

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

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

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

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

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

Office of Administrative Rules, Salt Lake City 84114

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EXECUTIVE DOCUMENTS

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

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

EXECUTIVE ORDER 2025-02

Enhancing Utah's Criminal Justice Strategy

WHEREAS, criminal justice policy is an essential part of keeping Utah a safe place to live, work, and raise a family;

WHEREAS, a key component of criminal justice efforts is ensuring that people who commit crimes in our state are held accountable;

WHEREAS, legislative efforts to increase penalties for criminal offenses have vastly increased in recent years;

WHEREAS, our state legislature has added, enhanced, or expanded an average of 40 offenses each year from 2020-2024;

WHEREAS, while adding or enhancing criminal offenses may be a sound or even necessary approach, doing so at the current rate, particularly without a comprehensive strategy, is unsustainable;

WHEREAS, changes to criminal offenses need time and attention for proper implementation and continual changes can hinder that process;

WHEREAS, enhancing offenses increases the burden on our state's correctional and other criminal justice institutions;

WHEREAS, a successful criminal justice strategy must be informed by the realities of the resources and other constraints that exist;

WHEREAS, a coordinated effort to evaluate how current criminal justice laws and policies are serving the state -- and developing a comprehensive framework -- will improve criminal justice efforts in our state;

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, do hereby order the following:

1. **Purpose.** The purposes of this Executive Order are to:
 - a. Create a task force to assist criminal justice efforts in our state;
 - b. Establish principles for a criminal justice framework;
 - c. Provide recommendations to the governor and Utah Legislature; and
 - d. Evaluate criminal offenses that directly connect to the work of state agencies.
2. **Application.** This order applies to all state agencies, as defined below.
3. **Definitions.** As used in this order:
 - a. "Agency"

NOTICES OF PROPOSED RULES

i. Includes:

1. a department, division, office, bureau, or other organization within the state executive branch, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole; and

ii. does not include:

1. an institution of higher education;
2. the Utah Board of Higher Education;
3. the State Board of Education;
4. an independent entity as defined in Utah Code § 63E-1-102;
5. the Attorney General's Office;
6. the State Auditor's Office;
7. the State Treasurer's Office;
8. the Legislative Branch; or
9. the Judicial Branch.

4. **Establishing a Criminal Justice Task Force.**

a. This order establishes a Criminal Justice Task Force ("Task Force").

b. The Task Force consists of the following members:

i. the executive director of the Commission on Criminal and Juvenile Justice (the "Commission") or the executive director's designee, who shall serve as the chair of the Task Force;

ii. the commissioner of public safety or the commissioner's designee;

iii. the executive director of the Department of Corrections or the executive director's designee;

iv. the chair of the Board of Pardons and Parole or the chair's designee;

v. the executive director of Governor's Office of Planning and Budget or the executive director's designee;

vi. a representative of any other state agency deemed necessary to accomplish the Task Force's responsibilities;

vii. a member of the Utah Senate, if a member accepts the invitation to participate and the president of the Utah Senate agrees; and

viii. a member of the Utah House of Representatives, if a member accepts the invitation to participate and the speaker of the Utah House of Representatives agrees.

c. The Task Force chair shall ask the speaker of the Utah House of Representatives and the president of the Utah Senate to designate which member they wish to have participate in the Task Force, if the speaker and the president agree to have members of the Utah Legislature participate.

d. The Task Force shall develop a framework ("Framework") to better inform criminal justice policy.

e. The Task Force shall deliver the Framework to the governor and the Law Enforcement and Criminal Justice Interim Committee no later than October 1, 2025.

f. The Task Force shall consult with the Law Enforcement and Criminal Justice Interim Committee in developing the Framework.

g. The Task Force may consult with other governmental or non-governmental entities, including the Utah Judiciary, the Utah Office of the Attorney General, and other criminal justice stakeholders, in developing the Framework.

5. **Contents of Framework.**

a. The Framework created by the Task Force shall consider the following:

i. Public safety;

ii. Deterrence;

iii. Proportionality;

iv. Judicial discretion and consistency;

v. Rehabilitation, programming, and treatment;

vi. Recidivism;

vii. Costs and resources;

viii. Jail and prison capacity;

ix. Victim needs; and

x. Research and data.

6. **Report on Criminal Offenses.**

a. The Commission shall deliver the Framework to state agencies as soon as the Framework is complete under Subsection (4)(d).

b. On or before April 1, 2026, state agencies shall use the Framework to complete the criminal offense review required by H.B. 353 (2025).

c. On or before July 1, 2026, the Commission shall submit the report required by H.B. 353 (2025) to the governor and the Law Enforcement and Criminal Justice Interim Committee.

THIS ORDER is effective immediately and shall remain in effect until July 1, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done, on this, the 27th day of March, 2025.

(State Seal)

Spencer J. Cox
Governor, State of Utah

ATTEST:

Deidre M. Henderson
Lieutenant Governor, State of Utah

End of the Executive Documents Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between March 15, 2025, 12:00 a.m., and April 01, 2025, 11:59 p.m. are included in this, the April 15, 2025, 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 May 15, 2025. 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 August 13, 2025, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

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

The Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or Section Number:****R156-61****Filing ID: 57085****Agency Information**

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

General Information

2. Rule or section catchline:
R156-61. Psychologist Licensing Act Rule
3. Purpose of the new rule or reason for the change:
In 2021, Governor Cox issued Executive Order No. 2021-1 that required a review of all regulated Occupations and Professions. This led to the legislative creation of the Office of Professional Licensure Review and the passing of S.B. 26 during the 2024 General Session. In addition to changes directly related to S.B. 26 legislation, the Board did their own review of education used in states around the nation and adopted language expanding education allowed for licensure to be more consistent nationwide. The Board agrees that these amendments to this rule to reduce regulations that create barriers to working in the field and aligns provisions with national education standards for licensure. Additionally, in compliance with the passing of S.B. 26 which became effective on 05/01/2024, this filing further amends the rule by making nonsubstantive formatting changes throughout to facilitate compliance and enforcement and to make changes consistent with Rulewriting Manual for Utah.
4. Summary of the new rule or change:
Section R156-61-101 amends this rule by moving Sections R156-61-103 and R156-61-104 into Section R156-61-101 which is an update to modern formatting. Section R156-61-102 amends this rule for clarity regarding the education accrediting bodies in the US and Canada, national association, Behavioral Health Board, supervised individuals, and professional examination. Section R156-61-201 removes the Advisory Peer Committee due to S.B. 26 (2024) and the creation of a combined Board with advisory committees. Section R156-61-302a adds language that expands education allowed for licensure to be more consistent nationwide and amends this rule with nonsubstantive formatting changes to facilitate compliance and enforcement and to make changes consistent with the Rulewriting Manual for Utah. Section R156-61-302b removes time limitation to training based on legislative changes and corrects formatting. Section R156-61-302c adds language that clarifies requirements when additional examination attempts are needed.

Sections R156-61-302f and R156-61-302g are deleted and renumbered in Sections R156-61-403 and R156-61-404 to reflect a more consistent formatting style.

Sections R156-61-403 and R156-61-404 additions are renumbered from the original Sections R156-61-302f and R156-61-302g.

Section R156-61-601 the length of time allowed for on the job training was extended from 45 to 60 days per the Board's review and approval and to allow consistency across all mental health professions.

Additional nonsubstantive formatting changes are made throughout this rule to facilitate compliance and enforcement and to make changes consistent 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 changes to Rule R156-61 clarify and align provisions with national educational standards, examination, and supervision standards and are expected to have zero net impact on state revenues or expenditures because these changes should not result in any additional complaints, investigations, or disciplinary actions or any additional licensing issues.

None of the remaining proposed changes are expected to impact state government revenues or expenditures because the changes merely update this rule to establish supervision and education standards that encompass current requirements and practices in the profession and make formatting changes for clarity.

B) Local governments:

These proposed amendments may impact businesses in the mental health industry who employ certified psychology residents and psychologists, which may potentially include certain local government entities acting as businesses.

However, as described for Small Businesses (below), the Division estimates that these proposed amendments will have no impact on local governments.

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

There are approximately 1,532 small businesses in Utah with licensees engaged in the practice of mental health therapy and who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220, 623210). These proposed amendments may impact these small businesses. However, the savings is not measurable as it will depend on specific characteristics of each employer and employee.

The remaining amendments are not expected to impact small business as they are based on extensive collaboration with the Psychologist Licensing Board to incorporate generally accepted professional standards common in the industry, and the changes merely update this rule, clarify existing statutes, rules, and codify existing standards already adhered to in the industry.

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

There are approximately 96 non-small businesses in Utah comprising of licensees engaged in the practice of mental health therapy who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220, 623210). However, the savings is not measurable as it will depend on specific characteristics of each employer and employee.

The remaining amendments are not expected to impact small business as they are based on extensive collaboration with the Psychology Licensing Board and the Behavioral Health Board to incorporate generally accepted professional standards common in the industry, and the changes merely update this rule, clarify existing statutes, rules, and codify existing standards already adhered to in the industry.

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 amendment to Section R156-61-302a education standards to align with national education requirements and are not expected to impact these other persons as it should not result in any additional investigations or disciplinary actions; the definition encompasses existing practices, so for the typical person the amendments would have no direct or indirect fiscal impact.

The amendment to Section R156-61-302c requires a person to pass both parts of the examination, where in the past only one was required. This is a requirement of the national association and exam provider and may result in an increased cost, determined by the provider, to read the exam.

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

As described above for Other Persons, the amendment to Section R156-61-302c requires a person to pass both parts of the examination, where in the past only one was required. This is a requirement of the national association and exam provider and may result in an increased cost, determined by the provider, to read the exam.

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

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

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

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-61-101
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Public Notice Information

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

A) Comments will be accepted until:		05/15/2025
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
05/07/2025	9:00 a.m.	160 E. 300 S, 1st floor, North Conference Room, Salt Lake City, UT.
		Also, via Google Meet.

		Google Meet joining info: Video call link: https://meet.google.com/men-jsgq-mbu Or dial: (US) +1 435-709-2611 PIN: 189 486 777# More phone numbers: https://tel.meet/men-jsgq-mbu?pin=9977875793744
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9. This rule change MAY become effective on:	05/22/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Mark Steinagel, Division Director	Date:	01/17/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or Section Number:	R317-2	Filing ID: 57091

Agency Information

1. Title catchline:	Environmental Quality, Water Quality	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W, DEQ 3rd Floor	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144870	
City, state and zip:	Salt Lake City, UT, 84114-4870	
Contact persons:		
Name:	Phone:	Email:
Jake Vander Laan	801-536-4350	jvander@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R317-2. Standards of Quality for Waters of the State
3. Purpose of the new rule or reason for the change:
This amendment updates Utah's water quality standards to include numeric criteria to enhance protections of water quality in Utah's waters, incorporating best available science and stakeholder feedback.
4. Summary of the new rule or change:
This amendment enacts three changes. It updates Utah's Colorado River Salinity Standards in Section R317-2-4 to reference a 2023 review; adds numeric criteria for methylmercury, including footnote E, to Utah's list of human health criteria in Section R317-2-14 Table 2.14.6; and adds numeric criteria for microcystins and cylindrospermopsin, including footnote (8), for the protection of recreational uses to Section R317-2-14 Table 2.14.1.

Fiscal Information

<p>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</p>
<p>A) State budget:</p> <p>No state agency is a constrained party under the rule changes in this amendment, so no direct or indirect costs or savings will be incurred to the state budget.</p>
<p>B) Local governments:</p> <p>There are 68 municipalities that hold one or more discharge permits with the Division of Water Quality (DWQ) and are therefore constrained parties under this amendment.</p> <p>The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to local governments.</p> <p>No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.</p> <p>These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>There are 15 small businesses that hold one or more surface water discharge permits with DWQ and are therefore constrained parties under this amendment.</p> <p>The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to small businesses.</p> <p>No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.</p> <p>These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>There are 31 non-small businesses that hold one or more surface water discharge permits with DWQ and are therefore constrained parties under this amendment.</p> <p>The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to non-small businesses.</p> <p>No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.</p> <p>These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.</p>
<p>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>):</p> <p>There are 16 other private entities or persons that could not be classified as small or non-small businesses in Utah that hold one or more surface water discharge permits with DWQ and are therefore constrained parties under this amendment.</p>

The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to persons other than small businesses, non-small businesses, state, or local government entities.

No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.

These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.

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

Compliance costs for affected persons are inestimable because all costs for compliance will depend on site and facility specific factors such as facility or business type, existing treatment processes, and flow and water chemistry in receiving waters.

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

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

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

The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Section 19-5-104	Section 19-5-110	33 U.S.C. 1251, 1311-1317, 1329
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Public Notice Information

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

A) Comments will be accepted until:	06/03/2025
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B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
06/02/2025	06:00 PM	MASOB Great Salt Lake West Room 3134 195 North 1950 West Salt Lake City, UT

9. This rule change MAY become effective on:	06/25/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	John K. Mackey, Director Division of Water Quality	Date:	04/01/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or Section Number:	R356-8	Filing ID: 57083

Agency Information

1. Title catchline:	Governor, Criminal and Juvenile Justice (State Commission on)		
Building:	Utah State Capitol, Senate Building		
Street address:	350 N State Street		
City, state	Salt Lake City, UT		
Mailing address:	PO Box 142330		
City, state and zip:	Salt Lake City, UT 84114-2330		
Contact persons:			
Name:	Phone:	Email:	
Angelo Perillo	801-538-1047	aperillo@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:	R356-8. Designation of Commission Duties
3. Purpose of the new rule or reason for the change:	The purpose of this filing is to modify the Sex Offense Management Advisory Committee in Rule R356-8.
4. Summary of the new rule or change:	This rule modifies the Sex Offense Management Advisory Committee, which was previously created under the Commission to perform the Commission's duties described in Subsection 63M-7-204(1)(z) and Section 63M-7-208.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule will not result in any cost or savings to the state budget because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.

B) Local governments:			
This rule will not result in any cost or savings to the local governments because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
This rule will not result in any cost or savings to the small businesses because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
This rule will not result in any cost or savings to the non-small businesses because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.			
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 will not result in any cost or savings to the persons other than small businesses, non-small businesses, state, or local government entities because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
This rule will not result in any compliance costs for affected persons because it only describes the membership and the duties of the Juvenile Justice Oversight Committee which is already in existence.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Executive Director of the Commission on Criminal and Juvenile Justice, Tom Ross, has reviewed and approved this regulatory impact analysis.			

Citation Information

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

Subsection 63G-7-204(2)	Subsection 63G-3-201(2)	
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Public Notice Information

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

A) Comments will be accepted until:	05/15/2025
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9. This rule change MAY become effective on:	05/22/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tom Ross, Executive Director	Date:	03/17/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:	R649-6-2	Filing ID: 57092
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Agency Information

1. Title catchline:	Natural Resources; Oil, Gas and Mining; Oil and Gas	
Building:	Natural Resources	
Street address:	1594 W North Temple	
City, state:	Salt Lake City, UT	
Mailing address:	1594 W North Temple, Suite 1210	
City, state and zip:	Salt Lake City, UT 84054	
Contact persons:		
Name:	Phone:	Email:
Natasha Ballif	801-589-5486	natashaballif@utah.gov

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

General Information

2. Rule or section catchline:
R649-6-2. Waste Crude Oil Treatment Facilities

3. Purpose of the new rule or reason for the change:
Section R649-6-2 was supposed to be removed during a previous substantive rule amendment that became effective in February 2025. The R649-6-2 section language was moved to Section R649-9-6.

4. Summary of the new rule or change:
This rule filing is removing the Section R649-6-2 language.
Updated language on Waste Crude Oil Treatment Facilities is included in Section R649-9-6. Specific Permit, Application, and Operation Requirements Applicable to Waste Crude Oil Treatment Facilities.

Fiscal Information

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

A) State budget:

This will have no impact to the state budget since the removed language moved to another section in another rule.

B) Local governments:

There will be no impact to local governments. This will have no impact to the state budget since the removed language moved to another section in another rule.

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

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

It is anticipated that this section removal will have no fiscal impact as this section is relocated to Section R649-9-6.

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

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

It is anticipated that this rule removal will have no fiscal impact as this section is relocated to Section R649-9-6.

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 local governments as this rule only applies to small and non-small business operators and the Division of Oil, Gas and Mining.

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 additional compliance costs for oil and gas operators as this language has been moved to another rule.

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

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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Executive Director of the Department of 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 et seq.

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: 05/15/2025

9. This rule change MAY become effective on: 05/28/2025

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:	Mick Thomas, Director	Date:	03/31/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment
Rule or Section Number: R698-8 **Filing ID:** 57088

Agency Information

1. Title catchline:	Public Safety, Administration	
Building:	Calvin Rampton Building	
Street address:	4501 S 2700 W, 1st Floor	
City, state:	Salt Lake City, UT 84119-5994	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-965-4018	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
 R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund

3. Purpose of the new rule or reason for the change:
 This rule filing is being submitted as a result of the passage of S.B. 255 in the 2025 General Session.

4. Summary of the new rule or change:
 This rule change adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

Fiscal Information

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

A) State budget:

The proposed rule amendment is not anticipated to have a fiscal impact on the state budget because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

The trust fund is funded through cost-sharing rate payments paid to the fund by local law enforcement and fire agencies as required under Section 53-17-301.

There is not any funding provided to the trust fund through the state budget. The bill itself creates a minimal fiscal impact, the rule change just incorporates language to ensure consistency with the statutory language (see <https://le.utah.gov/~2025/bills/static/SB0255.html>).

B) Local governments:

The proposed rule amendment is not anticipated to have a fiscal impact on the local governments because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

The trust fund is funded through cost-sharing rate payments that are currently being paid to the fund by local law enforcement and fire agencies as required under Section 53-17-301.

The Department does not anticipate an increase to the cost-sharing rate at this time.

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

The proposed rule amendment is not anticipated to have a fiscal impact on small businesses because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

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

The proposed rule amendment is not anticipated to have a fiscal impact on non-small businesses because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

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 change result in a positive fiscal impact to individuals who are surviving spouses and children of police officers and firefighters who have lost their lives in the line of duty, because they will now be eligible for dental and vision coverage without incurring out of pocket costs as a result of the passage of S.B. 255 (2025).

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

There are no compliance costs associated with this rule change because the amendment only includes dental and vision coverage as coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

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

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

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

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
 The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

Citation Information

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

Section 53-17-301		
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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: 05/15/2025

9. This rule change MAY become effective on: 05/22/2025

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:	Jess L. Anderson, Commissioner Department of Public Safety	Date:	03/31/2025
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End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

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

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

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Bulletin* ends May 15, 2025.

From the end of the 30-day waiting period through August 13, 2025, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

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

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: CPR (Change in Proposed Rule)		
Rule or Section Number:	R590-277	Filing ID: 57005
Date of Previous Publication (Only for CPRs):		02/01/2025

Agency Information

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

General Information

2. Rule or section catchline:
R590-277. Managed Care Health Benefit Plan Standards
3. Purpose of the new rule or reason for the change:
The Department of Insurance (Department) was alerted to a missing provision in the initial filing. This change in proposed rule adds that provision back into this rule.
4. Summary of the new rule or change:
This filing returns to this rule a provision related to services in connection with a prearranged surrogacy agreement. This provision was inadvertently left out of the initial repeal and reenactment filing.
This filing also updates the numbering in Section R590-277-4 due to the re-added provision.
(EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the February 1, 2025, issue of the Utah State Bulletin, on page 105. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The changes are clerical in nature and will not change how the Department functions.
B) Local governments:
There is no anticipated cost or savings to local governments. The changes do not affect local governments because they only apply to insurer licensees of the Department.

NOTICES OF CHANGES IN PROPOSED RULES

C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no anticipated cost or savings to small businesses. The changes return to this rule a provision that insurer licensees of the Department already follow.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There is no anticipated cost or savings to non-small businesses. The changes return to this rule a provision that insurer licensees of the Department already follow.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
There is no anticipated cost or savings to any other persons. The changes do not affect any other persons because they only apply to insurer licensees of the Department.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no compliance costs for any affected persons. The changes return to this rule a provision that insurer licensees of the Department already follow.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 31A-2-201	Section 31A-2-201.1	Section 31A-22-623
Section 31A-22-626	Section 31A-45-103	

Public Notice Information

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

A) Comments will be accepted until:	05/15/2025
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9. This rule change MAY become effective on:	05/22/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/24/2025
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End of the Notices of Changes in Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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

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

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

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R70-610	Filing ID: 52749
Effective Date:	03/26/2025	

Agency Information

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

General Information

2. Rule catchline:	R70-610. Uniform Retail Wheat Standards of Identity	
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 4-2-102 and 4-5-104 grant the Department of Agriculture and Food (Department) broad rulemaking authority, enabling the Department to enact this rule for implementing its statutory duties.		
Specifically, Section 4-5-207 authorizes the Department to establish definitions and standards of identity and quality and fill containers for foods. This provision directly necessitates the creation of Rule R70-610, the Uniform Retail Wheat Standards of identity, to ensure consistency and consumer protection within the state's retail food market.		

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

The Department has not received any public comments regarding this rule or the continuation of this rule within the past five years.

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

This rule, R70-610, the Uniform Retail Wheat Standards of Identity, is justified by the Department's statutory mandate under Section 4-5-207, which grants the Department the authority to establish and maintain standards of identity for food products. Maintaining this rule ensures consistent quality and consumer protection within the retail wheat market, directly fulfilling the Department's legislative obligations, and is essential for regulatory compliance and public welfare. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Interim Commissioner	Date:	03/26/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R70-620	Filing ID: 55106
Effective Date:	03/26/2025	

Agency Information

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

General Information

2. Rule catchline:
R70-620. Enrichment of Flour and Cereal Products

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

Section 4-5-104 grants the Department of Agriculture and Food (Department) rulewriting authority to enact rules related to food standards and safety.

This rule establishes essential enrichment standards and labeling requirements.

Also, this rule incorporates by reference 21 CFR Parts 137 and 139 to ensure that flour and cereal products sold in Utah meet nationally recognized standards for vitamin and mineral fortification, which promotes public health and consumer protection.

This rule directly aligns with the Department's mandate to regulate food quality and safety.

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 any public comments regarding this rule or the continuation of this rule within the last five years.

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

This rule provides information to ensure consistent vitamin and mineral fortification in flour and cereal products sold in Utah and directly safeguards consumer health by maintaining nationally recognized standards for food enrichment. By requiring adherence to these standards, the Department promotes public health and ensures food product consistency across the market. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Interim Commissioner	Date:	03/26/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R357-14	Filing ID: 53055
Effective Date:	03/28/2025	

Agency Information

1. Title catchline:	Governor, Economic Opportunity		
Building:	World Trade Center		
Street address:	60 E South Temple, Suite 300		
City, state	Salt Lake City, UT		
Contact persons:			
Name:	Phone:	Email:	
Greg Jeffs	801-368-1957	gjeffs@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:	R357-14. Electronic Meetings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	Subsection 52-4-207(2)(a) states that a public body may not hold an electronic meeting unless the public body has adopted a resolution, rule, or ordinance governing the use of electronic meetings. This rule fulfills that requirement.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	No comments have been received since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	This rule is necessary so that the Governor’s Office of Economic Opportunity (GOEO) can continue to hold electronic meetings. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Greg Jeffs, Agency head's designee	Date:	03/28/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R364-2	Filing ID: 52660
Effective Date:	03/25/2025	

Agency Information

1. Title catchline:	Governor, Criminal and Juvenile Justice (State Commission on), Indigent Defense Commission		
Street address:	370 E South Temple, Suite 500		
City, state	Salt Lake City, UT		
Contact persons:			
Name:	Phone:	Email:	
Matthew Barraza	801-707-4440	mbarraza @utah.gov	
Katriina Adair	801-455-0793	kaadair@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:	R364-2. Indigent Defense Commission Complaint Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	This rule is authorized by Subsections 78B-22-404(2)(a) and 63G-4-201(2). The commission may make rules in accordance with Title 63G, Chapter3, Utah Administrative Rulemaking Act, to carry out the commission's duties under this part.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	No comments either supporting or opposing this rule have been received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	The Indigent Defense Commission's (IDC) duties include overseeing individuals and entities involved in providing indigent defense services and emphasizing the importance of ensuring constitutionally effective indigent defense services (Subsections 78B-22-404(1)(c) and (e)). The purpose of Rule R364-2 is to establish standards and procedures to receive and resolve complaints regarding the provision of indigent defense services by an indigent defense system. This rule is instrumental in allowing the IDC to carry out its legislative mandate. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Matthew Barraza, Executive Director	Date:	03/20/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-59	Filing ID: 55933
Effective Date:	03/25/2025	

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state	Salt Lake City, UT	
Mailing address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84114-3325	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R414-59. Audiology 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:
Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments in support of or opposition to this rule since the rule's last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because this rule implements, through an incorporation, a scope of audiology services for Medicaid members, as necessary to implement the program through Subsection 26B-3-108(2)(b)(ii). Therefore, this rule should be continued.
As the Department did not receive any comments in opposition to this rule, it did not respond to any such comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	03/24/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R657-6	Filing ID: 57010
Effective Date:	04/01/2025	

Agency Information

1. Title catchline:	Natural Resources, Wildlife Resources	
Building:	Dept. of Natural Resources complex	
Street address:	1594 W North Temple	
City, state	Salt Lake City, UT 84116	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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 catchline:
R657-6. Taking Upland Game
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under Sections 23A-2-305 and 23A-2-304, the Wildlife Board is authorized and required to regulate and prescribe the means by which wildlife may be taken. This rule is specific to the taking of Upland Game.
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 supporting or opposing Rule R657-6 have been received since the last rule review in 2020.
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 R657-6 provides the procedures, standards, and requirements for taking upland game. The provisions adopted in this rule are effective in providing the standards and requirements for taking upland game birds. This rule is necessary for continued success of this program. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Riley Peck, Director	Date:	04/01/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R722-300	Filing ID: 54003
Effective Date:	03/20/2025	

Agency Information

1. Title catchline:	Public Safety, Criminal Investigations and Technical Services, Criminal Identification	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	4315 S 2700 W, Suite 1300	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Nicole Borgeson	801-281-5072	nshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R722-300. Concealed Firearm Permit and Instructor Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Subsection 53-5-704(17), which provides that the commissioner may make rules necessary to administer Title 53, Chapter 5, Regulation of Firearms, and Section 53-5-707.6.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have not been any written comments received since the last five-year review of this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is authorized by Subsection 53-5-704(17) and Section 53-5-707.6 and is needed in order to establish procedures for administration of the Concealed Firearms Act in accordance with Title 53, Chapter 5, Part 7, for producing and distributing a firearms safety and suicide prevention video, and for providing access to the video to an applicant seeking renewal of a firearm permit. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jason Ricks, BCI Division Director	Date:	03/20/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R916-6	Filing ID: 52111
Effective Date:	03/18/2025	

Agency Information

1. Title catchline:	Transportation, Operations, Construction	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Marlene Galindo	801-965-4026	mgalindo1@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R916-6. Drug and Alcohol Testing in State Construction Contracts

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 63G-6a-1303(4) both authorizes and requires this rule.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments since the last five-year review of this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Subsection 63G-6a-1303(4) still authorizes and requires this rule and thus the Department is choosing to keep this rule. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, PE, Executive Director, UDOT	Date:	03/18/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R920-8	Filing ID: 53061
Effective Date:	03/18/2025	

Agency Information

1. Title catchline:	Transportation, Operations, Traffic and Safety	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Marlene Galindo	801-965-4026	mgalindo1@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R920-8. Flashing Light Usage on Highway Construction or Maintenance Vehicles
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 41-6a-1617 requires the Department of Transportation (Department) to make rules providing specifications governing the design and use of special flashing lights on vehicles engaged in highway construction or maintenance operations.
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.

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

Section 41-6a-1617 still requires this rule, and the Department deems it necessary. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, PE, Executive Director, UDOT	Date:	03/18/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R926-14	Filing ID:	56754
Effective Date:	03/18/2025		

Agency Information

1. Title catchline:	Transportation, Program Development		
Building:	Calvin Rampton		
Street address:	4501 S 2700 W		
City, state	Taylorsville, UT		
Mailing address:	PO Box 148455		
City, state and zip:	Salt Lake City, UT 84114-8455		
Contact persons:			
Name:	Phone:	Email:	
Leif Elder	801-580-8296	lelder@utah.gov	
Marlene Galindo	801-965-4026	mgalindo1@utah.gov	
James Godin	801-573-7181	jamesjgodin@agutah.gov	
Lori Edwards	385-341-3414	loriedwards@agutah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R926-14. Utah Scenic Byway Program Administration; Scenic Byways Designation, De-designation, and Segmentation Processes
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized under Subsection 72-4-102.5(7)(a), which authorizes the Department of Transportation (Department) to make rules: 1) establishing and defining a functional classification of highways for the purpose of implementing this section; 2) defining and designating regionally significant arterial highways; and 3) establishing an access management policy consistent with the functional classification of roadways.
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 received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Section 72-4-102.5 continues to authorize this rule and the Department has determined to keep this rule in its current form. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, PE, Executive Director, UDOT	Date:	03/18/2025
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

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

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

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

Agriculture and Food

Plant Industry

No. 57034 (Repeal and Reenact) R68-15: Quarantine Pertaining to Japanese Beetle, *Popillia japonica*

Published: 02/15/2025

Effective: 03/27/2025

No. 57019 (New Rule) R68-21: Beekeeping Standards

Published: 02/01/2025

Effective: 03/17/2025

Regulatory Services

No. 56972 (Amendment) R70-101: Bedding, Upholstered Furniture, and Quilted Clothing

Published: 01/01/2025

Effective: 04/09/2025

No. 56972 (Amendment-CPR) R70-101: Bedding, Upholstered Furniture, and Quilted Clothing

Published: 03/01/2025

Effective: 04/09/2025

Commerce

Consumer Protection

No. 57051 (Repeal and Reenact) R152-1: Division of Consumer Protection Buyer Beware List Rule

Published: 03/01/2025

Effective: 04/08/2025

Education

Administration

No. 57047 (Amendment) R277-609: Standards for LEA Discipline Plans and Emergency Safety Interventions

Published: 03/01/2025

Effective: 04/08/2025

No. 57048 (Amendment) R277-627: Early Warning Program

Published: 03/01/2025

Effective: 04/08/2025

No. 57049 (Amendment) R277-704: Financial and Economic Literacy: Integration into Core Curriculum

Published: 03/01/2025

Effective: 04/08/2025

No. 57050 (Repeal) R277-708: Enhancement for At-Risk Students
Published: 03/01/2025
Effective: 04/08/2025

Environmental Quality

Air Quality

No. 56934 (New Rule) R307-209: Portable Aggregate Processing Plants
Published: 12/01/2024
Effective: 03/31/2025

No. 56934 (Change in Proposed Rule) R307-209: Portable Aggregate Processing Plants
Published: 03/01/2025
Effective: 03/31/2025

Waste Management and Radiation Control, Radiation
No. 57041 (Amendment) R313-12: General Provisions
Published: 03/01/2025
Effective: 04/14/2025

No. 57042 (Amendment) R313-14-3: Definitions
Published: 03/01/2025
Effective: 04/14/2025

No. 57043 (Amendment) R313-16: General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines
Published: 03/01/2025
Effective: 04/14/2025

No. 57044 (Amendment) R313-28: Use of X-Rays in the Healing Arts
Published: 03/01/2025
Effective: 04/14/2025

No. 57045 (Amendment) R313-30: Therapeutic Radiation Machines
Published: 03/01/2025
Effective: 04/14/2025

No. 57046 (Amendment) R313-35: Requirements for X-Ray Equipment Used for Non-Medical Applications
Published: 03/01/2025
Effective: 04/14/2025

Health and Human Services

Integrated Healthcare

No. 57033 (Amendment) R414-49: Dental, Oral, and Maxillofacial Surgeons and Orthodontia
Published: 02/15/2025
Effective: 04/01/2025

Higher Education (Utah Board of)

Administration

No. 57040 (New Rule) R765-130: Equal Opportunity Initiatives
Published: 03/01/2025
Effective: 04/10/2025

No. 57031 (New Rule) R765-266: Utah System of Higher Education Disclosures
Published: 02/15/2025
Effective: 04/01/2025

No. 57030 (Amendment) R765-611: Veterans Tuition Gap Program
Published: 02/15/2025
Effective: 04/01/2025

NOTICES OF RULE EFFECTIVE DATES

Insurance

Administration

No. 57003 (Repeal and Reenact) R590-126: Accident and Health Insurance Standards

Published: 02/01/2025

Effective: 03/24/2025

No. 57004 (Repeal and Reenact) R590-233: Health Benefit Plan Insurance Standards

Published: 02/01/2025

Effective: 03/24/2025

No. 57006 (Repeal and Reenact) R590-286: Minimum Standards for Short-Term Limited Duration Health Insurance

Published: 02/01/2025

Effective: 03/24/2025

Labor Commission

Occupational Safety and Health

No. 57039 (Amendment) R614-1-4: Incorporation of Federal Standards

Published: 03/01/2025

Effective: 04/08/2025

Transportation

Administration

No. 57037 (Amendment) R907-80: Disposition of Surplus Land

Published: 03/01/2025

Effective: 04/09/2025

End of the Notices of Rule Effective Dates Section