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Mary Fallin, Governor
Chris Bengel,
Secretary of State
Peggy Coe, Editor-in-Chief

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Table of Contents

Agency/Action/Subject Index

Agency Index (Title numbers assigned)

Notices of Rulemaking Intent

Alcohol and Drug Influence, Board of Tests for (Title 40) (1), (2), (3), (4)

Architects, Landscape Architects and Registered Interior Designers of Oklahoma, Board of Governors of the Licensed (Title 55) (1)

Consumer Credit, Department of (Title 160) (1), (2), (3), (4), (5), (6), (7), (8)

Fire Marshal Commission, State (Title 265) (1), (2), (3)

Highway Construction Materials Technician Certification Board (Title 318) (1)

Insurance Department (Title 365) (1), (2), (3), (4), (5)

Law Enforcement Education and Training, Council on (Title 390) (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12)

Long-Range Capital Planning Commission (Title 428) (1), (2)

Narcotics and Dangerous Drugs Control, Oklahoma State Bureau of (Title 475) (1), (2), (3)

Police Pension and Retirement System, Oklahoma (Title 550) (1), (2), (3), (4), (5)

Public Safety, Department of (Title 595) (1), (2), (3), (4), (5), (6), (7)

Real Estate Appraiser Board (Title 600) (1)

Submissions for Review

Conservation Commission, Oklahoma (Title 155) (1)

Errors in Published Documents

Medical Licensure and Supervision, State Board of (Title 435) (1)

Emergency Adoptions

Wildlife Conservation, Department of (Title 800) (1)

Executive Orders (Title 1)

Miscellaneous

State Bond Advisor's Office (1)

Agency/Action/Subject Index

STATE Bond Advisor's Office

Miscellaneous

Notice of State Ceiling Amount for the Calendar Year 2014 (1)

ALCOHOL and Drug Influence, Board of Tests for (Title 40)

Notices of Rulemaking Intent

Organization, Operations, Procedures, and Policies (Chapter 1) (1)

Personnel (Chapter 10) (1)

Specimens (Chapter 20) (1)

Analysis of Alcohol in Breath (Chapter 30) (1)

ARCHITECTS, Landscape Architects and Registered Interior Designers of Oklahoma, Board of Governors of the Licensed (Title 55)

Notices of Rulemaking Intent

Licensure and Practice of Architects, Landscape Architects and Registration of Interior Designers (Chapter 10) (1)

CONSERVATION Commission, Oklahoma (Title 155)

Submissions for Review

Conservation Cost-Share Program (Chapter 20) (1)

CONSUMER Credit, Department of (Title 160)

Notices of Rulemaking Intent

Pawn Transactions (Chapter 15) (1)

Credit Services Organization (Chapter 30) (1)

Oklahoma Rental-Purchase Act (Chapter 35) (1)

Health Spas (Chapter 50) (1)

Mortgage Brokers, Mortgage Lenders and Mortgage Loan Originators (Chapter 55) (1)

Precious Metal and Gem Dealers (Chapter 60) (1)

Supervised Lenders (Chapter 65) (1)

Deferred Deposit Lenders (Chapter 70) (1)

FIRE Marshal Commission, State (Title 265)

Notices of Rulemaking Intent

Smoke Detectors (Chapter 10) (1)

Adopted National Referenced State Codes and Standards (Chapter 25) (1)

Fire Extinguisher Industry (Chapter 50) (1)

GOVERNOR

Executive Orders

Ordering flags at half-staff to honor Chief Warrant Officer Two Randy L. Billings (13-44) (1)

Temporary exemption from certain requirements for vehicles transporting propane into Oklahoma (14-1) (1)

HIGHWAY Construction Materials Technician Certification Board (Title 318)

Notices of Rulemaking Intent

Examination and Certification (Chapter 10) (1)

INSURANCE Department (Title 365)

Notices of Rulemaking Intent

Administrative Operations (Chapter 1) (1)

Life, Accident and Health (Chapter 10) (1)

Title Insurance (Chapter 20) (1)

Licensure of Producers, Adjusters, Bail Bondsmen, Companies, Prepaid Funeral Benefits, Cemetery Merchandise Trusts, and Viatical Settlement Providers and Brokers (Chapter 25) (1)

Health Maintenance Organizations (HMO) (Chapter 40) (1)

LAW Enforcement Education and Training, Council on (Title 390)

Notices of Rulemaking Intent

Agency Authority and Objectives (Chapter 1) (1)

Administrative Procedures (Chapter 2) (1)

Peace Officer Certification (Chapter 10) (1)

Basic Peace Officer Certification Training (Chapter 15) (1)

Reserve Officer Certification and Training (Chapter 20) (1)

Continuing Law Enforcement Education (Chapter 25) (1)

CDS Detector Dog Certification (Chapter 30) (1)

Bomb Detector Dog Certification (Chapter 31) (1)

Regulation of Private Security Industry (Chapter 35) (1)

Oklahoma Self-Defense Act (Chapter 40) (1)

Penalty Assessment Fees (Chapter 50) (1)

Facilities Management (Chapter 55) (1)

LONG-RANGE Capital Planning Commission (Title 428)

<u>Notices of Rulemaking Intent</u>	
Administrative Operations (Chapter 1) (1)	
Administration of the State Capital Improvement Planning Act (Chapter 10) (1)	
<u>MEDICAL Licensure and Supervision, State Board of (Title 435)</u>	
<u>Errors in Published Documents</u>	
Physicians and Surgeons (Chapter 10) (1)	
<u>NARCOTICS and Dangerous Drugs Control, Oklahoma State Bureau of (Title 475)</u>	
<u>Notices of Rulemaking Intent</u>	
Security Requirements (Chapter 20) (1)	
Labeling Requirements (Chapter 30) (1)	
Pseudoephedrine Control (Chapter 55) (1)	
<u>POLICE Pension and Retirement System, Oklahoma (Title 550)</u>	
<u>Notices of Rulemaking Intent</u>	
Administrative Operations (Chapter 1) (1), (2), (3)	
Oklahoma Police Deferred Option Plan (Chapter 15) (1)	
Purchase of Transferred Credited Service (Chapter 20) (1)	
<u>PUBLIC Safety, Department of (Title 595)</u>	
<u>Notices of Rulemaking Intent</u>	
General Rules of the Department of Public Safety (Chapter 1) (1)	
Class D Driver Licenses and Identification Cards and Motor License Agent Procedures (Chapter 10) (1), (2), (3), (4)	
Commercial Driver Licenses (Chapter 11) (1), (2)	
<u>REAL Estate Appraiser Board (Title 600)</u>	
<u>Notices of Rulemaking Intent</u>	
Licensure and Certification Requirements (Chapter 10) (1)	
<u>WILDLIFE Conservation, Department of (Title 800)</u>	
<u>Emergency Adoptions</u>	
Sport Fishing Rules (Chapter 10) (1)	

Agency/Title Index

[Assigned as of 2-3-14]

Agency

Agency	Title
Oklahoma ABSTRACTORS Board	5
Oklahoma ACCOUNTANCY Board	10
State ACCREDITING Agency	15
AD Valorem Task Force (<i>abolished 7-1-93</i>)	20
Oklahoma AERONAUTICS Commission	25
Board of Regents for the Oklahoma AGRICULTURAL and Mechanical Colleges (<i>exempted 11-1-98</i>)	30
Oklahoma Department of AGRICULTURE, Food, and Forestry	35
Oklahoma Board of Licensed ALCOHOL and Drug Counselors	38
Board of Tests for ALCOHOL and Drug Influence	40
ALCOHOLIC Beverage Laws Enforcement Commission	45
ANATOMICAL Board of the State of Oklahoma	50
Board of Governors of the Licensed ARCHITECTS, Landscape Architects and Registered Interior Designers of Oklahoma (<i>Formerly: Board of Governors of the Licensed ARCHITECTS and Landscape Architects of Oklahoma; and Board of Governors of the Licensed ARCHITECTS, Landscape Architects and Interior Designers of Oklahoma</i>)	55
ARCHIVES and Records Commission	60
Board of Trustees for the ARDMORE Higher Education Program (<i>exempted 11-1-98</i>)	65
Oklahoma ARTS Council	70
Oklahoma State ATHLETIC Commission (<i>Formerly: Oklahoma Professional BOXING Commission</i>) - See Title 92	
ATTORNEY General	75
State AUDITOR and Inspector	80
State BANKING Department	85
Oklahoma State Employees BENEFITS Council	87
Council of BOND Oversight	90
Oklahoma State ATHLETIC Commission (<i>Formerly: Oklahoma Professional BOXING Commission</i>)	92
State BURIAL Board (<i>abolished 7-1-92</i>)	95
[RESERVED]	100
Oklahoma CAPITAL Investment Board	105
Oklahoma CAPITOL Improvement Authority	110
State CAPITOL Preservation Commission	115
CAPITOL-MEDICAL Center Improvement and Zoning Commission	120
Oklahoma Department of CAREER and Technology Education (<i>Formerly: Oklahoma Department of VOCATIONAL and Technical Education</i>) - See Title 780	
Board of Regents of CARL Albert State College (<i>exempted 11-1-98</i>)	125

Department of CENTRAL Services (<i>Formerly</i> : Office of PUBLIC Affairs) – <i>See</i> Title 580	
CEREBRAL Palsy Commission	130
Commission on CHILDREN and Youth	135
Board of CHIROPRACTIC Examiners	140
Oklahoma Department of EMERGENCY Management	
(<i>Formerly</i> : Department of CIVIL Emergency Management)	145
Oklahoma Department of COMMERCE	150
COMMUNITY Hospitals Authority	152
COMPSOURCE Oklahoma (<i>Formerly</i> : State INSURANCE Fund) – <i>See</i> Title 370	
Oklahoma CONSERVATION Commission	155
CONSTRUCTION Industries Board	158
Department of CONSUMER Credit CORPORATION Commission	160
Department of CORRECTIONS	165
State Board of COSMETOLOGY	170
Oklahoma State CREDIT Union Board	175
CRIME Victims Compensation Board	180
Joint CRIMINAL Justice System Task Force Committee	185
Board of DENTISTRY	190
Oklahoma DEVELOPMENT Finance Authority	195
	200
Office of DISABILITY Concerns (<i>Formerly</i> : Office of HANDICAPPED Concerns) – <i>See</i> Title 305	
Board of Regents of EASTERN Oklahoma State College (<i>exempted 11-1-98</i>)	205
EDGE Fund Policy Board	208
State Department of EDUCATION	210
EDUCATION Oversight Board	215
Oklahoma EDUCATIONAL Television Authority	220
[RESERVED]	225
State ELECTION Board	230
Oklahoma FUNERAL Board (<i>Formerly</i> : Oklahoma State Board of EMBALMERS and Funeral Directors)	235
Oklahoma Department of EMERGENCY Management	
(<i>Formerly</i> : Department of CIVIL Emergency Management) – <i>See</i> Title 145	
Oklahoma EMPLOYMENT Security Commission	240
Oklahoma ENERGY Resources Board	243
State Board of Licensure for Professional ENGINEERS and Land Surveyors (<i>Formerly</i> : State Board of Registration for Professional ENGINEERS and Land Surveyors)	245
Board of Trustees for the ENID Higher Education Program (<i>exempted 11-1-98</i>)	250
Department of ENVIRONMENTAL Quality	252
State Board of EQUALIZATION	255
ETHICS Commission (<i>Title revoked</i>)	257
ETHICS Commission	258
Office of MANAGEMENT and Enterprise Services (<i>Formerly</i> : Office of State FINANCE)	260
State FIRE Marshal Commission	265
Oklahoma Council on FIREFIGHTER Training	268
Oklahoma FIREFIGHTERS Pension and Retirement System	270
[RESERVED]	275
FORENSIC Review Board	277
State Board of Registration for FORESTERS	280
FOSTER Care Review Advisory Board	285
Oklahoma FUNERAL Board (<i>Formerly</i> : Oklahoma State Board of Embalmers and Funeral Directors) – <i>See</i> Title 235	
Oklahoma FUTURES	290
GOVERNOR (<i>See also</i> Title 1, Executive Orders)	295
GRAND River Dam Authority	300
Group Self-Insurance Association GUARANTY Fund Board	302
Individual Self-Insured GUARANTY Fund Board	303
STATE Use Committee (<i>Formerly</i> : Committee on Purchases of Products and Services of the Severely HANDICAPPED)	304
Office of DISABILITY Concerns (<i>Formerly</i> : Office of HANDICAPPED Concerns)	305
Oklahoma State Department of HEALTH	310
Oklahoma Basic HEALTH Benefits Board (<i>abolished 11-1-97</i>)	315
Oklahoma HEALTH Care Authority	317
HIGHWAY Construction Materials Technician Certification Board	318
Oklahoma HISTORICAL Society	320
Oklahoma HORSE Racing Commission	325
Oklahoma HOUSING Finance Agency	330
Oklahoma HUMAN Rights Commission	335
Department of HUMAN Services	340
Committee for INCENTIVE Awards for State Employees	345
Oklahoma INDIAN Affairs Commission	350
Oklahoma INDIGENT Defense System	352
Oklahoma INDUSTRIAL Finance Authority	355
INJURY Review Board	357
Oklahoma State and Education Employees Group INSURANCE Board	360
INSURANCE Department	365
COMPSOURCE Oklahoma	
(<i>Formerly</i> : State INSURANCE Fund)	370
Oklahoma State Bureau of INVESTIGATION	375

Council on JUDICIAL Complaints	376
Office of JUVENILE Affairs	377
Department of LABOR	380
Department of the Commissioners of the LAND Office	385
Council on LAW Enforcement Education and Training	390
Oklahoma LAW Enforcement Retirement System	395
Board on LEGISLATIVE Compensation	400
Oklahoma Department of LIBRARIES	405
LIEUTENANT Governor	410
Oklahoma LINKED Deposit Review Board	415
Oklahoma LIQUEFIED Petroleum Gas Board	420
Oklahoma LIQUEFIED Petroleum Gas Research, Marketing and Safety Commission	422
LITERACY Initiatives Commission	425
LONG-RANGE Capital Planning Commission	428
Oklahoma State Board of Examiners for LONG-TERM Care Administrators (<i>Formerly: Oklahoma State Board of Examiners for NURSING Home Administrators</i>) - <i>See Title 490</i>	
LOTTERY Commission, Oklahoma	429
Board of Trustees for the MCCURTAIN County Higher Education Program (<i>exempted 11-1-98</i>)	430
Office of MANAGEMENT and Enterprise Services (<i>Formerly: Office of State FINANCE</i>) - <i>See Title 260</i>	
Commission on MARGINALLY Producing Oil and Gas Wells	432
State Board of MEDICAL Licensure and Supervision	435
MEDICAL Technology and Research Authority of Oklahoma	440
Board of MEDICOLEGAL Investigations	445
Department of MENTAL Health and Substance Abuse Services	450
MERIT Protection Commission	455
MILITARY Planning Commission, Oklahoma Strategic	457
Department of MINES	460
Oklahoma MOTOR Vehicle Commission	465
Board of Regents of MURRAY State College (<i>exempted 11-1-98</i>)	470
Oklahoma State Bureau of NARCOTICS and Dangerous Drugs Control	475
Board of Regents of NORTHERN Oklahoma College (<i>exempted 11-1-98</i>)	480
Oklahoma Board of NURSING	485
Oklahoma State Board of Examiners for LONG-TERM Care Administrators (<i>Formerly: Oklahoma State Board of Examiners for NURSING Home Administrators</i>)	490
Board of Regents of OKLAHOMA City Community College (<i>exempted 11-1-98</i>)	495
Board of Regents of OKLAHOMA Colleges (<i>exempted 11-1-98</i>)	500
Board of Examiners in OPTOMETRY	505
State Board of OSTEOPATHIC Examiners	510
PARDON and Parole Board	515
Oklahoma PEANUT Commission	520
Oklahoma State PENSION Commission	525
State Board of Examiners of PERFUSIONISTS	527
Office of PERSONNEL Management	530
Board of Commercial PET Breeders	532
Oklahoma State Board of PHARMACY	535
PHYSICIAN Manpower Training Commission	540
Board of PODIATRIC Medical Examiners	545
Oklahoma POLICE Pension and Retirement System	550
State Department of POLLUTION Control (<i>abolished 1-1-93</i>)	555
POLYGRAPH Examiners Board	560
Oklahoma Board of PRIVATE Vocational Schools	565
State Board for PROPERTY and Casualty Rates (<i>abolished 7-1-06; see also Title 365</i>)	570
State Board of Examiners of PSYCHOLOGISTS	575
Department of CENTRAL Services (<i>Formerly: Office of PUBLIC Affairs</i>)	580
PUBLIC Employees Relations Board	585
Oklahoma PUBLIC Employees Retirement System	590
Department of PUBLIC Safety	595
REAL Estate Appraiser Board	600
Oklahoma REAL Estate Commission	605
Board of Regents of REDLANDS Community College (<i>exempted 11-1-98</i>)	607
State REGENTS for Higher Education	610
State Department of REHABILITATION Services	612
Board of Regents of ROGERS State College (<i>exempted 11-1-98</i>)	615
Board of Regents of ROSE State College (<i>exempted 11-1-98</i>)	620
Oklahoma SAVINGS and Loan Board (<i>abolished 7-1-93</i>)	625
SCENIC Rivers Commission	630
Oklahoma Commission on SCHOOL and County Funds Management	635
Advisory Task Force on the Sale of SCHOOL Lands (<i>functions concluded 2-92</i>)	640
The Oklahoma School of SCIENCE and Mathematics	645
Oklahoma Center for the Advancement of SCIENCE and Technology	650
SECRETARY of State	655
Department of SECURITIES	660
Board of Regents of SEMINOLE State College (<i>exempted 11-1-98</i>)	665
SHEEP and Wool Commission	670
State Board of Licensed SOCIAL Workers	675
SOUTHERN Growth Policies Board	680
Oklahoma SOYBEAN Commission (<i>abolished 7-1-97</i>)	685
Board of Examiners for SPEECH-LANGUAGE Pathology and Audiology (<i>Formerly: Board of Examiners for SPEECH Pathology and</i>	

Audiology)	690
STATE Employee Charitable Contributions, Oversight Committee for (<i>Formerly</i> : STATE Agency Review Committee)	695
STATE Use Committee (<i>Formerly</i> : Committee on Purchases of Products and Services of the Severely HANDICAPPED) – <i>See</i> Title 304	
Oklahoma STUDENT Loan Authority	700
TASK Force 2000	705
Oklahoma TAX Commission	710
Oklahoma Commission for TEACHER Preparation	712
TEACHERS' Retirement System	715
State TEXTBOOK Committee	720
TOBACCO Settlement Endowment Trust Fund	723
Oklahoma TOURISM and Recreation Department	725
Department of TRANSPORTATION	730
Oklahoma TRANSPORTATION Authority (<i>Name changed to</i> Oklahoma TURNPIKE Authority <i>11-1-05</i>) – <i>See</i> Title 731	
Oklahoma TURNPIKE Authority (<i>Formerly</i> : Oklahoma TRANSPORTATION Authority AND Oklahoma TURNPIKE Authority) – <i>See</i> also Title 745	731
State TREASURER	735
Board of Regents of TULSA Community College (<i>exempted 11-1-98</i>)	740
Oklahoma TURNPIKE Authority (<i>Name changed to</i> Oklahoma TRANSPORATION Authority <i>11-1-99</i> – <i>no rules enacted in this Title</i> – <i>See</i> Title 731)	745
Oklahoma UNIFORM Building Code Commission	748
Board of Trustees for the UNIVERSITY Center at Tulsa (<i>exempted 11-1-98</i>)	750
UNIVERSITY Hospitals Authority	752
UNIVERSITY Hospitals Trust	753
Board of Regents of the UNIVERSITY of Oklahoma (<i>exempted 11-1-98</i>)	755
Board of Regents of the UNIVERSITY of Science and Arts of Oklahoma (<i>exempted 11-1-98</i>)	760
Oklahoma USED Motor Vehicle and Parts Commission	765
Oklahoma Department of VETERANS Affairs	770
Board of VETERINARY Medical Examiners	775
Statewide VIRTUAL Charter School Board	777
Oklahoma Department of CAREER and Technology Education (<i>Formerly</i> : Oklahoma Department of VOCATIONAL and Technical Education)	780
Oklahoma WATER Resources Board	785
Board of Regents of WESTERN Oklahoma State College (<i>exempted 11-1-98</i>)	790
Oklahoma WHEAT Commission	795
Department of WILDLIFE Conservation	800
WILL Rogers and J.M. Davis Memorials Commission	805
Oklahoma WORKERS' Compensation Commission	810

Notices of Rulemaking Intent

Prior to adoption and gubernatorial/legislative review of a proposed PERMANENT rulemaking action, an agency must publish a Notice of Rulemaking Intent in the *Register*. In addition, an agency may publish a Notice of Rulemaking Intent in the *Register* prior to adoption of a proposed EMERGENCY or PREEMPTIVE rulemaking action.

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained.

For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.

TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE CHAPTER 1. ORGANIZATION, OPERATIONS, PROCEDURES, AND POLICIES

[OAR Docket #14-37]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

40:1-1-3 [AMENDED]

40:1-1-6 [NEW]

SUMMARY:

The proposed rule amendments remove extraneous details related to the location of the Board's administrative offices in order to avoid future rulemaking action in the event the Board's Administrative Offices

are relocated. The amendments provide additional contact information for the Board. The proposed rule amendments update the respective roles of the Chairman of the Board and the State Director of Tests regarding the preparation of meeting minutes. The proposed amendments remove unnecessary details regarding the timing of meetings. The proposed rule addition formalizes the Board's existing fee structure.

AUTHORITY:

47 O.S. §759; Board of Tests for Alcohol and Drug Influence

COMMENT PERIOD:

Persons may submit written comments to Kevin Behrens, State Director, at P.O. Box 36307, Oklahoma City, OK 73136. Persons may submit oral comments to Kevin Behrens, State Director at 3600 North Martin Luther King Ave., Building 9, Oklahoma City, OK 73111 between 8:00 a.m. and 4:30 p.m. Monday through Friday. Comments will be accepted from February 3, 2014 until March 5, 2014.

PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views regarding the proposed rulemaking action. Each person will be allowed a maximum of 10 minutes to speak. All persons wishing to comment must sign in at the door. The hearing will be held on March 6, 2014, at 9:00 a.m. at the Administrative Offices of the Board, located at 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Interested persons may inspect proposed rules at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Copies of proposed rules may be obtained at a cost of 10 cents per page copying charge from the Board of Tests for Alcohol and Drug Influence, P.O. Box 36307, Oklahoma City, OK 73136.

RULE IMPACT STATEMENT:

Pursuant to 75. O.S. §303(D), a rule impact statement will be prepared and will be available on and after publication of this notice on February 3, 2014 at the same locations, and on the same terms, listed above for reviewing and obtaining copies of the proposed rules.

CONTACT PERSON:

Kevin Behrens, State Director of Tests, 405-425-2460

[OAR Docket #14-37; filed 1-9-14]

**TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE
CHAPTER 10. PERSONNEL**

[OAR Docket #14-38]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Breath-Alcohol Analysts

40:10-3-1 [AMENDED]

40:10-3-2 [AMENDED]

40:10-3-3 [AMENDED]

40:10-3-4 [AMENDED]

40:10-3-6 [AMENDED]

40:10-3-7 [AMENDED]

40:10-3-8 [AMENDED]

Subchapter 9. Blood Specimen Collectors

40:10-9-1 [AMENDED]

SUMMARY:

The proposed rule amendments update and clarify the requirements related to Breath Alcohol Operator Permits, Breath Alcohol Specialist Permits, Breath Alcohol Instructor Permits, and Independent Breath Alcohol Operator Permits. The amendments remove extraneous, outdated or repetitive language regarding the above referenced permits in an effort to simplify the rules. The amendments remove outdated information related to the provision of breath test operator training. The amendments clarify the respective roles of the Board and the State Director of Tests in relation to training and instructors. The proposed rule amendments also address an

issue with regard to the authority of Emergency Medical Technicians of the Paramedic and Advanced level to withdraw blood for the purposes of testing for alcohol, drugs, or a combination thereof.

AUTHORITY:

47 O.S. §759; Board of Tests for Alcohol and Drug Influence

COMMENT PERIOD:

Persons may submit written comments to Kevin Behrens, State Director, at P.O. Box 36307, Oklahoma City, OK 73136. Persons may submit oral comments to Kevin Behrens, State Director at 3600 North Martin Luther King Ave., Building 9, Oklahoma City, OK 73111 between 8:00 a.m. and 4:30 p.m. Monday through Friday. Comments will be accepted from February 3, 2014 until March 5, 2014.

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REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Interested persons may inspect proposed rules at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Copies of proposed rules may be obtained at a cost of 10 cents per page copying charge from the Board of Tests for Alcohol and Drug Influence, P.O. Box 36307, Oklahoma City, OK 73136.

RULE IMPACT STATEMENT:

Pursuant to 75. O.S. §303(D), a rule impact statement will be prepared and will be available on and after publication of this notice on February 3, 2014 at the same locations, and on the same terms, listed above for reviewing and obtaining copies of the proposed rules.

CONTACT PERSON:

Kevin Behrens, State Director of Tests, 405-425-2460

[OAR Docket #14-38; filed 1-9-14]

TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE
CHAPTER 20. SPECIMENS

[OAR Docket #14-39]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

40:20-1-3 [AMENDED]

SUMMARY:

The proposed rule amendments clarify appropriate locations for blood draws for the purpose of determining the presence and/or concentration of intoxicants, specifically designating an ambulance as an approved site. The proposed amendments remove ambiguity in the guidance for processing blood samples once they are withdrawn by replacing "promptly" with a specific timeframe of 24 hours. The proposed amendments also include definitional language to clarify what is meant by "dispatching or forwarding" the blood samples once withdrawn. The amendments provide for additional requirements in the handling of blood specimens by arresting officers.

AUTHORITY:

47 O.S. §759; Board of Tests for Alcohol and Drug Influence

COMMENT PERIOD:

Persons may submit written comments to Kevin Behrens, State Director, at P.O. Box 36307, Oklahoma City, OK 73136. Persons may submit oral comments to Kevin Behrens, State Director at 3600 North Martin Luther King Ave., Building 9, Oklahoma City, OK 73111 between 8:00 a.m. and 4:30 p.m. Monday through Friday. Comments will be accepted from February 3, 2014 until March 5, 2014.

PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views regarding the proposed rulemaking action. Each person will be allowed a maximum of 10 minutes to speak. All persons

wishing to comment must sign in at the door. The hearing will be held on March 6, 2014, at 9:00 a.m. at the Administrative Offices of the Board, located at 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Interested persons may inspect proposed rules at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Copies of proposed rules may be obtained at a cost of 10 cents per page copying charge from the Board of Tests for Alcohol and Drug Influence, P.O. Box 36307, Oklahoma City, OK 73136.

RULE IMPACT STATEMENT:

Pursuant to 75. O.S. §303(D), a rule impact statement will be prepared and will be available on and after publication of this notice on February 3, 2014 at the same locations, and on the same terms, listed above for reviewing and obtaining copies of the proposed rules.

CONTACT PERSON:

Kevin Behrens, State Director of Tests, 405-425-2460

[OAR Docket #14-39; filed 1-9-14]

TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE
CHAPTER 30. ANALYSIS OF ALCOHOL IN BREATH

[OAR Docket #14-40]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

40:30-1-3 [AMENDED]

SUMMARY:

The proposed rule amendments consolidate and clarify the procedure for breath testing by deleting duplicative language. The proposed amendments also harmonize the rules as a whole by including references to other applicable rules. The proposed amendments simplify the language of the rule in relation to the provision of maintenance on Board approved breath test instruments.

AUTHORITY:

47 O.S. §759; Board of Tests for Alcohol and Drug Influence

COMMENT PERIOD:

Persons may submit written comments to Kevin Behrens, State Director, at P.O. Box 36307, Oklahoma City, OK 73136. Persons may submit oral comments to Kevin Behrens, State Director at 3600 North Martin Luther King Ave., Building 9, Oklahoma City, OK 73111 between 8:00 a.m. and 4:30 p.m. Monday through Friday. Comments will be accepted from February 3, 2014 until March 5, 2014.

PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views regarding the proposed rulemaking action. Each person will be allowed a maximum of 10 minutes to speak. All persons wishing to comment must sign in at the door. The hearing will be held on March 6, 2014, at 9:00 a.m. at the Administrative Offices of the Board, located at 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Interested persons may inspect proposed rules at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Copies of proposed rules may be obtained at a cost of 10 cents per page copying charge from the Board of Tests for Alcohol and Drug Influence, P.O. Box 36307, Oklahoma City, OK 73136.

RULE IMPACT STATEMENT:

Pursuant to 75. O.S. §303(D), a rule impact statement will be prepared and will be available on and after publication of this notice on February 3, 2014 at the same locations, and on the same terms, listed above for reviewing and obtaining copies of the proposed rules.

CONTACT PERSON:

Kevin Behrens, State Director of Tests, 405-425-2460

[OAR Docket #14-40; filed 1-9-14]

TITLE 55. BOARD OF GOVERNORS OF THE LICENSED ARCHITECTS, LANDSCAPE
ARCHITECTS AND REGISTERED INTERIOR DESIGNERS OF OKLAHOMA
CHAPTER 10. LICENSURE AND PRACTICE OF ARCHITECTS, LANDSCAPE ARCHITECTS
AND REGISTRATION OF INTERIOR DESIGNERS

[OAR Docket #14-48]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

55:10-1-1. [AMENDED]

55:10-1-3. [AMENDED]

Subchapter 3. Administrative Operations

55:10-3-3. [AMENDED]

55:10-3-11. [AMENDED]

Subchapter 5. Application and Eligibility for Licensing or Registration

55:10-5-1. [AMENDED]

55:10-5-2. [AMENDED]

55:10-5-4. [AMENDED]

55:10-5-6. [AMENDED]

55:10-5-8. [AMENDED]

55:10-5-10. [AMENDED]

55:10-5-11. [AMENDED]

Subchapter 7. Examination

55:10-7-1. [AMENDED]

55:10-7-2. [AMENDED]

55:10-7-3. [AMENDED]

55:10-7-6. [AMENDED]

55:10-7-7. [AMENDED]

55:10-7-9. [AMENDED]

Subchapter 9. Licensing and Registration

55:10-9-5. [AMENDED]

55:10-9-10. [AMENDED]

Subchapter 11. Rules of Professional Conduct

55:10-11-7. [AMENDED]

55:10-11-9. [AMENDED]

55:10-11-12. [AMENDED]

Subchapter 13. Organizational Practice

55:10-13-2. [AMENDED]

55:10-13-5. [AMENDED]

55:10-13-20. [AMENDED]

Subchapter 15. Violations

55:10-15-2. [AMENDED]

55:10-15-13. [AMENDED]

SUMMARY:

The proposed revisions to Subchapter 1 are expanding definitions and clean-up. The definition of Direct Supervision is being deleted throughout the Rules and replaced with Responsible Control. CIDQ replaces NCIDQ throughout the Rules due to a national name change of the organization. Changes to Subchapter 3 are clean-up. Changes to Subchapter 5 are to incorporate Board Policy on Equivalent Education into these Rules, as well as some clean up. Changes to Subchapter 7 through Subchapter 15 are minor clean-up items.

AUTHORITY:

Oklahoma State Architectural and Registered Interior Designers Act in O.S. 59, Section 46.7.

COMMENT PERIOD: