

SS 1.3: A25/1980

STATE OF ARIZONA

OFFICIAL COMPILATION
OF
ADMINISTRATIVE RULES AND REGULATIONS

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Governor

ROSE MOFFORD
Secretary of State

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Published by
DEPARTMENT OF STATE
State Capitol
Phoenix, Arizona 85007

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STATE OF ARIZONA

OFFICE OF THE SECRETARY

The Office of the Secretary of State is proud to present the Official Compilation of Administrative Rules and Regulations for Arizona.

Arizona has grown tremendously over the past three decades. With such growth the number of State agencies, boards, commissions, departments and appointed officials has also increased, as have the rules and regulations issued by them. In 1972, the Legislature enacted S. B. 1015 providing for a single publication of all administrative rules and regulations. The codification was completed in 1975 and is kept current by six supplement issues a year.

This Publication may be purchased as a complete set, a single volume, title, or chapter. In addition, as of 1976, this office has published the Arizona Administrative Digest each month, which provides the information needed to keep current between the six supplements issued.

Information on availability and pricing is available upon request (602/255-4086).



Secretary of State

PREFACE

The Arizona Official Compilation of Rules and Regulations has been prepared pursuant to Laws of 1972, Chapter 35. The Legislature provided that the rules and regulations filed with the Secretary of State under Arizona Revised Statutes, Title 41, Sections 1001-1014, shall be published by the Secretary of State as provided in Arizona Revised Statutes, Title 41, Sections 127 and 128.

Pursuant to the Laws of 1976, Chapter 82, publication of administrative rules and regulations by the Secretary of State in accordance with A.R.S. § 41-127 shall constitute prima facie evidence of the adoption and filing of such rules.

At the outset, it was decided that the format had to be standardized for the purposes of the Compilation, and, in order to do this a numbering system was selected which would be adaptable to the smaller as well as the larger agencies. The numbering system and the general form and style for the Compilation was submitted for study to members of the Executive, Legislative and Judicial branches of government; to the State Bar Committee on Administrative Law; and, to the librarians of Arizona State Law Schools and State Library and Archives. Following their acceptance, the Secretary of State adopted a rule pursuant to A.R.S. § 41-127, which was then approved and certified by the Attorney General pursuant to A.R.S. § 41-1002.01, instructing all regulatory agencies and the agents of the Secretary of State to remove all recitals, redundancies, and surplusages for compilation purposes and to retain only the substantive and operative language of the agencies' rules and regulations. The rule provided that "no elimination of surplus language shall be construed as an amendment of any rule or regulation adopted by any administrative agency prior to July 1, 1974, and in the event a dispute should arise, any inconsistency or omission shall be resolved by reference to the original documents filed with the Office of the Secretary of State".

Pursuant to the rule, the regulatory agencies and the agents of the Secretary of State did, in fact, remove recitals, redundancies, and surplusages for compilation purposes. The controlling documents are the originals, on file in the Office of the Secretary of State.

As required by law, the publication is in loose-leaf form and is designed to be kept current by updating through the substitution of pages. Supplements will be printed six times a year, containing those changes certified and filed with the Secretary of State subsequent to the preceding issue. Thus, current rules and regulations will be available in the specific volume of the department or agency to which they relate. In order to standardize the format for the purposes of this Compilation, a numbering system was selected which is adaptable to the smallest as well as the largest agency.

PREFACE

A system of Titles has been used. The Titles divide into Chapters which have been assigned to the various agencies in accordance with the subject matter of their rules and regulations, other than Title 1, General Provisions, which includes History, Statutory Provisions, and information relating to Filing and Printing. In a few instances, Titles match the name of existing Departments of the State of Arizona, in which case the Chapter Headings assigned are based on the Table of Organization established by such Departments.

The Compilation consists of 17 Titles, arranged alphabetically. The first volume contains a Table of Contents, a complete Table of Chapter Headings for the whole set, and a complete Alphabetical Index of Agencies. At the beginning of each Chapter, there is a chapter analysis of the Articles and Sections of each agency. In the remainder of the set, each volume contains a Table of Contents, plus a Table of Titles and Chapter Headings for the particular volume, and at the beginning of each Chapter, a chapter analysis of the Articles and Sections of each agency.

The legislation calling for the Official Compilation of Rules and Regulations was passed by the Thirty-first Legislature. This work was spearheaded by Senate President William Jacquin and Majority Leader Sandra O'Connor. It was completed with the cooperation of Senate President Bob Stump and members of the Thirty-second Legislature. The publication also reflects the interest and encouragement of countless other people. Special debts of gratitude are owed to the Senate staff; to the Secretary of State, Wesley Bolin, the Assistant Secretary of State, Rose Mofford, and their staff; the members of the Attorney General's Office; the Legislative Council; the Communications Center, Department of Education; and to the various members of the Judiciary and State Bar of Arizona.

A special word of thanks must go to Thomas J. Tormey, University of Arizona, College of Law, who has advised in the planning of this project; to Richard C. Dahl, Arizona State University, College of Law; and to Marguerite Cooley, Director of the State's Library and Archives, and her staff.

This Official Compilation of Rules and Regulations makes the existing body of Administrative Rules and Regulations fully available to the public.

Miriam J. McClennen
Compiler and Editor
June, 1975
Rev. 10/31/80

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TITLE 1
GENERAL PROVISIONS

CITE THESE RULES AND REGULATIONS

A.C.R.R.

USING TITLE NUMBER, CHAPTER NUMBER, SECTION NUMBER

THUS: **A.C.R.R. R1-1-01**

CHAPTER 1

HISTORY AND STATUTORY PROVISIONS

ARTICLE 1. IN GENERAL

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- R1-1-101. Administrative Procedure Act.
- R1-1-102. Legislation requiring publication of Rules.
- R1-1-103. Rules and Regulations of the Secretary of State adopted pursuant to the Administrative Procedure Act.

ARTICLE 1. IN GENERAL

R1-1-101. Administrative Procedure Act

A. The first provision calling for a central filing of administrative rules was made by Laws of 1952, Chapter 97, Section 14. This Act (cited as Administrative Procedure Act) took effect July 1, 1952, and required all State agencies to hold hearings and to file in the Office of the Secretary of State a certified copy of every Rule adopted by it and in effect at the time of such filing.

B. The Legislature amended the original legislation by the Laws of 1970, Chapter 101, Section 1 and 2, effective January 1, 1971; Laws of 1971, Chapter 45, Section 1, effective April 9, 1971; Laws of 1972, Chapter 9, Section 1 and 2, effective March 2, 1972; Laws of 1974, Chapter 40, Section 1, effective August 9, 1974; Laws of 1976, Chapter 82, Section 8, Chapter 104, Section 3 and 4, Chapter 162, Section 66, effective September 23, 1976; Laws of 1980, Chapter 76, Section 1, effective April 21, 1980; Laws of 1981, Chapter 30, Section 2 through 6, effective March 27, 1981, and Chapter 209, Section 14, effective July 25, 1981; and Laws of 1982, Chapter 11, Section 1, Chapter 23, Section 1 through 3, Chapter 56, Section 1, Chapter 258, Section 1, Chapter 108, Section 2 through 4, effective July 24, 1982.

C. The Administrative Procedure Act is now found in Arizona Revised Statutes, Title 41, Chapter 6, Sections 1001 through 1015. The Act now reads as follows:

§ 41-1001. Definitions

In this article, unless the context otherwise requires:

1. "Agency" means every agency, board, commission, department or officer, authorized by law to exercise rule-making powers or to adjudicate contested cases, whether created by constitutional provision or legislative enactment, but does not include an agency in the judicial or legislative departments of state government.

2. "Contested case" means any proceeding, including but not restricted to ratemaking, price fixing and licensing, in which the legal

rights, duties or privileges of a party are required by law to be determined by an agency after an opportunity for hearing.

3. "License" includes the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law, but it does not include a license required solely for revenue purposes.

4. "Licensing" includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal or amendment of a license.

5. "Party" means each person or agency named or admitted as a party or properly seeking and entitled as of right to be admitted as a party.

6. "Person" means any individual, partnership, corporation, association, governmental subdivision or public or private organization of any character other than an agency.

7. "Rule" means each agency statement of general applicability that implements, interprets or prescribes law or policy, or describes the organization, procedure or practice requirements of any agency. The term includes the amendment or repeal of a prior rule, but does not include statements concerning only the internal management of any agency and not affecting private rights or procedures available to the public, or declaratory rulings issued pursuant to § 41-1007 or intra-agency memoranda.

8. "Small business" means a concern, including its affiliates, which is independently owned and operated, not dominant in its field and which employs fewer than one hundred full-time employees or which had gross annual receipts of less than four million dollars in its last fiscal year. For purposes of a specific rule, an agency may define small business to include more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of small businesses and organizations.

As amended Laws 1970, Ch 101, § 1, eff. Jan 1, 1971. As amended Laws 1982, Ch. 108, § 2, eff. July 24, 1982.

§ 41-1002. Notice of proposed adoption, amendment or repeal of rule; contents of notice; hearing; time

A. Prior to the adoption, amendment or repeal of any rule, notice of the proposed action shall be filed with the secretary of state. The notice shall include:

1. Reference to the authority under which the rule is proposed to be adopted, amended or repealed.
2. An informative summary of the proposed rule.
3. The express terms of the rule.
4. A statement of the time, place and nature of the proceedings for adoption, amendment or repeal of the rule.

5. Such other matters as are prescribed by statute applicable to the specific state agency or to any specific rule or class of rules.

6. An analysis containing a description of the types of small businesses subject to the rule, a brief description of the proposed reporting, bookkeeping and other procedures required for compliance with the rule and a description of the types of professional skills necessary for compliance.

B. The secretary of state shall include in the next edition of the administrative rules digest the information in the notice under subsection A, paragraphs 1, 2, 4 and 5 of this section.

C. Before commencing any proceedings for the adoption, amendment or repeal of a rule, an agency shall allow at least twenty days to elapse after the publication date of the administrative rules digest established by § 41-129 in which the notice of the proposed adoption, amendment or repeal is contained.

D. On the date and at the time designated in the notice, the agency shall afford any interested person or his duly authorized representative, or both, the opportunity to present statements, arguments or contentions in writing relating to the rule, with or without opportunity to present them orally.

As amended Laws 1981, Ch. 30, § 2, eff. Mar. 27, 1981. As amended Laws 1982, Ch. 23, § 2, and Ch. 108, § 3, eff. July 24, 1982.

§ 41-1002.01. Rule approval and certification by attorney general

A. A state agency may adopt a rule subject to review and certification by the attorney general. The attorney general shall review and certify that the proposed rule is:

1. Approved as to form.
2. Within the power of the agency to adopt and within the legislative standards enacted.

B. The certification of the attorney general shall within ninety days of receipt of the rule be endorsed on the original and two copies of the rule which is filed directly with the secretary of state pursuant to § 41-1004.

C. If the attorney general determines that the rule does not comply with subsection A of this section he shall endorse his rejection of certification on each copy of the rule and return the copies to the agency that proposed the rule within ninety days after his receipt of the proposed rule.

D. This section does not apply to the personnel board.

Added Laws 1972, Ch. 9, § 1, eff. Mar. 2, 1972. As amended Laws 1981, Ch. 30, § 3, eff. Mar. 27, 1981, and Ch. 209, § 14, eff. July 25, 1981.

§ 41-1002.02. Rules affecting small businesses; reduction of rule impact

If an agency proposes a new rule or an amendment to an existing rule which may have an impact on small businesses, the agency shall consider each of the methods for reducing the impact of the rule making on small businesses described in this subsection. The agency shall reduce the impact by utilizing one or more of the following methods, if it finds that the methods are legal and feasible in meeting the statutory objectives which are the basis of the proposed rule making:

1. Establish less stringent compliance or reporting requirements in the rule for small businesses.
2. Establish less stringent schedules or deadlines in the rule for compliance or reporting requirements for small businesses.
3. Consolidate or simplify the rule's compliance or reporting requirements for small businesses.
4. Establish performance standards for small businesses to replace design or operational standards in the rule.
5. Exempt small businesses from any or all requirements of the rule.

Added Laws 1982, Ch. 108, § 4, eff. July 24, 1982

§ 41-1003. Emergency adoption, amendment or repeal of rule

A. If in a particular instance the state agency makes a finding that adoption, amendment or repeal of a rule is necessary for immediate preservation of the public peace, health and safety and that notice and public procedure thereon are impracticable, unnecessary or contrary to public interest, the rule may be adopted, amended or repealed as an emergency measure, without the notice provided by § 41-1002 if such rule has been first approved and certified by the attorney general pursuant to § 41-1002.01 and filed with the secretary of state.

B. No rule adopted, amended or repealed pursuant to this section shall be valid for more than ninety days after the filing of such rule with the secretary of state.

As amended Laws 1976, Ch. 82, § 8, eff. Sept. 23, 1976 Substantially identical amendment made by Laws 1976, Ch. 104, § 3, eff. Sept. 23, 1976. As amended Laws 1981, Ch. 30, § 4, eff. Mar. 27, 1981

§ 41-1004. Filing rules with the secretary of state; exceptions

A. Every rule adopted by each state agency shall be certified and filed with the office of the secretary of state or shall be of no force or effect. The secretary of state shall keep a permanent register of such

(The next page is 4.1.)

rules. The secretary of state shall not accept for filing a rule of a state agency which does not comply with this article.

B. Nothing in this article shall be construed to require filing with the secretary of state any:

1. Rule which establishes or fixes rates, prices or tariffs.
2. Rule which relates to the use of public works, including streets and highways, under the jurisdiction of a state agency when the effect of the order is indicated to the public by means of signs or signals.
3. Order of the game and fish commission which opens, closes or alters seasons or establishes bag or possession limits for wildlife.

As amended Laws 1972, Ch. 9, § 2, eff. Mar. 2, 1972. As amended Laws 1981, Ch. 30, § 5, eff. Mar. 27, 1981. As amended Laws 1982, Ch. 23, § 3, and Ch. 56, § 1, eff. July 24, 1982.

§ 41-1005. Effective date of rule; exceptions

No rule adopted or promulgated by a state agency shall become effective until a certified original and two copies thereof have been filed in the office of the secretary of state, unless:

1. Otherwise specifically provided by statute pursuant to which the rule was adopted, in which event it becomes effective on the day prescribed by the statute.
2. A later date is prescribed by the state agency in a written instrument filed with or as a part of the rule.

As amended Laws 1981, Ch. 30, § 6, eff. Mar. 27, 1981.

§ 41-1006. Repealed by Laws 1982, Ch. 258, § 1, eff. July 24, 1982

§ 41-1007. Declaratory judgment and other remedies

A. Any person who is or may be affected by a rule may obtain a judicial declaration of the validity of the rule by filing an action for declaratory relief in the superior court of Maricopa county, in accordance with the provisions of article 2 of chapter 10, title 12.¹ In addition to any other ground which may exist, the rule may be declared invalid for a substantial failure to comply with the provisions of this article, or in case of an emergency rule, upon the ground that the findings and statement of emergency do not constitute an emergency within the provisions of § 41-1003.

B. The provisions of this section shall not be deemed to exclude other remedies which may be available in a particular case for testing the legality of any rule.

¹Section 12-1821 et seq.

§ 41-1008. Effect on existing rule making powers

Except as otherwise specifically provided by this article, the provisions of this article do not change the rule making authority existing by law on July 1, 1952 governing rule making procedure.

(The next page is 5.)

§ 41-1009. Contested cases; notice; hearing; records

A. In a contested case, all parties shall be afforded an opportunity for hearing after reasonable notice. Unless otherwise provided by law, the notice shall be given at least twenty days prior to the date set for the hearing.

B. The notice shall include:

1. A statement of the time, place and nature of the hearing.
2. A statement of the legal authority and jurisdiction under which the hearing is to be held.
3. A reference to the particular sections of the statutes and rules involved.
4. A short and plain statement of the matters asserted. If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter upon application a more definite and detailed statement shall be furnished.

C. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

D. Unless precluded by law, and except as to claims for compensation and benefits under Chapter 6 of Title 23, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default.

E. The record in a contested case shall include:

1. All pleadings, motions, interlocutory rulings.
2. Evidence received or considered.
3. A statement of matters officially noticed.
4. Objections and offers of proof and rulings thereon.
5. Proposed findings and exceptions.
6. Any decision, opinion or report by the officer presiding at the hearing.
7. All staff memoranda, other than privileged communications, or data submitted to the hearing officer or members of the agency in connection with their consideration of the case.

F. Oral proceedings or any part thereof shall be recorded manually or by a recording device and shall be transcribed on request of any party, unless otherwise provided by law. The cost of such transcript shall be paid by the party making the request, unless otherwise provided by law or unless assessment of the cost is waived by the agency.

G. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

Added Laws 1970, Ch. 101, § 2, eff. Jan. 1, 1971. As amended Laws 1976, Ch. 162, § 66, eff. Sept. 23, 1976.

§ 41-1010. Hearings; evidence; official notice; power to require testimony and records

A. Unless otherwise provided by law, in contested cases the following shall apply:

1. A hearing may be conducted in an informal manner and without adherence to the rules of evidence required in judicial proceedings. Neither the manner of conducting the hearing nor the failure to adhere to the rules of evidence required in judicial proceedings shall be grounds for reversing any administrative decision or order providing the evidence supporting such decision or order is substantial, reliable, and probative. Irrelevant, immaterial or unduly repetitious evidence shall be excluded. Every person who is a party to such proceedings shall have the right to be represented by counsel, to submit evidence in open hearings and shall have the right of cross-examination. Unless otherwise provided by law, hearings may be held at any place determined by the agency.

2. Copies of documentary evidence may be received in the discretion of the presiding officer. Upon request, parties shall be given an opportunity to compare the copy with the original.

3. Notice may be taken of judicially cognizable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the agency's specialized knowledge. Parties shall be notified either before or during the hearing or by reference in preliminary reports or otherwise of the material noticed including any staff memoranda or data and they shall be afforded an opportunity to contest the material so noticed. The agency's experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.

4. The officer presiding at the hearing may cause to be issued subpoenas for the attendance of witnesses and for the production of books, records, documents and other evidence and shall have the power to administer oaths. Unless otherwise provided by law or agency rule, subpoenas so issued shall be served and, upon application to the court by a party or the agency, enforced in the manner provided by law for the service and enforcement of subpoenas in a civil action. On application of a party or the agency and for use as evidence, the officer presiding at the hearing may permit a deposition to be taken, in the manner and upon the terms designated by him, of a witness who cannot be subpoenaed or is unable to attend the hearing. All provisions of law compelling a person under subpoena to testify are applicable. Fees for attendance as a witness shall be the same as for a witness in the superior courts of the state of Arizona, unless otherwise provided by law or agency rule.

B. Except when good cause exists otherwise, the agency shall provide an opportunity for a rehearing or review of the decision of an agency before such decision becomes final. Such rehearing or review

shall be governed by agency rule drawn as closely as practicable from Rule 59, Arizona Rules of Civil Procedure, relating to new trial in superior court.

Added Laws 1970, Ch. 101, § 2. As amended Laws 1971, Ch. 45, § 1, eff. April 9, 1971. As amended Laws 1976, Ch. 104, § 4, eff. Sept. 23, 1976.

§ 41-1011. Decisions and orders

Unless otherwise provided by law, any final decision or order adverse to a party in a contested case shall be in writing or stated in the record. Any final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. Unless otherwise provided by law, parties shall be notified either personally or by mail to their last known address of any decision or order. Upon request a copy of the decision or order shall be delivered or mailed forthwith to each party and to his attorney of record.

Added Laws 1970, Ch. 101, § 2, eff. Jan. 1, 1971.

§ 41-1012. Licenses; renewal; revocation; suspension; annulment; withdrawal

A. When the grant, denial or renewal of a license is required to be preceded by notice and opportunity for hearing, the provisions of this Article concerning contested cases apply.

B. When a licensee has made timely and sufficient application for the renewal of a license or a new license with reference to any activity of a continuing nature, the existing license does not expire until the application has been finally determined by the agency, and, in case the application is denied or the terms of the new license limited, until the last day for seeking review of the agency order or a later date fixed by order of the reviewing court.

C. No revocation, suspension, annulment or withdrawal of any license is lawful unless, prior to the institution of agency proceedings, the agency gave notice by mail to the licensee of facts or conduct which warrant the intended action, and the licensee was given an opportunity to show compliance with all lawful requirements for the retention of the license. If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

Added Laws 1970, Ch. 101, § 2, eff. Jan. 1, 1971.

§ 41-1013. Hearing on denial of license or permit

Proceedings for licenses or permits on application when not required by law to be preceded by notice and opportunity for hearing shall be governed by the provisions of the law relating to the particular agency, provided that when an application for a license or permit is denied under the provisions of the law relating to a particular agency the applicant shall be entitled to have a hearing before such agency on such denial upon filing within fifteen days after receipt of notice of such refusal a written application for such hearing. Notice shall be given in the manner prescribed in § 41-1009. At such hearing such applicant shall be the moving party and have the burden of proof. Such hearing shall be conducted in accordance with the provisions of this Article for hearing of a contested case before an agency. Such hearing before such agency shall be limited to those matters originally presented to the agency for its determination on such application.

Added Laws 1970, Ch. 101, § 2, eff. Jan. 1, 1971.

§ 41-1014. Compulsory testimony; privilege against self-incrimination

A. A person may not refuse to attend and testify or produce evidence sought by an agency in an action, proceeding or investigation instituted by or before the agency on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture unless it constitutes the compelled testimony or the private papers of the person which would be privileged evidence either pursuant to the Fifth Amendment of the Constitution of the United States or Article II, Section 10, Constitution of Arizona, and the person claims the privilege prior to the production of the testimony or papers.

B. If a person asserts his privilege against self-incrimination and the agency seeks to compel production of the testimony or documents sought, it may, with the prior written approval of the attorney general, issue a written order compelling the testimony or production of documents in proceedings and investigations before the agency or apply to the appropriate court for such an order in other actions or proceedings.

C. Evidence produced pursuant to subsection B is not admissible in evidence or usable in any manner in a criminal prosecution, except for perjury, false swearing, tampering with physical evidence or any other offense committed in connection with the appearance made pursuant to this section against the person testifying or the person producing his private papers.

Added Laws 1980, Ch. 76, § 1, eff. Apr. 21, 1980.

§ 41-1015. Exemption for rules regulating state highway traffic

This article does not apply to any rule relating to § 28-641 or to any rule regulating motor vehicle operation which relates to speed, parking, standing, stopping or passing enacted pursuant to title 28, chapter 6.

Added Laws 1982, Ch. 11, § 1, eff. July 24, 1982.

R1-1-102. Legislation requiring publication of Rules

The legislation requiring publication of Rules was provided in the Laws of 1972, Chapter 35, Section 1, amending Title 41, Chapter 1, Article 2, Arizona Revised Statutes, by adding §§ 41-127 and 41-128, and by repealing A.R.S. § 41-1006.

§ 41-127. Publication of administrative rules and regulations

A. The secretary of state shall publish at least once each quarter or more often if the secretary of state deems it advisable all state agency administrative rules and regulations filed in the office of the secretary of state subsequent to the effective date of this section and pursuant to § 41-1004. The rules and regulations shall be published in looseleaf volumes designed to be kept current by the process of updating and substitution of pages. They shall be divided into appropriate sections for easy reference and shall contain an index and such other research aids as the secretary deems necessary.

B. Publication by the secretary of state pursuant to this section shall constitute prima facie evidence of the adoption and filing of such rule pursuant to this chapter.

Added Laws 1972, Ch. 35, § 1. As amended Laws 1976, Ch. 82, § 6, eff. Sept. 23, 1976. As amended Laws 1981, Ch. 30, § 1, eff. Mar. 27, 1981.

§ 41-128. Administrative rules and regulations publication; contract for publication; distribution of reports by secretary of state; sale of administrative rules and regulations

A. The secretary of state may contract on terms most advantageous to the state with the person who agrees to publish and sell the administrative rules and regulations. Such contractor shall agree to publish and deliver to the secretary of state at least four hundred volumes at the contract price.

B. The secretary of state shall deliver volumes of the rules and regulations to the several legislative, executive and judicial branches of government as they are required.

C. Copies of administrative rules and regulations delivered to a person on account of the office held by such person shall remain the property of the state and shall have the office name stamped or written thereon.

D. The secretary of state, after he has made distribution as provided in subsection B, shall offer for sale and sell any volumes available, at a price equal to the pro rata cost of publishing and distribution, to any person desiring to purchase them. The number of volumes sold to any one purchaser shall be within the discretion of the secretary of state.

Added Laws 1972, Ch. 35, § 1.

§ 41-129. Administrative rules digest; publication; sale

A. The secretary of state shall publish at least once each month a digest containing the information provided under § 41-1002, subsection A, paragraphs 1, 2, 4 and 5 for a proposed adoption, amendment or repeal of a rule which has been filed with the secretary of state during the preceding thirty days, as well as a summary of each emergency rule adopted and filed with the secretary of state during the preceding thirty days. The digest shall contain a schedule of the time, date and place of all hearings on such proposed adoptions, repeals or amendments.

B. The digest shall be available by subscription and for single copy purchase to all interested parties. The charge for each digest or periodic subscription thereto shall be a reasonable charge, not to exceed the cost of producing the digest.

Added Laws 1976, Ch. 82, § 7, eff. Sept. 23, 1976. As amended Laws 1982, Ch. 23, § 1, eff. July 24, 1982.

R1-1-103. Rules and Regulations of the Secretary of State adopted pursuant to the Administrative Procedure Act

A. Pursuant to Chapter 9 and Chapter 35 of the Laws of Arizona 1972, the Secretary of the State of Arizona hereby promulgates and adopts the following Rules and Regulations relative to the filing procedures which shall govern both in connection with prior filings under the Administrative Procedure Act and with respect to future filings. The Secretary of State hereby determines and declares that pursuant to the authority of law hereinabove cited he has the power to accumulate, compile, index, cross-reference, annotate and publish all the administrative Rules and Regulations which have been heretofore, and which may be hereafter adopted by the various State agencies, boards, commissions and executive officers of the State of Arizona pursuant to the Administrative Procedure Act. The Secretary of State may determine the Section numbers to be applied to the Rules or Regulations of any State agency and the Title number of the code in the official compilations to be used.

B. All Administrative Rules and Regulations adopted pursuant to the Administrative Procedure Act and filed with the Secretary of State are by order of the Secretary of State divided, organized and compiled into the following Titles and Chapters:

TITLE 1. GENERAL PROVISIONS

- Chapter 1. History and Statutory Provisions
- Chapter 2. Filing and Printing of Rules and Regulations

TITLE 2. ADMINISTRATION

- Chapter 1. Administration, Department of
- Chapter 2. Arts and Humanities, Commission on
- Chapter 3. Library, Archives and Public Records, Department of
- Chapter 4. Library Examiners, Board of
- Chapter 5. Personnel Board, State,
- Chapter 6. Public Buildings Maintenance Division, Department of Administration
- Chapter 7. Purchasing Office, Finance Division, Department of Administration
- Chapter 8. Retirement System Board, State
- Chapter 9. Tax Deferred Annuity and Deferred Compensation Plans, Governing Commission for
- Chapter 10. Risk Management Section, Department of Administration
- Chapter 11. Finance Division, Department of Administration
- Chapter 12. Secretary of State, Office of
- Chapter 13. Deposit, State Board of
- Chapter 14. Economic Planning and Development, Office of

TITLE 3. AGRICULTURE

- Chapter 1. Agriculture and Horticulture, Arizona Commission of
- Chapter 2. Beef Council, Arizona
- Chapter 3. Chemist, State, Arizona Commission of Agriculture and Horticulture
- Chapter 4. Coliseum and Exposition Center Board
- Chapter 5. Dairy Commissioner
- Chapter 6. Egg Inspection Board
- Chapter 7. Fruit and Vegetable Standardization, Arizona Commission of Agriculture and Horticulture
- Chapter 8. Reserved
- Chapter 9. Livestock Sanitary Board
- Chapter 10. Pesticide Control, Board of, Arizona Commission of Agriculture and Horticulture
- Chapter 11. Veterinary Medical Examining Board

TITLE 4. COMMERCE, PROFESSIONS, AND OCCUPATIONS

- Chapter 1. Accountancy, Board of
- Chapter 2. Agricultural Employment Relations Board
- Chapter 3. Athletic Commission

- Chapter 4. Banking Department
- Chapter 5. Barber Examiners, Board of
- Chapter 6. Reserved
- Chapter 7. Chiropractic Examiners, Board of
- Chapter 8. Reserved
- Chapter 9. Contractors, Registrar of
- Chapter 10. Cosmetology, Board of
- Chapter 11. Dental Examiners, State Board of
- Chapter 12. Funeral Directors and Embalmers, Board of
- Chapter 13. Industrial Commission of Arizona
- Chapter 14. Insurance, Department of
- Chapter 15. Liquor Licenses and Control, Department of
- Chapter 16. Medical Examiners, Board of
- Chapter 17. Medical Examiners and Osteopathic Examiners in Medicine and
Surgery, Joint Board of
- Chapter 18. Naturopathic Board of Examiners
- Chapter 19. Nursing, Board of
- Chapter 20. Opticians, Board of Dispensing
- Chapter 21. Optometry, Board of
- Chapter 22. Osteopathic Examiners in Medicine and Surgery, Board of
- Chapter 23. Pharmacy, Board of
- Chapter 24. Physical Therapy Examiners, Board of
- Chapter 25. Podiatry Examiners, Board of
- Chapter 26. Psychologist Examiners, Board of
- Chapter 27. Racing Commission, Arizona
- Chapter 28. Real Estate Department
- Chapter 29. Structural Pest Control Board
- Chapter 30. Technical Registration, Board of
- Chapter 31. Weights and Measures Division, Department of Administration
- Chapter 32. Joint Underwriting Plan, Board of Directors of
- Chapter 33. Nursing Care Institution Administrators, Board of Examiners of
- Chapter 34. Manufactured Housing, Board of
- Chapter 35. Health Facilities Authority, Arizona
- Chapter 36. Occupational Safety and Health Review Board
- Chapter 37. Lottery Commission, Arizona State
- Chapter 38. Homeopathic Medical Examiners, Board of
- Chapter 39. Private Technical and Business Schools, Board of
- Chapter 40. Veterans' Service Commission
- Chapter 41. Tourism, Office of
- Chapter 42. Deaf, Arizona Council of the

TITLE 5. CORRECTIONS

- Chapter 1. Corrections, Department of
- Chapter 2. Interstate Parole Compact, Department of Corrections
- Chapter 3. Juveniles, State Compact of, Department of Corrections
- Chapter 4. Pardons and Paroles, Board of

TITLE 6. ECONOMIC SECURITY

(The following Chapters are based on the Table of Organization established by the Department of Economic Security)

- Chapter 1. Economic Security, Department of
- Chapter 2. Employment and Training
- Chapter 3. Income Maintenance
- Chapter 4. Rehabilitation Services
- Chapter 5. Social Services
- Chapter 6. Mental Retardation
- Chapter 7. Child Support Enforcement
- Chapter 8. Older Americans
- Chapter 9. Reserved
- Chapter 10. Work Incentive (WIN) Program

TITLE 7. EDUCATION

- Chapter 1. Community Colleges of Arizona, State Board of Directors for
- Chapter 2. Education, State Board of
- Chapter 3. Reserved
- Chapter 4. Regents, Arizona Board of
- Chapter 5. Deaf and Blind, State School for

TITLE 8. EMERGENCY — MILITARY AFFAIRS

- Chapter 1. Reserved
- Chapter 2. Emergency Services, Division of, Department of Emergency and Military Affairs
- Chapter 3. Military Affairs, Division of, Department of Emergency and Military Affairs

TITLE 9. HEALTH SERVICES

(The following Chapters are based on the Table of Organization established by the Department of Health Services)

- Chapter 1. Administration
- Chapter 2. Addictive Behavior
- Chapter 3. Air Pollution Control
- Chapter 4. Air Pollution Control Hearing Board
- Chapter 5. Day Care Centers
- Chapter 6. Communicable Disease
- Chapter 7. Crippled Children's Services

- Chapter 8. Environmental Sanitation
- Chapter 9. Health Care Institutions: Establishment; Modification
- Chapter 10. Health Care Institutions: Licensure
- Chapter 11. Health Care Institutions: Rates and Charges
- Chapter 12. Health Care Services Organizatons
- Chapter 13. Health Programs Services
- Chapter 14. Laboratories
- Chapter 15. Mental Health Services
- Chapter 16. Personnel Licensing
- Chapter 17. Pure Food Control
- Chapter 18. Reserved
- Chapter 19. Vital Records and Statistics
- Chapter 20. Water Pollution Control
- Chapter 21. Water Quality Standards for Surface Waters of Arizona
- Chapter 22. Medical Assistance
- Chapter 23. Prepaid Dental Plan Organization
- Chapter 24. Medically-Underserved Area Medical Services
- Chapter 25. State Hospital Grounds, Search and Seizure on

TITLE 10. LAW

- Chapter 1. Reserved
- Chapter 2. Reserved
- Chapter 3. Civil Rights Division, Department of Law
- Chapter 4. Reserved

TITLE 11. MINES

- Chapter 1. Mine Inspector, State

TITLE 12. NATURAL RESOURCES

- Chapter 1. Radiation Regulatory Agency
- Chapter 2. Medical Radiologic Technology Board of Examiners, Division of
Radiation Regulatory Agency
- Chapter 3. Reserved
- Chapter 4. Game and Fish Commission
- Chapter 5. Land Department
- Chapter 6. Museum, Arizona State
- Chapter 7. Oil and Gas Conservation Commission
- Chapter 8. Parks Board, State
- Chapter 9. Parks and Recreation Commission, Maricopa County

- Chapter 10. Reserved
- Chapter 11. Parks Commission, Navajo County
- Chapter 12. Parks and Recreation Commission, Pima County
- Chapter 13. Parks and Recreation Board, Yuma County
- Chapter 14. Power Authority
- Chapter 15. Water Resources, Department of
- Chapter 16. Solar Energy Commission

TITLE 13. PUBLIC SAFETY

- Chapter 1. Criminal Identification Section, Department of Public Safety
- Chapter 2. Private Investigators, Department of Public Safety
- Chapter 3. Tow Trucks, Department of Public Safety
- Chapter 4. Arizona Law Enforcement Officer Advisory Council
- Chapter 5. Law Enforcement Merit System Council
- Chapter 6. Security Guards, Department of Public Safety
- Chapter 7. Polygraph Examiners

TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS; SECURITIES REGULATION

(The following Chapters are based on the Table of Organization established by the Corporation Commission)

- Chapter 1. Corporations and Associations
- Chapter 2. Fixed Utilities
- Chapter 3. Rules of Practice and Procedure, Corporation Commission
- Chapter 4. Securities
- Chapter 5. Transportation

TITLE 15. REVENUE

(The following Chapters have been established by the Department of Revenue)

NOTE: The Director designated the term "Office" and "Division" to be changed to "Section" as of October 1980. Changes in the texts will be made as the Rules and Regulations are reprinted

- Chapter 1. Estate Tax Section
- Chapter 2. Income and Withholding Tax Section
- Chapter 3. Luxury Tax Section
- Chapter 4. Property and Special Tax Section
- Chapter 5. Sales and Use Tax Section
- Chapter 6. Unclaimed and Abandoned Property, Estate Tax Section
- Chapter 7. Bingo Regulations, Sales and Use Tax Section

- Chapter 8. Reserved
- Chapter 9. Reserved
- Chapter 10. Administration, General

TITLE 16. TAX APPEALS

- Chapter 1. Tax Appeals, State Board of
- Chapter 2. Tax Appeals — Division One (Property Valuation), State Board of
- Chapter 3. Tax Appeals — Division Two [Luxury, Transaction Privilege (Sales), Rental Occupancy, Use, Estate, Income], State Board of

TITLE 17. TRANSPORTATION

(The following Chapters are based on the Table of Organization established by the Department of Transportation)

- Chapter 1. Administrative Services
- Chapter 2. Aeronautics Division
- Chapter 3. Highways Division
- Chapter 4. Motor Vehicle Division
- Chapter 5. Planning
- Chapter 6. Public Transit
- Chapter 7. Transportation, Department of
- Chapter 8. Professional Driver Training Schools

C. The agents of the Secretary of State in preparing the original compilation of agency Rules and Regulations may have removed recitations relating to recitals, redundancies, and surplusages and included only the substantive and operative language of the agencies' Rules and Regulations in the compilation. No elimination of surplus language, however, shall be construed as an amendment of any Rule or Regulation adopted by any administrative agency, and in the event a dispute should arise, any inconsistency or omission shall be resolved by reference to the original documents filed with the Office of the Secretary of State.

D. The Secretary of State's Office shall not accept for filing any Rule or Regulation under the Administrative Procedures Act which does not comply with the Act and the numbering and lettering system set forth in Subsection B. of this Rule and Chapter 2, Articles 2 and 3 of the Official Compilation of Administrative Rules.

E. The Secretary of State may, in order to preserve uniformity of the compilation, change the numbering of any Regulations filed by any State agency. Nothing in the Secretary of State's compilation, indexing, renumbering, or publication shall be construed as an amendment or repeal by implication of any Rule or Regulation otherwise lawfully adopted by any State agency. Neither the numbers or the Titles used by the Secretary of State shall be construed as part of the Rule. The numbers and Titles assigned by the Secretary are for convenience of reference only and the Secretary may renumber, retitle or add additional numbers and Titles without further notice. Any such revisions or additions shall be effective when recorded by the Secretary.

F. The Office of the Secretary of State shall not accept for filing any notice of proposed adoption, amendment, or repeal without there being attached thereto an informative summary and the full text of such proposed adoption, amendment, or repeal.

G. The Office of the Secretary of State shall not accept for filing any certification of an adoption of an emergency Rule without there being attached thereto an informative summary and the full text of such emergency Rule.

Historical Note

Adopted eff. Nov. 8, 1974; Amended eff. June 11, 1975; Amended eff. June 23, 1975; Amended as an emergency eff. Oct. 31, 1975 (Supp. 75-1). Title 15, Ch. 7 has been included for information only (Supp. 76-3). Amended eff. Sept. 17, 1976 (Supp. 76-4). Amended eff. Jan. 24, 1977 (Supp. 77-1). Amended eff. June 14, 1978 (Supp. 78-3). Amended eff. May 8, 1979 (Supp. 79-3). Amended Subsection B. eff. Aug. 29, 1980 (Supp. 80-4). Amended Subsection B. eff. Dec. 29, 1980 (Supp. 80-6). Amended Subsections B, F, and G. eff. June 30, 1981 (Supp. 81-3). Amended Subsection B. eff. Apr. 6, 1982 (Supp. 82-2). Amended Subsection B. eff. Apr. 6, 1983 (Supp. 83-2).

CHAPTER 2

FILING AND PRINTING OF RULES AND REGULATIONS

ARTICLE 1. GENERAL

Sec.

- R1-2-101. Location of Office.
- R1-2-102. Definitions.
- R1-2-103. Form of citation.
- R1-2-104. Supplementary material.
- R1-2-105. "Dead" material.
- R1-2-106. Section headings.
- R1-2-107. Words of tense, number, or gender.

ARTICLE 2. PREPARATION FOR FILING

- R1-2-201. Forms to be used in filing.
- R1-2-202. Preparation of new rule.
- R1-2-203. Preparation of an amendment.
- R1-2-203.01. Preparation of a rule following an emergency adoption.
- R1-2-204. Preparation of order of repeal.
- R1-2-205. Filing notice of proposed adoption of rules.
- R1-2-206. Change of hearing date.
- R1-2-207. Preparation and filing the certification of rules.
- R1-2-208. Preparation and filing the emergency adoption of rules.
- R1-2-209. Filing certified rules with the Office.
- R1-2-210. Designation of effective date.
- R1-2-211. Forms.

ARTICLE 3. PRINTING AND AVAILABILITY OF OFFICIAL COMPILATION

- R1-2-301. Printing and compilation.
- R1-2-302. Arrangement and classification.
- R1-2-303. Numbering system.
- R1-2-304. Citation of authority.
- R1-2-305. Historical note.
- R1-2-306. Availability.

ARTICLE 1. GENERAL**R1-2-101. Location of Office**

The Office of the Secretary of State, Department of State, is located at the State Capitol, West Wing, Phoenix, Arizona 85007.

Historical Note

Adopted eff. June 18, 1975; Amended eff. Aug. 29, 1980 (Supp. 80-4).

R1-2-102. Definitions

The following definitions shall apply in this Chapter, unless the context otherwise requires:

1. "Compilation" means the State of Arizona Official Compilation of Administrative Rules and Regulations.
2. "Office" means the Office of Secretary of State within the Department of State.
3. "Supplement" means the State of Arizona Official Compilation of Administrative Rules and Regulations Supplement, containing updated material filed subsequent to the original printing.
4. "Digest" means the State of Arizona Administrative Digest, published monthly pursuant to A.R.S. § 41-129.

Historical Note

Adopted eff. June 18, 1975. Amended by adding Paragraph 4 eff. Apr. 6, 1983 (Supp. 83-2).

R1-2-103. Form of citation

A. In referring to the State of Arizona Official Compilation of Administrative Rules and Regulations, the following short form of citation may be used: A.C.R.R.

B. Where reference is made to a particular Section of a given Title of the Compilation, the form of citation used is A.C.R.R., Title number, Chapter number, Section number. Example: A.C.R.R. R4-29-01, which would refer to the State of Arizona Official Compilation of Administrative Rules and Regulations, Title 4, Chapter 29, Section 01.

C. Material in the Supplement shall be cited in the same manner as explained in Subsection B., as material in the Supplement is integrated into the Compilation.

D. In these Rules and Regulations, the A.C.R.R. portion of the reference has been omitted as being repetitious.

Historical Note

Adopted eff. June 18, 1975; Amended Subsection C. eff. Aug. 29, 1980 (Supp. 80-4).

R1-2-104. Supplementary material

A. Supplements to the Compilation will be printed six (6) times a year, containing only those changes certified and filed with the Office subsequent to the preceding issue.

B. Each of the Supplements are numbered to correspond to the year in which issued, i.e., Supplement 80-1, refers to the first Supplement printed in 1980.

C. The date of the Supplement appears at the bottom, right-hand corner, of each page, i.e., 6/30/80 refers to June 30, 1980.

D. Wherever possible, a new page containing changes will have the same page number as the one replaced, and will carry the new publication date. Reference to this date will insure retention of only the most recent material.

E. When a particular page is supplemented with additional material, the decimal system of pagination will be employed. For example, if the material on page 8 is expanded, the additional pages will be numbered 8.1, 8.2, etc. If the decimal pages are expanded, the additional numbers will be numbered 8.1(1), 8.1(2), etc.

F. Certain omissions in page sequence will occur as matter is repealed. A filing sheet will accompany each Supplement; in addition, master sheets will be issued from time to time to enable the subscriber to verify the contents of each volume.

Historical Note

Adopted eff. June 18, 1975. Amended eff. Aug. 29, 1980 (Supp. 80-4).

R1-2-105. "Dead" material

It is suggested that subscribers retain material which becomes obsolete as these may prove useful for future reference. A suitable binder to hold the obsolete material will be furnished upon request, at a minimum charge.

Historical Note

Adopted eff. June 18, 1975.

R1-2-106. Section headings

Headings to Sections are supplied for the purpose of convenient reference and do not constitute part of the rule.

Historical Note

Adopted eff. June 18, 1975.

R1-2-107. Words of tense, number, or gender

A. Words in the present tense include the future as well as the present.

B. Words in the singular number include the plural, and words in the plural number include the singular.

C. Words of the masculine gender include the feminine and the neuter.

Historical Note

Adopted eff. June 18, 1975.

ARTICLE 2. PREPARATION FOR FILING

R1-2-201. Forms to be used in filing

Forms are provided by the Office (see R1-2-211). These forms shall be used for all filings and no other forms shall be accepted. These forms are on standard size paper, 8½" × 11". All attachments shall be on this size paper.

Historical Note

Adopted eff. June 18, 1975. Amended eff. Aug. 29, 1980 (Supp. 80-4).

R1-2-202. Preparation of a new rule

A. The agency shall set forth the full text of the new rule in the general form of the Compilation.

1. The Secretary of State shall be contacted for an assignment of a Chapter number.

2. The agency shall indicate a Section number and an appropriate Section heading, and follow the numbering system as set forth in R1-2-303.

B. The agency shall prepare an informative summary of the action, typewritten, double spaced, to be included in the Digest.

C. The agency shall fill out the Notice Form R101, as shown in R1-2-211.A.1., and as outlined in R1-2-205, Subsections A. through I.

D. The text of the new rule with the informative summary shall be attached to the Notice Form R101, and filed with the Office.

Historical Note

Adopted eff. June 18, 1975. Amended eff. Aug. 29, 1980 (Supp. 80-4). Former Section R1-2-202 repealed, new Section R1-2-202 adopted eff. Apr. 6, 1983 (Supp. 83-2).

R1-2-203. Preparation of an amendment

A. If an existing rule of the Compilation is to be amended, the agency shall set forth the full text of the proposed amendment in the general form of the Compilation. The language to be changed or added shall be shown as follows:

1. Language to be deleted shall be stricken through but clearly legible.

2. New language shall be underlined.

3. Units which are not affected by the amendments shall be typed without change, or referred to by unit designations (i.e., A.1.a.i.) followed by the word, Unchanged (i.e., A.1.a.i. Unchanged).

B. The agency shall prepare an informative summary of the action, typewritten, double spaced, to be included in the Digest.

C. The agency shall fill out the Notice Form R101, as shown in R1-2-211.A.1., and as outlined in R1-2-205, Subsections A. through I.

Historical Note

Adopted eff. June 18, 1975; Amended eff. Sept. 17, 1976 (Supp. 76-4). Amended eff. Aug. 29, 1980 (Supp. 80-4). Amended eff. June 30, 1981 (Supp. 81-3). Former Section R1-2-203 renumbered as Section R1-2-205 and amended, former Section R1-2-204 renumbered as Section R1-2-203 and amended eff. Apr. 6, 1983 (Supp. 83-2).

R1-2-203.01. Preparation of a rule following an emergency adoption

When an agency adopts, as a permanent rule, a rule or amendment to a rule that previously had been promulgated as an emergency rule, the agency shall submit to the Office, at the time the Form R 102 is filed, the following information:

1. If the text of the permanent rule is identical to the text of the emergency rule, the agency shall so state.
2. If the text of the rule differs from the text of the emergency rule, the agency shall indicate, using the appropriate markings, all changes made to the emergency text.

Historical Note

Adopted eff. Apr. 6, 1983 (Supp. 83-2).

R1-2-204. Preparation of order of repeal

A. If an existing rule of the Compilation is proposed for repeal, the agency shall set forth the full text of the rule in the general form of the Compilation. The agency shall show dashes through the text of the rule to indicate the repeal or shall photocopy the rule as shown in the A.C.R.R. on standard size white paper, 8½" × 11", and draw a single diagonal line through the rule. The complete page of the A.C.R.R. must be photocopied to include the very top line of the page, i.e., Chapter number, etc., and the very bottom line, i.e., page number, etc.

B. The agency shall prepare an informative summary of the action, typewritten, double spaced, to be included in the Digest.

C. The agency shall fill out the Notice Form R101, as shown in R1-2-211.A.1., and as outlined in R1-2-205, Subsections A. through F., H., and I.

Historical Note

Adopted eff. June 18, 1975; Amended eff. Sept. 17, 1976 (Supp. 76-4). Amended eff. June 14, 1978 (Supp. 78-3). Amended eff. Aug. 29, 1980 (Supp. 80-4). Amended eff. June 30, 1981 (Supp. 81-3). Former Section R1-2-204 renumbered as Section R1-2-203 and amended, former Section R1-2-205 renumbered as Section R1-2-204 and amended eff. Apr. 6, 1983 (Supp. 83-2).

R1-2-205. Filing notice of proposed adoption of rules

A. Rules shall be adopted, amended, or repealed only after a hearing has been held, with the exception of emergency rule adoptions.

B. The hearing shall be scheduled no earlier than twenty (20) days following publication in the Digest. The publication schedule for the Digest is set forth by the Office.

C. A Notice Form R101, as shown in R1-2-211.A.1. shall be filed with the Office in accordance with the publication schedule of the Digest.

D. The Notice Form R101 shall be filled out as outlined.

1. Enter the name of the agency, board, commission, department, or officer.
2. Enter the name and telephone number of the person to call regarding the rule.
3. Enter the A.R.S. citation of general and specific authority to promulgate the rule.
4. Check the action which will be taken and show the rule affected: the A.C.R.R. title number; chapter number; and rule number. Check whether or not a document has been incorporated by reference. If so, attach one (1) copy of the document.
5. Check as to whether or not an open meeting notice has been filed or will be filed with the Office of the Secretary of State to be in compliance with the Open Meeting Law, A.R.S. §§ 38-431 through 38-431.09.
6. Check each item to indicate that the material is attached as part of the Document: Form R101; an informative summary of proposed action; text of the rule; a statement of impact on small business pursuant to A.R.S. § 41-1002.02.
7. Check to indicate that Notice is given that any person interested in the rule change may make a presentation relative to the rule, either written or oral. Show where and when the hearing will take place.
8. An authorized officer of the agency shall sign and complete the Notice Document Certificate.
 - E.** The agency shall attach an informative summary of the action, typewritten, double spaced, to be included in the Digest.
 - F.** The agency shall attach an original and two (2) copies of the rule as proposed for adoption, amendment, or repeal. The full text of the rule shall be set forth in the general form of the Compilation.
 - G.** Should an agency wish to adopt a form, it shall be set forth as a numbered rule as in R1-2-211. If a form is not included as part of the rule, but reference is made to it, indicate the address of the office where the form is available.
 - H.** All attachments shall be typewritten, double spaced, on standard size white paper, 8½" × 11".
 - I.** The Notice Document (the Form R101, the informative summary, the text of the rule, any other attachments) shall be filed with the Office upon completion of Subsections A. through H.
 - J.** A receipt will be issued by the Office when all requirements of the law and these regulations are fulfilled.

Historical Note

Adopted eff. June 18, 1975; Amended eff. Aug. 29, 1980 (Supp. 80-4) Amended eff. June 30, 1981 (Supp. 81-3) Former Section R1-2-205 renumbered as Section R1-2-204 and amended, former Section R1-2-203 renumbered as Section R1-2-205 and amended eff. Apr. 6, 1983 (Supp. 83-2).

(The next page is 6. 1.)

R1-2-206. Change of hearing date

A. If a hearing date is changed but the action remains identical to the original action filed, a new Notice Form R101 shall be filed in triplicate. The new Notice Form R101 shall be attached to the previous Notice Form R101 and filed with the Office in accordance with the publication schedule of the Administrative Digest as set forth by the Office.

B. If a hearing of a proposed action is changed because the proposed rule has been changed, another Notice Form R101 shall be filed in triplicate with the Office. The changed rules must conform to R1-2-202 and be attached to the original filing and shall be filed in accordance with the publication schedule of the Administrative Digest as set forth by the Office.

C. A hearing can be continued to other dates should new material, or witnesses, or the like be required. No new filing notice need be given.

Historical Note

Adopted eff. June 18, 1975; Amended eff. Aug. 29, 1980 (Supp. 80-4). Amended eff. June 30, 1981 (Supp. 81-3).

R1-2-207. Preparation and filing the certification of rules

A. Following completion of the hearing, the agency shall prepare an original and four (4) copies of the Certification Form R102 as shown in R1-2-211.A.2.

B. The Certification Form R102 shall be filled out as outlined:

1. Enter the name of the agency, board, commission, department, or officer.
2. Enter the name and telephone number of the person to call regarding the rule.
3. Enter the A. R. S. citation of general and specific authority to promulgate the rule.
4. Enter the date the Form R101 was filed with the Office.
5. Enter the volume, issue, page, and date of the Administrative Digest in which the Notice of the Proposed Action was published.
6. Enter the date the rule was promulgated subject to Certification by the Attorney General.
7. Check the action taken and show the rule affected: the A.C.R.R. title number; chapter number; and rule number. Check whether or not a document has been incorporated by reference. If so, attach one (1) copy of the document.
8. Check if this action was previously promulgated as an emergency. See R1-2-203.01.
9. Check the applicable item for effective date: the date filed with the Office; or other (pursuant to A.R.S. § 41-1005) and fill in "other" date.
10. An authorized officer shall sign and complete the Certification Document (the Form R101, the text of the rule, the attachments required by the Attorney General).

(The next page is 7.)

11. The Attorney General shall approve and certify the Certification Document by signing and completing the Certificate for the Attorney General.

C. The agency shall attach a true and correct copy of the rule promulgated, typewritten on standard size white paper, 8½" × 11". The form of the rule shall comply with the requirements of R1-2-202 through R1-2-204.

D. Upon completion of Subsections A. and B., the Certification Document, with the attachments required by the Attorney General, shall be delivered to the Office of the Attorney General.

E. The Attorney General's Office will forward the Certification Document to the Office for filing.

Historical Note

Adopted eff. June 18, 1975; Former Section R1-2-207 renumbered and amended as Section R1-2-209. Former Section R1-2-208 renumbered and amended as Section R1-2-207 eff. Aug. 29, 1980 (Supp. 80-4). Amended eff. June 30, 1981 (Supp. 81-3). Amended eff. Apr. 6, 1983 (Supp. 83-2).

R1-2-208. Preparation and filing the emergency adoption of rules

A. When an agency determines that the proposed new rule, an amendment to a rule, or a repeal of an existing rule, falls within the Emergency Clause of A.R.S. § 41-1003, the agency shall prepare an original and four (4) copies of the Certification Form R103 as shown in R1-2-211.A.3.

B. The Emergency Certification Form R103 shall be filled out as outlined:

1. Enter the name of the agency, board, commission, department, or officer.
2. Enter the name and telephone number of the person to call regarding the rule.
3. Enter the A.R.S. citation of general and specific authority to promulgate the rule.
4. Check indicating the agency has determined the proposed action falls within the Emergency Clause of A.R.S. § 41-1003 and acknowledges the action will be valid for ninety (90) days after filing pursuant to A.R.S. § 41-1003.
5. Check the action taken and show the rule affected: the A.C.R.R. title number; chapter number; and rule number. Check whether or not a document has been incorporated by reference. If so, attach one (1) copy of the document.
6. Fill in the date the rule was promulgated subject to certification by the Attorney General.
7. Check the applicable item for effective date: the date filed with the Office; or other (pursuant to A.R.S. § 41-1005) and fill in the "other" date.
8. An authorized officer shall sign and complete the Emergency Certification Document (the Form R103, the informative summary, the text of the rule, the attachments required by the Attorney General).

9. The Attorney General shall approve and certify the Emergency Certification Document by signing and completing the Certificate for the Attorney General.

C. The agency shall attach an informative summary of the action, typewritten and double spaced, to be included in the Digest.

D. The agency shall attach a true and correct copy of the rule promulgated subject to certification by the Attorney General. The form of the rule shall comply with the requirements of R1-2-202 through R1-2-204.

E. Upon completion of Subsections A. through C. , the Emergency Certification Document shall be delivered to the Office of the Attorney General.

F. The Attorney General's Office will forward the Certification Document to the Office for filing.

Historical Note

Adopted eff. June 18, 1975; Former Section R1-2-208 renumbered and amended as Section R1-2-207. Former Section R1-2-209 renumbered and amended as Section R1-2-208 eff. Aug. 29, 1980 (Supp. 80-4). Amended eff. June 30, 1981 (Supp. 81-3). Amended eff. Apr. 6, 1983 (Supp. 83-2). Editorial correction (Supp. 84-1).

R1-2-209. Filing certified rules with the Office

A. The Office shall not accept a Certification Document, Form R102 or R103 with the text of the rule and all required attachments, unless such material has been reviewed and certified by the Attorney General. The endorsement shall appear on the original and each copy of the rule filed pursuant to A.R.S. § 41-1002.01.

B. An original and two (2) copies of the Certification document shall be filed with the Office.

C. A receipt shall be issued by the Office when all requirements of the law and these regulations are fulfilled.

Historical Note

Adopted eff. June 18, 1975; Amended eff. Sept. 17, 1976 (Supp. 76-4). Former Section R1-2-209 renumbered and amended as Section R1-2-208. Former Section R1-2-207 renumbered and amended as Section R1-2-209 eff. Aug. 29, 1980 (Supp. 80-4). Amended eff. June 30, 1981 (Supp. 81-3). Amended Subsection A. eff. Apr. 6, 1983 (Supp. 83-2).

R1-2-210. Designation of effective date

The date the Certification is recorded by the Office is the effective date unless the rule specifically provides otherwise (A.R.S. § 41-1005).

Historical Note

Adopted eff. June 18, 1975; Amended eff. Aug. 29, 1980 (Supp. 80-4). Amended eff. June 30, 1981 (Supp. 81-3).

R1-2-211. Forms

- A. All forms are on standard size white paper, 8½" × 11".
- 1. The Notice Form R101 is as follows:

		<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> FOR USE BY SECRETARY OF STATE </div>
State of Arizona Capitol West Wing Suite 706 Phoenix 85007		
NOTICE OF PROPOSED ADOPTION OF RULES		
1 Name of Agency, Board, Commission, Department, Officer _____ _____	2 Name of person to call re document _____ Telephone # _____	
3 Statutory Authority for Promulgating Rules: A R S §§ _____ _____		
4 Check and complete applicable items below to show proposed action: <input type="checkbox"/> Repeal (deleting existing rule) _____ A C R R Rule Number(s) _____ <input type="checkbox"/> Adopt (new rule) _____ A C R R Rule Number(s) _____ <input type="checkbox"/> Amend (changing existing rule) _____ A C R R Rule Number(s) _____ <input type="checkbox"/> Incorporation by Reference to A C R R _____ [one (1) copy of document is attached] Rule Number(s)		
5 <input type="checkbox"/> The proposed action will be heard at an open meeting in compliance with the Open Meeting Law, A R S. §§ 38-431 through 38-431.09.		
6 Check the following required items to show that they are included in this document: <input type="checkbox"/> Form R 101, an original and two (2) copies of the Form and each attachment <input type="checkbox"/> Informative summary of proposed action <input type="checkbox"/> Text of rule(s) <input type="checkbox"/> Statement of impact of rule on small business		
7 NOTICE is given that any person (and/or his authorized agent) interested in the proposed changes in said rules may present statements, arguments or contentions, in writing relevant to the action proposed either before or during the hearing. ANY such interested persons will <input type="checkbox"/> will not <input type="checkbox"/> be afforded the opportunity to present them orally at the hearing. Hearing to be held at _____ _____, Arizona Address _____ City _____ at the hour of _____ on the _____ day of _____, 19____.	8 Certificate of Authorized Officer _____ Signature of Officer _____ Typed Name of Officer Telephone _____ _____ Title Date	

Rev 4/83 Form R101

NOTICE OF PROPOSED ADOPTION OF RULES

A R S §§ 41-1002, 41-1002.02
A C R R R 1-2-201 through 1-2-206

A Notice of Proposed Adoption of Rules shall be filed prior to the adoption, amendment, or repeal of any rule.

The agency, board, commission, department, or officer shall allow at least 20 days to elapse following publication of the Notice in the *Administrative Digest* (published pursuant to A R S § 41-129) before commencing any proceedings. The Notice and an informative summary of the action will be published.

Prior to filing the Notice Document with the Secretary of State, the Notice must be filed with the Governor's Regulatory Review Council in compliance with the Governor's Executive Order 81-3 and the Council's Guidelines. Following the review, the Council will forward the Notice to the Office of the Secretary of State.

When the Notice Document is received by the Office of the Secretary of State, it is reviewed to ascertain if all requirements of A C R R , Title 1, Chapter 2, have been met. If all requirements have been met, the Notice is filed by issuing a receipt and date stamping. The Notice is then processed for printing in the *Administrative Digest*.

INSTRUCTIONS FOR COMPLETING NOTICE OF PROPOSED ADOPTION OF RULES

1. Enter the name of the agency, board, commission, department, or officer promulgating the rule(s).
2. Enter the name and telephone number of the person to call regarding this rule.
3. Enter the A R S citation of general and specific authority to promulgate rules.
4. Check the action which will be taken and show the rule affected: the A C R R title number, chapter number, and rule number.
 - Repeal (deleting existing rule) — if an existing rule of the *Arizona Official Compilation of Administrative Rules and Regulations* (A C R R) is to be repealed, typewrite the complete text of the rule, then show dashes through the deleted language. Or, photocopy the A C R R page (onto an 8½" × 11" page) and draw a single line through the rule. See R1-2-204.
 - Adopt (new rule) — prepare the text in the general form of the A C R R , typewritten, double spaced, see R1-2-202, and follow the numbering system as set forth in R1-2-303.
 - Amend (changing existing rule) see R1-2-203 — set forth the full text of the proposed amendment in the general form of the A C R R . The language to be changed or added shall be shown as follows:
 - a. Language to be deleted shall be stricken through but clearly legible.
 - b. New language shall be underlined.
 - c. Units not affected by the amendments shall be typed without change, or referred to by unit designations (i.e., A 1 a i) followed by the word Unchanged (i.e., A 1 a i Unchanged).
 - Incorporation by Reference — the document being incorporated by reference must be referred to within the context of the rule. The rule must state that the document is being incorporated by reference, and all current publication information about the incorporated document, i.e., name of publisher, edition, date of publication, etc., be shown. If any of the publication information changes, it must be indicated when the rule is next amended. *Submit 1 complete original document for filing.*
5. Check as to whether or not an open meeting notice has been filed or will be filed with the Office of the Secretary of State to be in compliance with the Open Meeting Law, A R S §§ 38-431 through 38-431.09.
6. Check each item to indicate that the material is attached as part of the Document. An original and 2 copies of each item (which makes up the Notice Document) shall be filed.
 - Form R101
 - Informative summary of proposed action
 - Text of rule
 - Statement of impact of rule on small business
7. Check to indicate that Notice is given that any person interested in the rule changes may make a presentation relative to rules, either written or oral. Show where and when the hearing will take place.
8. An authorized officer of the agency must sign the Notice Document.

FILING AND PRINTING
OF RULES AND REGULATIONS

2. The Certification Form R102 is as follows:

		<p>FOR USE BY SECRETARY OF STATE</p>
<p>State of Arizona Capitol, West Wing, Suite 706 Phoenix 85007</p>		
<p>CERTIFICATION OF RULES AND ORDER OF RULE PROMULGATION</p>		
<p>1 Name of Agency, Board, Commission, Department, Officer _____</p>	<p>2 Name of person to call re document _____ Telephone # _____</p>	
<p>3 Statutory Authority for Promulgating Rules: A R S. §§ _____</p>		
<p>4 Date Form R101 Filed _____</p>	<p>5 Date Published in Administrative Digest _____ A A D _____ Vol Issue Page Date</p>	<p>6 Date Rules Promulgated subject to Certification by Attorney General _____</p>
<p>7 Check and complete applicable items below to show Action taken:</p> <p><input type="checkbox"/> REPEALED _____ A C R R Rule Number(s) _____</p> <p><input type="checkbox"/> ADOPTED _____ A C R R Rule Number(s) _____</p> <p><input type="checkbox"/> AMENDED _____ A C R R Rule Number(s) _____</p> <p><input type="checkbox"/> Incorporation by Reference to A C R R _____ [one (1) copy of document is attached] Rule Number(s) _____</p>		
<p>8 <input type="checkbox"/> Check if this action was previously promulgated as an emergency. See R1-2-203.01.</p>		
<p>9 Check the applicable item for effective date:</p> <p><input type="checkbox"/> Date filed with the Office of the Secretary of State _____</p> <p><input type="checkbox"/> Other (pursuant to A R S § 41-1005) _____ (Other date)</p>		
<p>10 Certificate of Authorized Officer</p> <p>Signature of Officer _____</p> <p>Title _____ Telephone _____</p> <p>Name (typed) of Officer _____ Date _____</p>	<p>11 Certificate of approval and certification by the Attorney General</p> <p>A G Rule No _____</p> <p>APPROVED AND CERTIFIED pursuant to</p> <p>A R S § 41-1002.01 this _____ day of _____, 19 _____</p> <p>BOB CORBIN Attorney General</p>	

Rev 4/83 Form R102

**CERTIFICATION OF RULES
and
ORDER OF RULE ADOPTION**

A R S. §§ 41-1002.01, 41-1004
A C R R. R1-2-207, R1-2-209, R1-2-210

Following completion of the hearing, after action has been taken on the proposed rule changes, the agency shall prepare the Certification of Rules and Order of Rule Adoption, Form R102 (the Certification Document) for filing with the Attorney General's Office. This Certification Document shall be prepared in conformance with A C R R. R1-2-207 and the Attorney General's Guidelines. An original and 5 copies shall be prepared and filed with the Attorney General's Office. Following certification by the Attorney General, the original and 2 copies will be forwarded to the Office of the Secretary of State for filing.

INSTRUCTIONS FOR COMPLETING THE CERTIFICATION OF RULES AND ORDER OF RULE ADOPTION

- 1 Enter the name of the agency, board, commission, department, or officer.
- 2 Enter the name and telephone number of the person to call regarding this rule.
- 3 Enter the A. R. S. citation of general and specific authority to promulgate the rule.
- 4 Enter the date the Notice Document was filed.
- 5 Enter the date the Notice was published in the *Administrative Digest*.
- 6 Enter the date the rule was promulgated subject to Certification by the Attorney General.
- 7 Check and complete applicable items to show the action taken: the A. C. R. R. title number, chapter number, and rule number. Prepare the text as follows:
 - Repeal (deleting existing rule) — if an existing rule of the *Arizona Official Compilation of Administrative Rules and Regulations* (A. C. R. R.) is to be repealed, typewrite the complete text of the rule, then show dashes through the deleted language. Or, photocopy the A. C. R. R. page (onto an 8½" × 11" page) and draw a single line through the rule. See R1-2-204.
 - Adopt (new rule) — prepare the text in the general form of the A. C. R. R., typewritten, double spaced, see R1-2-202, and follow the numbering system as set forth in R1-2-303.
 - Amend (changing existing rule) see R1-2-203 — set forth the full text of the proposed amendment in the general form of the A. C. R. R. The language to be changed or added shall be shown as follows:
 - a. Language to be deleted shall be stricken through but clearly legible.
 - b. New language shall be underlined.
 - c. Units not affected by the amendments shall be typed without change, or referred to by unit designations (i. e., A 1 a i) followed by the word Unchanged (i. e., A 1 a i Unchanged).
 - Incorporation by Reference — the document being incorporated by reference must be referred to within the context of the rule. The rule must state that the document is being incorporated by reference, and all current publication information about the incorporated document, i. e., name of publisher, edition, date of publication, etc., be shown. If any of the publication information changes, it must be indicated when the rule is next amended. *Submit 1 complete original document for filing.*
- 8 Check if this action was previously promulgated as an emergency. See R1-2-203.01.
- 9 Check the applicable item for effective date. The date the Certification is recorded by the Office of the Secretary of State is the effective date unless the rule specifically provides otherwise (A. C. R. R. § 41-1005).
- 10 An authorized officer of the agency must sign the Document.
11. The Attorney General must approve and certify the Document.

(The next page is 12. 1.)

FILING AND PRINTING
OF RULES AND REGULATIONS

3. The Certification Form R 103, used for filing under the emergency clause, is as follows:

		FOR USE BY SECRETARY OF STATE
State of Arizona Capitol West Wing, Suite 706 Phoenix 85007		
EMERGENCY CERTIFICATION OF RULES		
1 Name of Agency, Board, Commission, Department, Officer _____ _____	2 Name of person to call re document Telephone # _____ _____	
3 Statutory Authority for Promulgating Rules: A R S §§ _____ _____		
4 <input type="checkbox"/> The agency has determined that the adoption of the rule(s) is immediately necessary for the preservation of the public peace, health, safety; and that notice and public procedure thereon are impracticable, unnecessary, or contrary to public interest; and that this rule change must be adopted as an emergency rule without the notice provided by A.R.S. § 41-1002. Valid for ninety (90) days after filing pursuant to A R S § 41-1003		
5 Check and complete applicable items below to show Emergency Action taken:		
<input type="checkbox"/> REPEALED _____ A C R R Rule Number(s)		
<input type="checkbox"/> ADOPTED _____ A C R R Rule Number(s)		
<input type="checkbox"/> AMENDED _____ A C R R Rule Number(s)		
<input type="checkbox"/> Incorporation by Reference to A C R R _____ [one (1) copy of document is attached] Rule Number(s)		
6 The above referenced rule(s) were promulgated subject to certification by the Attorney General on _____ (date)		
7 Check the applicable item for effective date of this Emergency Action:		
<input type="checkbox"/> Date filed with the Office of the Secretary of State _____		
<input type="checkbox"/> Other (pursuant to A R S § 41-1005) _____ (Other date)		
8 Certificate of Authorized Officer _____ Signature of Officer _____ Title Telephone _____ Name (typed) of Officer Date	9 Certificate of approval and certification by the Attorney General A G Rule No _____ APPROVED AND CERTIFIED pursuant to A R S § 41-1002 01 this _____ day of _____ 19_____. BOB CORBIN _____ Attorney General	

Rev 4/83 Form R103

EMERGENCY CERTIFICATION OF RULES

A. R. S. §§ 41-1003, 41-1004
A. C. R. R. R1-2-208

When an agency determines that the proposed rule falls within the Emergency Clause of A. R. S. § 41-1003, the agency shall prepare the Emergency Certification of Rules Form R103 (the Emergency Document) for filing with the Attorney General's Office. This Emergency Document shall be prepared in conformance with A. C. R. R. R1-2-208 and the Attorney General's Guidelines. An original and 5 copies shall be prepared and filed with the Attorney General's Office. Following certification by the Attorney General, the original and 2 copies will be forwarded to the Office of the Secretary of State for filing.

INSTRUCTIONS FOR COMPLETING THE EMERGENCY CERTIFICATION OF RULES

1. Enter the name of the agency, board, commission, department, or officer.
2. Enter the name and telephone number of the person to call regarding this rule.
3. Enter the A. R. S. citation of general and specific authority to promulgate the rule.
4. Check to indicate that the agency has determined the action must be adopted as an emergency without the notice provided by A. R. S. § 41-1002, and will be valid for ninety (90) days after filing pursuant to A. R. S. § 41-1003.
5. Check and complete applicable items to show action taken: the A. C. R. R. title number, chapter number, and rule number. Prepare the text as follows:
 - Repeal (deleting existing rule) — if an existing rule of the *Arizona Official Compilation of Administrative Rules and Regulations* (A. C. R. R.) is to be repealed, typewrite the complete text of the rule, then show dashes through the deleted language. Or, photocopy the A. C. R. R. page (onto an 8½" × 11" page) and draw a single line through the rule. See R1-2-204.
 - Adopt (new rule) — prepare the text in the general form of the A. C. R. R., typewritten, double spaced, see R1-2-202, and follow the numbering system as set forth in R1-2-303.
 - Amend (changing existing rule) see R1-2-203 — set forth the full text of the amendment in the general form of the A. C. R. R. The language changed or added shall be shown as follows:
 - a. Language to be deleted shall be stricken through but clearly legible.
 - b. New language shall be underlined.
 - c. Units not affected by the amendments shall be typed without change, or referred to by unit designations (i. e., A 1 a i) followed by the word Unchanged (i. e., A 1 a i Unchanged).
 - Incorporation by Reference — the document being incorporated by reference must be referred to within the context of the rule. The rule must state that the document is being incorporated by reference, and all current publication information about the incorporated document, i. e., name of publisher, edition, date of publication, etc., be shown. If any of the publication information changes, it must be indicated when the rule is next amended. *Submit 1 complete original document for filing.*
6. Fill in the date the rule was promulgated subject to certification by the Attorney General.
7. Check the applicable item for effective date. The date the Emergency Certification is recorded by the Office of the Secretary of State is the effective date unless the rule specifically provides otherwise (A. C. R. R. § 41-1005).
8. An authorized officer of the agency must sign the Document.
9. The Attorney General must approve and certify the Document.

B. Copies of the forms prescribed by this Section shall be provided by the Secretary of State. These forms shall be used for all filings and no other forms shall be accepted. All attachments shall be on this size paper.

Historical Note

Adopted eff. Aug. 29, 1980 (Supp. 80-4). Editorial correction Subsection A. Paragraph 1 (Supp. 80-5). Amended Subsection A. eff. Mar. 12, 1981 (Supp. 81-2). Amended eff. June 30, 1981 (Supp. 81-3). Amended Subsection A. eff. Apr. 6, 1982 (Supp. 82-2). Amended Subsection A. eff. Apr. 6, 1983 (Supp. 83-2).

**ARTICLE 3. PRINTING AND AVAILABILITY
OF OFFICIAL COMPILATION**

R1-2-301. Printing and compilation

A. The Compilation is in loose-leaf form as provided by law. It contains Rules and Regulations of State agencies filed with the Office pursuant to Arizona Revised Statutes, Title 41, Sections 1001-1005, except those relating to organization and internal management.

B. Supplements will be printed six (6) times a year, containing only those changes certified and filed with the Office subsequent to the preceding issue (see R1-2-104).

C. Supplements will be printed in complete pages so that they may be inserted into the Compilation at the appropriate place.

Historical Note

Adopted eff. June 18, 1975; Amended eff. Aug. 29, 1980 (Supp. 80-4).

R1-2-302. Arrangement and classification

A. The subject matter of this Compilation is arranged and classified according to a system of Titles. The Titles divide into Chapters which have been assigned to the various agencies in accordance with the subject matter of their Rules and Regulations, other than Title 1, General Provisions, which includes History, Statutory Provisions, and information relating to Filing and Printing. In a few instances, Titles match the name of existing Departments of the State of Arizona, in which case, the Chapter headings assigned are based on the Table of Organization established by such Departments. In turn, the Chapters are divided into Articles; agency Rules are keyed to each Article.

B. The first volume contains a Table of Contents, a Table of Titles, a Table of Titles and Chapter Headings, an Alphabetical Index of Agencies, and a Table of Titles and Chapter Headings (For the Volume). It also contains, at the beginning of each Chapter, a Chapter analysis consisting of each Article heading, Section heading and Section number within the Chapter.

(The next page is 13.)

C. The remaining volumes contain a Table of Contents, a Table of Titles and Chapter Headings (For the Volume), and at the beginning of each Chapter, a Chapter analysis.

Historical Note

Adopted eff. June 18, 1975.

R1-2-303. Numbering system

A. The Compilation is keyed to the Arizona Revised Statutes in those instances where it is practical.

B. Each Title is preceded by the letter "R" which stands for rules and regulations.

C. A hyphenated numbering system is used in this Compilation.

1. The digits to the far left represent the number of the Title in which the Section appears.

2. The digits between the two hyphens indicate the Chapter number.

3. The digits to the far right indicate the Section number.

D. The first Section in each Title is numbered 101, i.e., the first Section in Title 1 is numbered R1-1-101, and the first Section in Title 11 is numbered R11-1-101 (Sections within other Chapters, not so numbered, will be renumbered as they are reprinted). Sections run consecutively through the Chapter except where gaps are left for expansion.

E. Where appropriate, Sections are divided into Subsections designated by a capital letter, i.e., Subsection A. of R1-2-103.

1. Subsections are divided into Paragraphs, designated by an Arabic numeral, i.e., Subsection A. Paragraph 1.

2. Paragraphs are divided into Subparagraphs, designated by a lower case letter, i.e., Subparagraph a. of Paragraph 1.

3. Subparagraphs are divided into Subdivisions, indicated by a lower case Roman numeral, i.e., Subdivision i. of Subparagraph a.

4. Should further grouping be necessary, additional numbering units are employed. The variety of styles used by the agencies required the following divisions. It is hoped that, as agencies redo their rules, they will simplify the numbering.

NUMBERING

Division	Description	Example
Title	Arabic numeral	Title 1
Chapter	Arabic numeral	Chapter 1
Article	Arabic numeral	Article 1
Section	Arabic numeral	R1-1-101
Subsection	Capital letter followed by a period	A.
Paragraph	Arabic numeral followed by a period	1.
Subparagraph	Lower case letter followed by a period	a.
Subdivision	Lower case Roman numeral followed by a period	i.
Item	Arabic numeral in parentheses	(1)
Subitem	Lower case letter in parentheses	(a)
Part	Lower case Roman numeral in parentheses	(i)
Subpart	Arabic numeral in brackets	[1]
Clause	Lower case letter in brackets	[a]
Subclause	Lower case Roman numeral in brackets	[i]

F. An exception to the numbering system as outlined appears in Title 15, Chapter 2, relative to Taxation of Income. The general style and form of this Chapter is keyed to the Arizona Revised Statutes and the Federal Code and is not in style and form of the rest of the Compilation.

Historical Note

Adopted eff. June 18, 1975; Amended Subsections D. and E. eff. June 30, 1981 (Supp. 81-3).

R1-2-304. Citation of authority

The Compilation and Supplement carry citations of authority pursuant to which each agency's rules contained therein were adopted. The citations to the Statutes can be found at the beginning of each Chapter.

Historical Note

Adopted eff. June 18, 1975.

R1-2-305. Historical note

For the purposes of the first printing, the historical note following each rule and regulation contains the former rule number in those instances where the agency so specified. As supplements are published, the historical note will contain, in addition:

1. The effective date of the certified rule.
2. If the rule is filed under the Emergency Clause, it shall be so stated.

Historical Note

Adopted eff. June 18, 1975.

R1-2-306. Availability

A. The Compilation is furnished by the Secretary of State to the legislative, executive, and judicial branches of government as required by law.

B. A.R.S. § 41-128 provides that "Copies of administrative rules and regulations delivered to a person on account of the office held by such person shall remain the property of the state and shall have the office name stamped or written thereon".

C. Persons wishing to purchase the Compilation as a complete set or any part thereof should write to the Office of the Secretary of State, Publications Division, Suite 706, State Capitol, West Wing, Phoenix, Arizona 85007. A price list will be sent upon request.

Historical Note

Adopted eff. June 18, 1975. Amended eff. Aug. 29, 1980 (Supp. 80-4).