>Effective Date:</b>	<b>06/25/2024</b>		

**Agency Information**

<b>1. Department:</b>	Natural Resources, State Parks
<b>Street address:</b>	1594 W North Temple, Suite 116

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>City, state and zip:</b>	Salt Lake City, UT 84116	
<b>Mailing address:</b>	PO Box 146001	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-6001	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Melanie Shepherd	801-538-7418	melaniemshepherd@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R651-635. Commercial, Privileged, and Special Uses of Division Manage Park Areas
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
<p>Subsection 79-4-304 (2)(a) provides the parks board with rulemaking authority to</p> <ul style="list-style-type: none"> <li>(i) govern the use of the state park system;</li> <li>(ii) to protect state parks and their natural and cultural resources from misuse or damage, including watersheds, plants, wildlife, and park amenities; and</li> <li>(iii) to provide for public safety and preserve the peace within state parks.</li> </ul> <p>To accomplish the purposes stated in Subsection (2)(a), the board may enact rules that:</p> <ul style="list-style-type: none"> <li>(i) close or partially close state parks; or</li> <li>(ii) establish use or access restrictions within state parks, facilitates governance of the use of the state park system.</li> </ul> <p>This rule provides for public safety and preserving the peace within state parks and allows the Division of State Parks (Division) to protect state parks against misuse or damage.</p>
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Division has not received any written comments on this rule since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
<p>This rule furthers the Division's statutory obligation to provide for resource protection and public safety within state parks.</p> <p>his rule is needed to provide visitors and commercial users the procedure for special uses within the parks.</p> <p>This rule also helps protect the Division, permittees, and visitors from liability. The Division has found that damage to facilities, damage to natural resources including watersheds and wildlife, and injuries to the public occur when permits are not in place or followed. Therefore, this rule should be continued.</p>

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Scott Strong, Director	<b>Date:</b>	04/16/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R708-45</b>	<b>Filing ID: 53990</b>
<b>Effective Date:</b>	<b>06/25/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Public Safety, Driver License	
<b>Building:</b>	Taylorsville State Office Building	
<b>Street address:</b>	4315 S 2700 W	
<b>City, state</b>	Taylorsville, UT	
<b>Mailing address:</b>	PO Box 144501	
<b>City, state and zip:</b>	Salt Lake City, UT 84114-4501	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Kim Gibb	801-556-8198	kgibb@utah.gov
Tara Zamora	801-964-4483	tarazamora@utah.gov
Britani Flores	801-884-8313	bflores@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R708-45. Renewal or Duplicate License for Utah Residents Unable to Appear at a Licensing Office
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule is authorized by Section 53-3-104, which states the Division of Driver License (Division) is required to examine applicants for a Utah driving privilege, and Section 53-3-205, which requires the Division to allow an active member or their dependents an option to add a motorcycle endorsement while out of state or country.  Additionally, Section 53-3-214 allows for the extension of a driving privilege by mail, electronic means, or other means determined by the Division.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
The Division has not received any written comments for this rule in the last five years.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary for the Division to be able to assist the citizens of Utah who may require a renewal or a duplicate driving privilege while they are temporarily residing out of state or country. This allows the citizen to maintain their driving privileges without expiration, which may be detrimental while out of state or country. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Christopher Caras, Director	<b>Date:</b>	06/25/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R994-309</b>	<b>Filing ID: 52231</b>
<b>Effective Date:</b>	<b>06/17/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Workforce Services, Unemployment Insurance	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	



FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

<b>City, state</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert Andreasen	801-517-4722	randreasen@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R994-309. Nonprofit Organizations
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
<p>This rule provides information to a nonprofit organization about becoming a reimbursable employer, how benefits are paid as a reimbursable employer, and which nonprofit organizations can become reimbursable employers as provided in Section 35A-4-309.</p> <p>This rule sets forth criteria for addressing more specific situations related to benefit payments in lieu of contributions that are not squarely addressed by statute. The statute does not provide a structure for the means by which a nonprofit organization may elect reimbursable employer status, liability when an employer changes its status, or the method of determining a reimbursable employer's liability for benefits paid.</p> <p>This rule, therefore, provides a mechanism for making such elections and determinations.</p> <p>This rule also establishes the time frame the Department of Workforce Services will maintain records of benefits paid to former employees of reimbursable employers and the information to be provided in monthly billing to reimbursable employers.</p>
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received during the last five years or since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
<p>This rule is necessary to help nonprofit organizations determine if they may become reimbursable and how a reimbursable nonprofit organization will pay for benefit costs.</p> <p>This rule also assists nonprofit organizations to understand the responsibilities and benefits under the unemployment insurance benefits program.</p> <p>This rule further explains how a reimbursable employer may change to a contributory employer and the impact of such a change including potential liability. Therefore, this rule should be continued.</p>

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/17/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R994-310</b>	<b>Filing ID: 52232</b>
<b>Effective Date:</b>	<b>06/17/2024</b>	

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
R994-310. Coverage
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
Section 35A-4-310 provides which employing units are subject to the Employment Security Act.  This rule explains when an employer must activate an account and when the account will become inactive.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received during the last five years or since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule is necessary because it assists subject employment units to understand when they need to activate an employer account with the Department of Workforce Services and when they may inactivate the account.  This rule is essential to provide necessary information to employers to help them comply with the act. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/17/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R994-311</b>	<b>Filing ID: 52234</b>
<b>Effective Date:</b>	<b>06/17/2024</b>	

**Agency Information**

<b>1. Title catchline:</b>	Workforce Services, Unemployment Insurance	
<b>Building:</b>	Olene Walker Building	
<b>Street address:</b>	140 E 300 S	
<b>City, state</b>	Salt Lake City, UT	
<b>Mailing address:</b>	PO Box 45244	
<b>City, state and zip:</b>	Salt Lake City, UT 84145-0244	

<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Robert Andreasen	801-517-4722	randreasen@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule catchline:</b>
R994-311. Governmental Units and Indian Tribes
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
This rule identifies which entities are governmental units or Indian tribe units under Section 35A-4-311 and the responsibilities and liabilities of those units.
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received during the last five years or since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
This rule explains how governmental units and Indian tribes may elect reimbursable employer status, how to change that election, and the consequences for changing.
This rule also explains how the Department of Workforce Services will bill for benefits and how benefits are paid.
Finally, this rule provides that a charter school may be covered under this rule as a reimbursable employer. Therefore, this rule should be continued.

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/17/2024
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**NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION**

<b>Rule Number:</b>	<b>R994-312</b>	<b>Filing ID:</b> 52235
<b>Effective Date:</b>	<b>06/17/2024</b>	

**Agency Information**

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

**General Information**

<b>2. Rule catchline:</b>
R994-312. Employing Units Records
<b>3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:</b>
<p>This rule describes the recordkeeping requirements of the Department of Workforce Services (Department), as well as the Department's confidentiality rules pursuant to Section 35A-4- 312 which sets forth the requirement that employers keep records and that those records be available to the Department.</p> <p>The statutory provision also provides when those records may be disclosed.</p>
<b>4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:</b>
No written comments have been received during the last five years or since the last five-year review.
<b>5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:</b>
<p>This rule is essential to inform employers what records must be kept, and that the Department is authorized to inspect those records.</p> <p>This rule also provides when and under what circumstances any records will be available and to whom. Most employer records are private but may be used for limited purposes when necessary for the administration of the unemployment insurance benefit program. Therefore, this rule should be continued.</p>

**Agency Authorization Information**

<b>Agency head or designee and title:</b>	Casey Cameron, Executive Director	<b>Date:</b>	06/17/2024
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**End of the Five-Year Notices of Review and Statements of Continuation Section**

## NOTICES OF RULE EFFECTIVE DATES

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

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

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

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### Agriculture and Food

Conservation Commission

No. 56444 (New Rule) R64-6: Agriculture Voluntary Incentives Program

Published: 05/15/2024

Effective: 06/24/2024

Plant Industry

No. 56449 (Amendment) R68-9: Utah Noxious Weed Act

Published: 05/15/2024

Effective: 06/28/2024

### Commerce

Consumer Protection

No. 56470 (Repeal and Reenact) R152-22: Charitable Solicitations Act Rule

Published: 05/15/2024

Effective: 06/21/2024

No. 56477 (Amendment) R152-34: Utah Postsecondary School and State Authorization Act Rule

Published: 05/15/2024

Effective: 06/21/2024

Artificial Intelligence Policy

No. 56528 (New Rule) R166-72: Artificial Intelligence Learning Laboratory Program

Published: 06/01/2024

Effective: 7/09/2024

### Education

Administration

No. 56513 (Amendment) R277-115: LEA Supervision and Monitoring Requirements of Third Party Providers and Contracts

Published: 06/01/2024

Effective: 07/09/2024

No. 56514 (Amendment) R277-301: Educator Licensing

Published: 06/01/2024

Effective: 07/09/2024

## NOTICES OF RULE EFFECTIVE DATES

No. 56515 (Amendment) R277-303: Educator Preparation Programs

Published: 06/01/2024

Effective: 07/09/2024

No. 56516 (New Rule) R277-323: Public Educator Evaluation

Published: 06/01/2024

Effective: 07/09/2024

No. 56517 (Amendment) R277-469: Instructional Materials Commission Operating Procedures

Published: 06/01/2024

Effective: 07/09/2024

No. 56518 (Amendment) R277-480: Charter School Revolving Account

Published: 06/01/2024

Effective: 07/09/2024

No. 56519 (Amendment) R277-490: Beverley Taylor Sorenson Elementary Arts Learning Program (BTS Arts)

Published: 06/01/2024

Effective: 07/09/2024

No. 56520 (Repeal) R277-531: Public Educator Evaluation Requirements (PEER)

Published: 06/01/2024

Effective: 07/09/2024

No. 56521 (Repeal) R277-533: Educator Evaluation Systems

Published: 06/01/2024

Effective: 07/09/2024

No. 56522 (Amendment) R277-602: Carson Smith Scholarships -- Funding and Procedures

Published: 06/01/2024

Effective: 07/09/2024

No. 56523 (Amendment) R277-626: Special Needs Opportunity Scholarship Program

Published: 06/01/2024

Effective: 07/09/2024

No. 56524 (Amendment) R277-733: Adult Education Programs

Published: 06/01/2024

Effective: 07/09/2024

No. 56525 (Amendment) R277-929: State Council on Military Children

Published: 06/01/2024

Effective: 07/09/2024

No. 56526 (New Rule) R277-932: Information on Public School Options

Published: 06/01/2024

Effective: 07/09/2024

### Environmental Quality

#### Administration

No. 56443 (Amendment) R305-10: Local Health Department Minimum Performance Standards

Published: 05/15/2024

Effective: 06/21/2024

#### Drinking Water

No. 56380 (Amendment) R309-515: Facility Design and Operation: Source Development

Published: 04/01/2024

Effective: 06/26/2024

No. 56379 (Repeal and Reenact) R309-540: Facility Design and Operation: Pump Stations  
Published: 04/01/2024  
Effective: 06/26/2024

No. 56381 (Amendment) R309-600: Source Protection: Drinking Water Source Protection For Ground-Water Sources  
Published: 04/01/2024  
Effective: 06/26/2024

Environmental Response and Remediation

No. 56497 (Amendment) R311-203: Petroleum Storage Tanks: Technical Standards  
Published: 06/01/2024  
Effective: 07/12/2024

No. 56499 (Amendment) R311-206: Petroleum Storage Tanks: Certificate of Compliance and Financial Assurance Mechanisms  
Published: 06/01/2024  
Effective: 07/12/2024

Waste Management and Radiation Control, Radiation

No. 56501 (Amendment) R313-17: Administrative Procedures  
Published: 06/01/2024  
Effective: 07/15/2024

No. 56502 (Amendment) R313-24: Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements  
Published: 06/01/2024  
Effective: 07/15/2024

Government Operations

Human Resource Management

No. 56473 (Amendment) R477-1: Definitions  
Published: 05/15/2024  
Effective: 07/03/2024

No. 56474 (Amendment) R477-6: Compensation  
Published: 05/15/2024  
Effective: 07/03/2024

No. 56475 (Amendment) R477-7: Leave  
Published: 05/15/2024  
Effective: 07/03/2024

No. 56476 (Amendment) R477-8: Working Conditions  
Published: 05/15/2024  
Effective: 07/03/2024

No. 56478 (Amendment) R477-9: Employee Conduct  
Published: 05/15/2024  
Effective: 07/03/2024

No. 56479 (Amendment) R477-10: Employee Development  
Published: 05/15/2024  
Effective: 07/03/2024

No. 56480 (Amendment) R477-11: Discipline  
Published: 05/15/2024  
Effective: 07/03/2024

NOTICES OF RULE EFFECTIVE DATES

Governor

Economic Opportunity

No. 56482 (Amendment) R357-22: Rural Employment Expansion Program

Published: 05/15/2024

Effective: 06/27/2024

Health and Human Services

Children's Health Insurance Program

No. 56472 (Amendment) R382-10: Eligibility

Published: 05/15/2024

Effective: 07/01/2024

Integrated Healthcare

No. 56445 (Amendment) R414-307-3: General Requirements for Home and Community-Based Services Waivers

Published: 05/15/2024

Effective: 07/01/2024

No. 56446 (Amendment) R414-320-16: Benefits

Published: 05/15/2024

Effective: 07/01/2024

No. 56447 (Amendment) R414-401-5: Penalties and Interest

Published: 05/15/2024

Effective: 07/01/2024

No. 56459 (Amendment) R414-516-3: Quality Improvement Program Requirements of Participation

Published: 05/15/2024

Effective: 07/01/2024

No. 56067 (New Rule) R414-526: Quality Standards for Inpatient and Outpatient Hospitals

Published: 11/15/2023

Effective: 06/24/2024

No. 56067 (Change in Proposed Rule) R414-526: Quality Standards for Inpatient and Outpatient Hospitals

Published: 05/01/2024

Effective: 06/24/2024

Population Health, Emergency Medical Services

No. 56460 (Repeal) R426-1: General Definitions

Published: 05/15/2024

Effective: 07/01/2024

No. 56461 (Repeal) R426-2: Emergency Medical Services Provider Designations for Pre-Hospital Providers, Critical Incident Stress Management and Quality Assurance Reviews

Published: 05/15/2024

Effective: 07/01/2024

No. 56462 (Repeal) R426-3: Licensure

Published: 05/15/2024

Effective: 07/01/2024

No. 56463 (Repeal) R426-4: Operations

Published: 05/15/2024

Effective: 07/01/2024

No. 56430 (Amendment) R426-5: Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards

Published: 05/01/2024

Effective: 06/24/2024



No. 56464 (Repeal) R426-5: Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards  
 Published: 05/15/2024  
 Effective: 07/01/2024

No. 56465 (Repeal) R426-6: Emergency Medical Services Per Capita Grants and Competitive Grants Program  
 Published: 05/15/2024  
 Effective: 07/01/2024

No. 56466 (Repeal) R426-7: Emergency Medical Services Prehospital Data System Rules  
 Published: 05/15/2024  
 Effective: 07/01/2024

No. 56431 (Amendment) R426-8: Emergency Medical Services Ground Ambulance Rates and Charges  
 Published: 05/01/2024  
 Effective: 07/01/2024

No. 56467 (Repeal) R426-8: Emergency Medical Services Ground Ambulance Rates and Charges  
 Published: 05/15/2024  
 Effective: 07/01/2024

No. 56468 (Repeal) R426-9: Specialty Care Systems Facility Designations  
 Published: 05/15/2024  
 Effective: 07/01/2024

No. 56397 (Repeal and Reenact) R426-10: Air Ambulance Licensure and Operations  
 Published: 04/15/2024  
 Effective: 06/24/2024

No. 56469 (Repeal) R426-10: Air Ambulance Licensure and Operations  
 Published: 05/15/2024  
 Effective: 07/01/2024

#### Juvenile Justice and Youth Services

No. 56432 (Amendment) R547-13: Guidelines for Admission to Secure Youth Detention Facilities  
 Published: 05/01/2024  
 Effective: 06/24/2024

#### Insurance

##### Administration

No. 56471 (Repeal) R590-102: Insurance Department Fee Payment Rule  
 Published: 05/15/2024  
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#### Labor Commission

##### Occupational Safety and Health

No. 56435 (Amendment) R614-1: Incorporation of Federal Standards  
 Published: 05/15/2024  
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#### Money Management Council

##### Administration

No. 56450 (New Rule) R628-23: Requirements for the Use of Investment Advisers by Public Treasurers  
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No. 56451 (New Rule) R628-24: Foreign Deposits for Higher Education Institutions  
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## NOTICES OF RULE EFFECTIVE DATES

No. 56452 (New Rule) R628-25: Conditions and Procedures for the Use of Reciprocal Deposits  
Published: 05/15/2024  
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### Natural Resources

#### Outdoor Recreation

No. 56439 (New Rule) R650-414: Nonresident OHV User Decals and Fees  
Published: 05/15/2024  
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#### State Parks

No. 56448 (Repeal and Reenact) R651-101: Adjudicative Proceedings  
Published: 05/15/2024  
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No. 56440 (Repeal) R651-634: Nonresident OHV User Permits and Fees  
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#### Forestry, Fire and State Lands

No. 56438 (Amendment) R652-122: Cooperative Agreements  
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#### Water Resources

No. 56404 (Amendment) R653-11: Water Conservation Requirements and Incentives  
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No. 56405 (New Rule) R653-15: 2024 Grant Funding for Water Infrastructure Projects  
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#### Wildlife Resources

No. 56506 (Amendment) R657-5: Taking Big Game  
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### Public Safety

#### Emergency Medical Services

No. 56485 (New Rule) R911-1: General Definitions  
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No. 56486 (New Rule) R911-2: Emergency Medical Services Provider Designations for Pre-Hospital Providers, Critical Incident Stress Management and Quality Assurance Reviews  
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No. 56488 (New Rule) R911-3: Licensure  
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No. 56489 (New Rule) R911-4: Operations  
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No. 56490 (New Rule) R911-5: Emergency Medical Services Training, Endorsement, Certification, and Licensing Standards  
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No. 56491 (New Rule) R911-6: Emergency Medical Services Per Capita Grants and Competitive Grants Program  
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No. 56492 (New Rule) R911-7: Emergency Medical Services Prehospital Data System Rules  
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No. 56493 (New Rule) R911-8: Emergency Medical Services Ground Ambulance Rates and Charges  
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No. 56494 (New Rule) R911-9: Specialty Care Systems Facility Designations  
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No. 56495 (New Rule) R911-10: Air Ambulance Licensure and Operations  
Published: 05/15/2024  
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Public Service Commission

Administration

No. 56434 (Amendment) R746-8-301: Calculation and Application of UUSF Surcharge  
Published: 05/01/2024  
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No. 56505 (Amendment) R746-409: Pipeline Safety  
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Workforce Services

Housing and Community Development

No. 56283 (Amendment) R990-200: Applicant Qualifications  
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No. 56283 (Change in Proposed Rule) R990-200: Applicant Qualifications  
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**End of the Notices of Rule Effective Dates Section**