

Volume 33
Number 1
September 15, 2015
Pages 1 - 18

The Oklahoma Register

Oklahoma
Secretary of State
Office of Administrative Rules



Mary Fallin, Governor
Chris Benge,
Secretary of State
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ISSN 0030-1728

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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 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

[OAR Docket #15-762]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 13. Student Assessment

210:10-13-2. Oklahoma School Testing Program (OSTP)
scope and general administration [AMENDED]

SUMMARY:

The proposed amendments to 210:10-13-2 make changes to the definition of "Full Academic Year (FAY) student", and eliminate language that established a different accountability reporting status for residential facilities and juvenile detention facilities that have a site code versus those that do not. Under the proposed FAY definition in (e), a student shall be considered a FAY student if they are enrolled within the first 20 instructional days of the school's instructional year through and including the date of the exam, without an enrollment lapse of 10 or more days. This is a change from the language that classifies a student as an FAY student if they are enrolled from October 1 through the date of the exam without a lapse of 10 or more days. In (f), language is eliminated that established a different reporting status for the very limited number of juvenile and residential facilities that have their own site codes. An emergency rule currently in effect will be made permanent by this amendment.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 1210.505 et seq.

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from September 15, 2015 until 4:30 p.m., Friday, October 16, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, October 16, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-762; filed 8-25-15]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

[OAR Docket #15-763]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

Notices of Rulemaking Intent

PROPOSED RULES:

Subchapter 13. Student Assessment
210:10-13-22. Implementation of a system of school improvement and accountability [AMENDED]

SUMMARY:

The proposed amendment to 210:10-13-22 changes the definition of "Full Academic Year (FAY) student". Under the proposed change, a student shall be considered a FAY student if they are enrolled within the first 20 instructional days of the school's instructional year through and including the date of the exam, without an enrollment lapse of 10 or more days. This is a change from the language that classifies a student as an FAY student if they are enrolled from October 1 through the date of the exam without a lapse of 10 or more days. An emergency rule currently in effect will be made permanent by this amendment.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 1210.545

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from September 15, 2015 until 4:30 p.m., Friday, October 16, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, October 16, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of

Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-763; filed 8-25-15]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF

[OAR Docket #15-764]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 9. Teacher Certification

210:20-9-95. Effective date of teaching certificates and licenses [AMENDED]

SUMMARY:

The proposed amendment to 210:20-9-95 implements changes to the effective dates of renewed teaching certificates under Senate Bill 29, which went into effect July 1. Under SB 29, a certificate that expires on June 30 will be renewed with an effective date of July 1, if the applicant for renewal submits a completed renewal application and fee to the State Department of Education by December 31 of the same year the certificate expired. The proposed amendment incorporates the new statutory effective date, and also provides that an applicant for renewal who submits their application and fee after December 31 will have their certificate renewed with an effective date of the first day of the month in which the application and fee are received.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 6-108.1

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from September 15, 2015 until 4:30 p.m., Friday, October 16, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or

via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, October 16, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-764; filed 8-25-15]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 20. STAFF**

[OAR Docket #15-765]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification
Part 9. Teacher Certification

210:20-9-98. Administrative requirements of teacher certification [AMENDED]

SUMMARY:

The proposed amendment to 210:20-9-98 updates the rule on the administrative requirements for teacher certification to reflect changes in federal and state law since the rule was drafted. In federal law, 8 U.S.C. § 1621 classifies a professional license issued by a state agency as a "State or local public benefit". In Oklahoma law, 56 O.S. § 71 provides that "every agency of this state shall verify the lawful presence in the United States of any natural person who has applied for state or local public benefits, as defined in 8 U.S.C., Section 1621". The proposed changes to 210:20-9-98 bring the language of the rule into compliance with the relevant laws.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 8 U.S.C. § 1621; 56 O.S. § 71

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from September 15, 2015 until 4:30 p.m., Friday, October 16, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, October 16, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard,

Notices of Rulemaking Intent

Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-765; filed 8-25-15]

**TITLE 210. STATE DEPARTMENT OF
EDUCATION
CHAPTER 35. STANDARDS FOR
ACCREDITATION OF ELEMENTARY,
MIDDLE LEVEL, SECONDARY, AND
CAREER AND TECHNOLOGY SCHOOLS**

[OAR Docket #15-766]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Additional Standards for Secondary Schools
Part 7. Standard IV: Curriculum, Instruction, Assessment
and Climate

210:35-9-31. Program of studies and graduation
requirements [AMENDED]

SUMMARY:

The proposed amendment to 210:35-9-31 adds a provision to the graduation requirements rule that directs district boards of education to waive the Oklahoma History requirement for children of military families who have completed a similar state history class in another state. House Bill 1330 (2015) directs the State Board of Education to adopt rules implementing this waiver.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 11-103.6f

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from September 15, 2015 until 4:30 p.m., Friday, October 16, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, October 16, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-766; filed 8-25-15]

**TITLE 210. STATE DEPARTMENT OF
EDUCATION
CHAPTER 40. GRANTS AND
PROGRAMS-IN-AID**

[OAR Docket #15-767]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 75. Parent Education Programs

210:40-75-1. Purpose [AMENDED]

210:40-75-2. Definitions [AMENDED]

210:40-75-3. Overview [AMENDED]

210:40-75-4. Program requirements for the Oklahoma
Parents as Teachers Program [AMENDED]

- 210:40-75-5. Program requirements for the Parent Education Training Program [AMENDED]
- 210:40-75-6. Funding [AMENDED]
- 210:40-75-7. Solicitation, acceptance, and evaluation of district applications for state-funded Oklahoma Parents as Teachers (OPAT) grants [AMENDED]

SUMMARY:

The proposed amendments to Subchapter 75 update the rules to reflect Senate Bill 285's statutory name change to the State Department of Education's programs of parent education.

AUTHORITY:

State Board of Education; 70 O.S. § 3-104; 70 O.S. § 3-162; 70 O.S. § 10-105.3

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from September 15, 2015 until 4:30 p.m., Friday, October 16, 2015.

Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov or by fax at (405) 521-6256. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, October 16, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Lori Murphy, Assistant General Counsel, Office of Legal Services, State Department of Education, Room 1-17, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-5260

[OAR Docket #15-767; filed 8-25-15]

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION
CHAPTER 1. COMMISSION POWERS AND JURISDICTION**

[OAR Docket #15-755]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

325:1-1-3. Description and powers [AMENDED]

325:1-1-7. Jurisdiction of stewards to suspend or fine [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendments to these two rules to update information and/or delete obsolete language.

AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on October 19, 2015.

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

Notices of Rulemaking Intent

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by September 30, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-755; filed 8-24-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 10. RACING ORGANIZATION

[OAR Docket #15-756]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

325:10-1-8. Right of Commission to information [AMENDED]

325:10-1-32. Procedure to establish horsemen's purses at Fair Race Meetings [REVOKED]

325:10-1-33. Horsemen's Purses [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendments to these three rules to update information and/or delete obsolete language.

AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on October 19, 2015.

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by September 30, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-756; filed 8-24-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 15. LICENSING

[OAR Docket #15-757]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

Subchapter 5. Occupation Licensing

325:15-5-10. Grounds for denial, refusal, suspension or revocation of license [AMENDED]

325:15-5-23. Horse ownership by lease [AMENDED]

325:15-5-27. Honoring official credentials [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendments to these three rules to update information and/or delete obsolete language.

AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information

in writing to the Commission, at the above address, before the close of the comment period on October 19, 2015.

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by September 30, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-757; filed 8-24-15]

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION
CHAPTER 20. RACING OFFICIALS AND RACING PERSONNEL**

[OAR Docket #15-758]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

325:20-1-6. Racing officials appointed by the Commission [AMENDED]

325:20-1-18. Duties of the Clerk of Scales [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendments to these two rules to update information and/or delete obsolete language.

AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information

in writing to the Commission, at the above address, before the close of the comment period on October 19, 2015.

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by September 30, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-758; filed 8-24-15]

**TITLE 325. OKLAHOMA HORSE RACING COMMISSION
CHAPTER 25. ENTRIES AND DECLARATIONS**

[OAR Docket #15-759]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

325:25-1-2. Definitions [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendments to the definition of Authorized Agent.

AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on October 19, 2015.

Notices of Rulemaking Intent

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by September 30, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-759; filed 8-24-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 35. GENERAL CONDUCT

[OAR Docket #15-760]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

325:35-1-8. Intoxication [AMENDED]

325:35-1-10.1. Filing and processing of financial responsibility complaints [AMENDED]

325:35-1-18. Communicating results of races [REVOKED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed amendments to these three rules to update information and/or delete obsolete language.

AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendments provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendments. Business entities may submit this information

in writing to the Commission, at the above address, before the close of the comment period on October 19, 2015.

COPIES OF PROPOSED RULE AMENDMENTS:

A copy of the proposed rule amendments may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by September 30, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-760; filed 8-24-15]

TITLE 325. OKLAHOMA HORSE RACING COMMISSION CHAPTER 45. MEDICATION AND EQUINE TESTING PROCEDURES

[OAR Docket #15-761]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULE:

325:45-1-20. Split samples [AMENDED]

SUMMARY:

The Ad Hoc Committee on Rules has proposed an amendment to clarify the rule.

AUTHORITY:

75 O.S., §303; Title 3A O.S. §204(A); Oklahoma Horse Racing Commission.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

PUBLIC HEARING:

A public hearing will be held between the hours of 9:00 a.m. and 12:00 p.m. and 1:00 p.m. and 4:30 p.m. on Monday, October 19, 2015, at the following address: Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Horse Racing Commission requests that business entities affected by the proposed rule amendment provide the Commission, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule amendment. Business entities may submit this information in writing to the Commission, at the above address, before the close of the comment period on October 19, 2015.

COPIES OF PROPOSED RULE AMENDMENT:

A copy of the proposed rule amendment may be obtained from the Oklahoma Horse Racing Commission, Shepherd Mall, 2401 N.W. 23, Suite 78, Oklahoma City, OK 73107.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement will be prepared by September 30, 2015 and may be obtained from the Oklahoma Horse Racing Commission at the above address.

CONTACT PERSON:

Bonnie Morris, Agency Rulemaking Liaison, (405) 943-6472.

[OAR Docket #15-761; filed 8-24-15]

Emergency Adoptions

"If an agency finds that a rule is necessary as an emergency measure, the rule may be promulgated" if the Governor approves the rules after determining "that the rule is necessary as an emergency measure to do any of the following:

- a. protect the public health, safety or welfare,
- b. comply with deadlines in amendments to an agency's governing law or federal programs,
- c. avoid violation of federal law or regulation or other state law,
- d. avoid imminent reduction to the agency's budget, or
- e. avoid serious prejudice to the public interest." [75 O.S., Section 253(A)]

An emergency rule is considered promulgated immediately upon approval by the Governor, and effective immediately upon the Governor's approval or a later date specified by the agency in the emergency rule document. An emergency rule expires on September 15 following the next regular legislative session after its promulgation, or on an earlier date specified by the agency, if not already superseded by a permanent rule or terminated through legislative action as described in 75 O.S., Section 253(H)(2).

Emergency rules are not published in the *Oklahoma Administrative Code*; however, a source note entry, which cites to the *Register* publication of the emergency action, is added to the *Code* upon promulgation of a superseding permanent rule or expiration/termination of the emergency action.

For additional information on the emergency rulemaking process, see 75 O.S., Section 253.

TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION CHAPTER 4. TERM OF LICENSES

[OAR Docket #15-768]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

765:4-1-1 [NEW]

765:4-1-2 [NEW]

765:4-1-3 [NEW]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission

47 O.S. Section 582(E)(1)

47 O.S. Section 583 B.3.

75 O.S. Section 302 et. seq.

PUBLIC HEARING:

July 14th, 2015

ADOPTION:

July 14th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPERATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

765:4-1-1. Purpose

The rules of this Chapter have been adopted for the purpose of complying with the provisions of the Administrative Procedures Act, 75 O. S. Section 250 et. seq., 47 O.S. Section 582 (E) and 47 O. S. Section 583 B 3.

765:4-1-2. Licensing periods

All licenses issued pursuant to the provisions of 47 O. S. Section 581 et. seq. and 47 O. S. Section 591.1 et. seq., except licenses for crushers, after January 1, 2016, shall be for a two (2) year licensing period, which shall begin on January 1st of each even numbered year and shall expire on the 31st day of December of the following odd numbered year.

765:4-1-3. Bonds

All bonds required for licensing shall expire on the 31st day of December of the odd numbered year after the issuance of the bond, except as provided hereinafter. Upon proof that the cost of the required bond for the entire license period exceeds Two Thousand Dollars (\$2,000.00), an applicant or licensee may request that the Commission allow the applicant or licensee to submit a one (1) year bond which expires December 31st of the year of the issuance of the license and a separate bond for the second license year. In the event that the licensee fails to submit a bond for the second license year, the license shall expire and be revoked coterminously with the expiration of the bond.

[OAR Docket #15-768; filed 8-25-15]

**PURSUANT TO THE ACTIONS DESCRIBED HEREIN,
THE FOLLOWING EMERGENCY RULES ARE**

Emergency Adoptions

TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION CHAPTER 10. USED MOTOR VEHICLE DEALERS

[OAR Docket #15-769]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 1. Licensing Qualifications, Procedures and Fees
765:10-1-7 [AMENDED]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission
47 O.S. Section 582(E)(1)
47 O.S. Section 583 B.3.
75 O.S. Section 302 et.seq.

PUBLIC HEARING:

July 14th, 2015

ADOPTION:

July 14th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

SUBCHAPTER 1. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:10-1-7. Renewal of license

All bonds and licenses issued under the provisions of the Commission's ~~enabling legislation~~ statutory authority shall expire on the 31st day of December of the odd numbered year, following the date of issue and shall be nontransferable. All applications for renewal should be submitted by the 1st day of November of each odd numbered year, and licenses shall be

issued by January 10th of the following year. If application has not been made for renewal of license, such license shall expire on December 31st, and it shall be illegal for any person to represent himself and act as a dealer thereafter.

[OAR Docket #15-769; filed 8-25-15]

TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION CHAPTER 15. USED MOTOR VEHICLE SALESPERSONS

[OAR Docket #15-770]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 1. Licensing Qualifications, Procedures and Fees
765:15-1-6 [AMENDED]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission
47 O.S. Section 582(E)(1)
47 O.S. Section 583 B.3.
75 O.S. Section 302 et.seq.

PUBLIC HEARING:

July 14th, 2015

ADOPTION:

July 14th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

SUBCHAPTER 1. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:15-1-6. Renewal of license

All licenses shall expire on the 31st day of December, of the odd numbered year following the date of issue and shall be nontransferable.

[OAR Docket #15-770; filed 8-25-15]

**TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION
CHAPTER 25. AUTOMOTIVE DISMANTLER AND PARTS RECYCLERS**

[OAR Docket #15-771]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 1. Licensing Qualifications, Procedures and Fees
765:25-1-6 [AMENDED]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission
47 O.S. Section 582(E)(1)
47 O.S. Section 583 B.3.
75 O.S. Section 302 et.seq.

PUBLIC HEARING:

August 11th, 2015

ADOPTION:

August 11th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

SUBCHAPTER 1. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:25-1-6. Renewal of license

(a) **Term.** Every license issued to an automotive dismantler and parts recycler hereunder shall be valid until December 31st of the odd numbered year following the issuance of the license ~~only for the calendar year in which it is issued~~ and shall be renewed on or before January 1st of each even numbered year.

(b) **Sales tax number.** All applications for renewal of license shall include the sales tax number issued to the applicant by the Oklahoma Tax Commission.

(c) **DEQ permit.** All applications for renewal of license shall include the authorization or permit number from the Department of Environmental Quality.

(d) **Renewal period.** Except as may otherwise be determined by the Commission licensees who do not renew on or before January 1st of each even numbered year shall be required to meet all of the standards and requirements applicable to an original application for license in effect at that time, regardless of whether the standards and requirements when the applicant first licensed were more or less restrictive than current standards.

(e) **Date for submission.** A properly executed application for renewal of license, accompanied by the appropriate fee or fees, on forms supplied by the Commission, shall be submitted by December 1st of each odd numbered year. All licenses shall expire on December 31st of each odd numbered year.

(f) **Requirements.** Effective on and after November 1, 1987, for a renewal application, the Commission in considering the continued eligibility of any licensee whose original license was issued on or after November 1, 1986, shall base its determinations on the following factors:

(1) whether the licensee has maintained substantial compliance with 47 O.S. Section 591.1 et.seq.

(A) Substantial compliance with 47 O.S. Section 591.2, paragraph 1, shall be determined from data supplied by the applicant in a sworn statement on a form supplied by the Commission that reports the number of vehicles acquired since approval of the prior license that have been or are being:

- (i) dismantled for the purpose of selling the parts thereof,
- (ii) held for resale as is, and
- (iii) rebuilt for resale as roadworthy vehicles.

(B) From the information supplied for this item, the Commission shall determine whether the licensee's business is principally that of acquiring vehicles for the purpose of dismantling and selling the parts thereof.

(C) Substantial compliance with 47 O.S. Section 591.4, paragraph B shall be determined from any objections that may have been supplied by surrounding neighbors related to public or private nuisance complaints, and if requested by the Commission, evidence that the screening and/or fencing requirements are being met.

(2) whether the licensee has maintained substantial compliance with the regulations of this chapter.

[OAR Docket #15-771; filed 8-25-15]

Emergency Adoptions

TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION CHAPTER 35. MANUFACTURED HOME DEALERS

[OAR Docket #15-772]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 3. Licensing Qualifications, Procedures and Fees
765:35-3-6 [AMENDED]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission
47 O.S. Section 582(E)(1)
47 O.S. Section 583 B.3.
75 O.S. Section 302 et.seq.

PUBLIC HEARING:

July 14th, 2015

ADOPTION:

July 14th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

SUBCHAPTER 3. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:35-3-6. Renewal of license

All bonds and licenses issued under the provisions of the Commission's enabling legislation shall expire on the 31st day of December of each odd numbered year, following the date of issue and shall be nontransferable. All applications for renewal should be submitted by the 1st day of November of each odd numbered year, and licenses shall be issued by January 10th of

each even numbered year. If application has not been made for renewal of license, such license shall expire on December 31st of the odd numbered year, and it shall be illegal for any person to represent himself and act as a dealer thereafter.

[OAR Docket #15-772; filed 8-25-15]

TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION CHAPTER 36. MANUFACTURED HOME MANUFACTURERS

[OAR Docket #15-773]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 3. Licensing Qualifications, Procedures and Fees
765:36-3-6 [AMENDED]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission
47 O.S. Section 582(E)(1)
47 O.S. Section 583 B.3.
75 O.S. Section 302 et.seq.

PUBLIC HEARING:

July 14th, 2015

ADOPTION:

July 14th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

SUBCHAPTER 3. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:36-3-6. Renewal of license

All bonds and licenses issued under the provisions of the Commission's enabling legislation shall expire on the 31st day of December of the odd numbered year, following the date of issue and shall be nontransferable. All applications for renewal should be submitted by the 1st day of November of each odd numbered year, and licenses shall be issued by January 10th of the following year. If application has not been made for renewal of license, such license shall expire on December 31st, and it shall be illegal for any person to represent itself and act as a manufacturer thereafter.

[OAR Docket #15-773; filed 8-25-15]

**TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION
CHAPTER 37. MANUFACTURED HOME INSTALLERS**

[OAR Docket #15-774]

RULEMAKING ACTION:
EMERGENCY adoption

RULES:

Subchapter 3. Licensing Qualifications, Procedures and Fees
765:37-3-6 [AMENDED]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission
47 O.S. Section 582(E)(1)
47 O.S. Section 583 B.3.
75 O.S. Section 302 et.seq.

PUBLIC HEARING:

July 14th, 2015

ADOPTION:

July 14th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

SUBCHAPTER 3. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:37-3-6. Renewal of license

All licenses issued under the provisions of the Commission's ~~statutory authority enabling legislation~~ shall expire on the 31st day of December of the odd numbered year, following the date of issue and shall be nontransferable. All applications for renewal should be submitted by the 1st day of November of each odd numbered year, and licenses shall be issued by the following January 10th. If application has not been made for renewal of license, such license shall expire on December 31st of the odd numbered year, and it shall be illegal for any person to represent itself and act as an installer thereafter.

[OAR Docket #15-774; filed 8-25-15]

**TITLE 765. OKLAHOMA USED MOTOR VEHICLE AND PARTS COMMISSION
CHAPTER 38. MANUFACTURED HOME SALESPERSONS**

[OAR Docket #15-775]

RULEMAKING ACTION:
EMERGENCY adoption

RULES:

Subchapter 1. Licensing Qualifications, Procedures and Fees
765:38-1-5 [AMENDED]

AUTHORITY:

Oklahoma Used Motor Vehicle and Parts Commission
47 O.S. Section 582(E)(1)
47 O.S. Section 583 B.3.
75 O.S. Section 302 et.seq.

PUBLIC HEARING:

July 14th, 2015

ADOPTION:

July 14th, 2015

APPROVED BY GOVERNOR:

July 30, 2015

EFFECTIVE:

November 1, 2015

EXPIRATION:

Effective through September 14, 2016, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The enactment of the proposed emergency rules is required by the enactment of Senate Bill 592 which authorizes the Commission to license and issue two year licenses and promulgate Rules, effective November 1, 2015. The Commission deems this situation a compelling extraordinary circumstance requiring emergency rules.

ANALYSIS:

Without the enactment of these rules, there would be no procedures for implementing the two year licenses, resulting in an abdication of the responsibilities assigned to this Commission in SB592.

CONTACT PERSON:

John W. Maile, Executive Director (405)521-3600

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE

Emergency Adoptions

CONSIDERED PROMULGATED UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253 (F), WITH A LATER EFFECTIVE DATE OF NOVEMBER 1, 2015:

SUBCHAPTER 1. LICENSING QUALIFICATIONS, PROCEDURES AND FEES

765:38-1-5. Renewal of license

All licenses shall expire on the 31st day of December, of the odd numbered year following the date of issue and shall be nontransferable.

[OAR Docket #15-775; filed 8-25-15]

Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

TITLE 1. EXECUTIVE ORDERS

1:2015-38.

EXECUTIVE ORDER 2015-38

I, Mary Fallin, Governor of the State of Oklahoma, hereby direct that appropriate steps be taken to fly all American and Oklahoma flags on State property at half-staff upon receipt on Monday, August 24, 2015, to 8:00 a.m. on Monday, August 31, 2015, to honor Labor Commissioner Mark Costello, who passed away on Sunday, August 23, 2015.

Mark Costello was first elected as Commissioner of Labor in November of 2010. He was a true champion of conservative principles and worked diligently to reduce administrative inefficiencies. His dedicated commitment to improving Oklahoma has created an inspiring legacy that will never be forgotten.

This Executive Order shall be forwarded to the Department of Capital Assets Management, who shall cause the provisions

of this Order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 24th day of August, 2015.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:

Chris Morris

Assistant Secretary of State

[OAR Docket #15-754; filed 8-24-15]

