



TITLE 8. EMERGENCY AND MILITARY AFFAIRS

CHAPTER 4. RECODIFIED

The table of contents on page one contains links to the referenced page numbers in this Chapter. Refer to the notes at the end of a Section to learn about the history of a rule as it was published in the *Arizona Administrative Register*.

This Chapter contains rules that were filed to be recodified in the *Arizona Administrative Code* between the dates of July 1, 2021 through September 30, 2021

See the table of contents on page 1 for a list of rules recodified (Supp. 21-3).

Questions about the recodification?

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The release of this Chapter in Supp. 21-3 replaces Supp. 14-3, 1-3 pages

Please note that the Chapter you are about to replace may have rules still in effect after the publication date of this supplement. Therefore, all superseded material should be retained in a separate binder and archived for future reference.

PREFACE

Under Arizona law, the Department of State, Office of the Secretary of State (Office), Administrative Rules Division, accepts state agency rule notice and other legal filings and is the publisher of Arizona rules. The Office of the Secretary of State does not interpret or enforce rules in the *Administrative Code*. Questions about rules should be directed to the state agency responsible for the promulgation of the rule.

Scott Cancelosi, Director
ADMINISTRATIVE RULES DIVISION

RULES

The definition for a rule is provided for under A.R.S. § 41-1001. “Rule’ means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency.”

THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* is where the official rules of the state of Arizona are published. The *Code* is the official codification of rules that govern state agencies, boards, and commissions.

The *Code* is separated by subject into Titles. Titles are divided into Chapters. A Chapter includes state agency rules. Rules in Chapters are divided into Articles, then Sections. The “R” stands for “rule” with a sequential numbering and lettering outline separated into subsections.

Rules are codified quarterly in the *Code*. Supplement release dates are printed on the footers of each Chapter.

First Quarter: January 1 - March 31

Second Quarter: April 1 - June 30

Third Quarter: July 1 - September 30

Fourth Quarter: October 1 - December 31

For example, the first supplement for the first quarter of 2021 is cited as Supp. 21-1. Supplements are traditionally released three to four weeks after the end of the quarter because filings are accepted until the last day of the quarter.

Please note: The Office publishes by Chapter, not by individual rule Section. Therefore there might be only a few Sections codified in each Chapter released in a supplement. This is why the Office lists only updated codified Sections on the previous page.

AUTHENTICATION OF PDF CODE CHAPTERS

The Office began to authenticate Chapters of the Code in Supp. 18-1 to comply with A.R.S. § 41-1012(B) and A.R.S. § 5302(1), (2)(d) through (e), and (3)(d) through (e).

A certification verifies the authenticity of each *Code* Chapter posted as it is released by the Office of the Secretary of State. The authenticated pdf of the *Code* includes an integrity mark with a certificate ID. Users should check the validity of the signature, especially if the pdf has been downloaded. If the digital signature is invalid it means the document’s content has been compromised.

HOW TO USE THE CODE

Rules may be in effect before a supplement is released by the Office. Therefore, the user should refer to issues of the *Arizona Administrative Register* for recent updates to rule Sections.

ARIZONA REVISED STATUTE REFERENCES

The Arizona Revised Statutes (A.R.S.) are available online at the Legislature’s website, www.azleg.gov. An agency’s authority note

to make rules is often included at the beginning of a Chapter. Other Arizona statutes may be referenced in rule under the A.R.S. acronym.

SESSION LAW REFERENCES

Arizona Session Law references in a Chapter can be found at the Secretary of State’s website, www.azsos.gov under Services-> Legislative Filings.

EXEMPTIONS FROM THE APA

It is not uncommon for an agency to be exempt from the steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act, also known as the APA (Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10). Other agencies may be given an exemption to certain provisions of the Act.

An agency’s exemption is written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters.

When an agency files an exempt rulemaking package with our Office it specifies the law exemption in what is called the preamble of rulemaking. The preamble is published in the *Register* online at www.azsos.gov/rules, click on the *Administrative Register* link.

Editor’s notes at the beginning of a Chapter provide information about rulemaking Sections made by exempt rulemaking. Exempt rulemaking notes are also included in the historical note at the end of a rulemaking Section.

The Office makes a distinction to certain exemptions because some rules are made without receiving input from stakeholders or the public. Other exemptions may require an agency to propose exempt rules at a public hearing.

EXEMPTIONS AND PAPER COLOR

At one time the office published exempt rules on either blue or green paper. Blue meant the authority of the exemption was given by the Legislature; green meant the authority was determined by a court order. In 2001 the Office discontinued publishing Chapters using these paper colors.

PERSONAL USE/COMMERCIAL USE

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Rhonda Paschal, rules managing editor, assisted with the editing of this Chapter.



Administrative Rules Division
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CHAPTER 4. RECODIFIED

Supp. 21-3

Editor's Note: Chapter 208 (H.B. 2274), 52 Legislature, 2015 First Regular Session, transferred the duties of the Arizona Emergency Response Commission to the Department of Environmental Quality. The rules in this Chapter were recodified to 18 A.A.C. 18 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

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Article 1, consisting of Sections R8-4-101 through R8-4-110, made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3).

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CHAPTER 4. RECODIFIED

ARTICLE 1. RECODIFIED**R8-4-101. Recodified****Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-101 recodified to R18-18-101 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-102. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-102 recodified to R18-18-102 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-103. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-103 recodified to R18-18-103 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-104. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-104 recodified to R18-18-104 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-105. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-105 recodified to R18-18-105 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-106. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-106 recodified to R18-18-106 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-107. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Amended by final rulemaking at 20 A.A.R. 2524, effective October 17, 2014 (Supp. 14-3). Section R8-4-107 recodified to R18-18-107 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-108. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-108 recodified to R18-18-108 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-109. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-109 recodified to R18-18-109 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).

R8-4-110. Recodified**Historical Note**

New Section made by final rulemaking at 14 A.A.R. 2931, effective August 30, 2008 (Supp. 08-3). Section R8-4-110 recodified to R18-18-110 at 27 A.A.R. 1535, effective September 1, 2021 (Supp. 21-3).