

DEPARTMENT OF AGRICULTURE

THOROUGHBRED RACING COMMISSION

PUBLIC NOTICE

1001 Thoroughbred Racing Rules and Regulations

The Thoroughbred Racing Commission proposes to amend its Regulations adopted in accordance with Title 3, Chapter 101. The purpose of the amended regulations is to amend rule 3.4.1.15 relating to fines and suspensions; amend rule 8.11.4 and 8.13 relating to rider weight and attire for jockeys; adopt new rule 8.15 relating to safety items for jockeys; amend rule 10.1.1 relating to registration certificates for horses; adopt new rule 13.2.3 relating to voiding of claims upon death of a horse and to correct the spelling of the term "pari-mutuel" in rule 1.0 definition of Mutuel Entry, rule 3.4.1.15, rule 14.10.2 and rule 16.2. Other regulations issued by the Thoroughbred Racing Commission are not affected by this proposal. The Thoroughbred Racing Commission is issuing these proposed regulations in accordance with Title 3 of the Delaware Code. This notice is issued pursuant to the requirements of Chapter 101 of Title 29 of the Delaware Code.

A copy of the proposed regulations is being published in the March 1, 2016 edition of the Delaware *Register of Regulations*. A copy is also on file in the office of the Thoroughbred Racing Commission, 777 Delaware Park Boulevard, Wilmington, Delaware 19804 and is available for inspection during regular office hours. Copies are also published online at the *Register of Regulations* website: http://regulations.delaware.gov/services/current_issue.shtml.

Interested parties may offer written comments on the proposed regulations or submit written suggestions, data, briefs or other materials to the Thoroughbred Racing Commission at the above address as to whether these proposed regulations should be adopted, rejected or modified. Pursuant to 29 Del.C. §10118(a), public comments must be received on or before April 1, 2016. Written materials submitted will be available for inspection at the above address.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, March 17, 2016 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF MANAGEMENT SERVICES

PUBLIC NOTICE

Birth to Three Early Intervention System

The Delaware Department of Health and Social Services will submit its annual grant application under Part C of the Individuals with Disabilities Education Improvement Act of 2004. Public Comment is being accepted from February 15 - March 15, 2016, and the application will be available until April 21, 2016.

Please contact the Part C Birth to Three office at 302-255-9134 (call collect from Kent and Sussex) to secure a copy of the application. Send your written comments to Part C/Birth to Three, DMS/DHSS, Main Building, 2nd floor, Suite 249, 1901 N. DuPont Hwy, New Castle, DE 19720 or fax to 302-255-4407.

DEPARTMENT OF INSURANCE

OFFICE OF THE COMMISSIONER

PUBLIC NOTICE

602 Motor Vehicle Physical Damage Appraisers

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of re-proposed amended Department of Insurance **Regulation 602** relating to **Motor Vehicle Physical Damage Appraisers [Formerly Regulation 8]**. The docket number for this proposed AMENDED regulation is 2803-2015.

Amendments are being proposed to permit the use of digital imaging by appraisers. The Delaware Code authority for the change is 18 Del.C. §311 and Ch. 17; and 29 Del.C. Ch. 101.

The Department of Insurance does not plan to hold a public hearing on the proposed amended regulation. The proposed amended regulation appears below and can also be viewed at the Delaware Insurance Commissioner's website at:

www.delawareinsurance.gov/departments/documents/ProposedRegs/ProposedRegs.shtml

Any person can file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendment. Any written submission in response to this notice and relevant to the proposed regulation must be received by the Department of Insurance no later than 4:30 p.m. EST, Thursday, March 31, 2016. Any such requests should be directed to:

Regulatory Specialist Rhonda West
Delaware Department of Insurance
841 Silver Lake Boulevard
Dover, DE 19904
Phone: (302) 674-7379
Fax: (302) 739-5566
Email: Rhonda.West@state.de.us

DEPARTMENT OF LABOR
DIVISION OF UNEMPLOYMENT INSURANCE
PUBLIC NOTICE
1202 Unemployment Insurance Regulations

The Delaware Department of Labor, Division of Unemployment Insurance proposes this revised regulation in accordance with 19 **Del.C.** §3314(6) to establish procedures for notice to claimants and an opportunity for claimants to provide responsive information prior to the Division taking adverse action against the claimant, when the Division of Unemployment Insurance discovers that a claimant failed to report wages that the Division believes should have been reported.

The Delaware Department of Labor, Division of Unemployment Insurance solicits written comments from the public concerning the proposed revised regulation. Any such comments should be submitted to the Director of the Division of Unemployment Insurance, Thomas H. Ellis, by mail to: Delaware Division of Unemployment Insurance, P.O. Box 9950, Wilmington, DE 19809-0950, or by email to: Thomas.Ellis@state.de.us. Written comments must be received by Mr. Ellis on or before March 31, 2016 to be considered prior to the adoption of the proposed revised regulation. Copies of the proposed revised regulation are available upon request.

DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES
DIVISION OF FAMILY SERVICES
OFFICE OF CHILD CARE LICENSING
PUBLIC NOTICE
301 Background Checks for Child-Serving Entities

The Office of Child Care Licensing proposes to amend the DELACARE Regulations - Background Checks for Child-Serving Entities to comply with changes in Delaware and Federal Code.

A copy of the proposed regulations is being posted in the March 1, 2016 edition of the Delaware *Register of Regulations*. Interested parties wishing to offer comments on the proposed regulations or submit written suggestions, data, briefs, or other materials concerning the proposed regulations must submit them to Beth Kramer, Criminal History Unit, Hagley Building, 3411 Silverside Road Wilmington, Delaware 19810 or by email to Beth.Kramer@state.de.us by the close of business on March 31, 2016.

DIVISION OF FAMILY SERVICES
OFFICE OF CHILD CARE LICENSING
PUBLIC NOTICE
302 Child Protection Registry Checks for Child Care, Health Care, and Public School Persons

The Office of Child Care Licensing proposes to amend the DELACARE Regulations - Child Protection Registry Checks for Health Care Facilities, Public Schools, Private Schools and Youth Camps to comply with changes in Delaware Code.

A copy of the proposed regulations is being posted in the March 1, 2016 edition of the Delaware *Register of Regulations*. Interested parties wishing to offer comments on the proposed regulations or submit written suggestions, data, briefs, or other materials concerning the proposed regulations must submit them to Beth Kramer, Criminal History Unit, Hagley Building, 3411 Silverside Road Wilmington, Delaware 19810 or by email to Beth.Kramer@state.de.us by the close

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
2930 COUNCIL ON REAL ESTATE APPRAISERS
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §4006(a)(1), the Delaware Council on Real Estate Appraisers has proposed revisions to its rules and regulations. The rules pertaining to continuing education and the AQB criteria are amended to conform to new Appraisal Qualifications Board criteria.

The Board originally scheduled a hearing on this matter for February 16, 2016 at 9:30 a.m. but was unable to hold the hearing due to lack of proper newspaper publication of the hearing under the Delaware Administrative Procedures Act. The Board has rescheduled the public hearing on the proposed rule change to April 19, 2016 at 9:30 a.m., in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904, where members of the public can offer comments on the amendments to the rules and regulations. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Council on Real Estate Appraisers, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address in accordance with 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
3300 BOARD OF VETERINARY MEDICINE
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §3306(a)(1), the Board of Veterinary Medicine has proposed revisions to its rules and regulations.

A public hearing will be held on April 12, 2016 at 1:00 p.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware, where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Board of Veterinary Medicine, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be April 27, 2016, which is 15 days following the public hearing. The Board will deliberate on all of the public comments at its next regularly scheduled meeting, at which time the Board will decide whether to adopt the revisions as proposed.

The Board proposes a new Rule 2.0 to address euthanasia of animals held in shelter, as set forth in 16 **Del.C.** § 3004F. Other Rules are revised accordingly to accommodate the specific legal requirements pertaining to shelter animals. In addition, various regulations are amended to clarify the requirements for license renewal, reinstatement and inactive status. Typographical errors are corrected and the Rules are re-numbered to accommodate the new Rule 2.0.

DIVISION OF PROFESSIONAL REGULATION
3600 BOARD OF GEOLOGISTS
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §3606(a)(1), the Board of Geologists has proposed revisions to its rules and regulations.

A public hearing will be held on April 1, 2016 at 10:00 a.m. in the second floor conference room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware, where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Board of Geologists, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be April 16, 2016, which is 15 days following the public hearing. The Board will deliberate on all of the public comments at its next regularly scheduled meeting, at which time the Board will decide whether to adopt the revisions as proposed.

The Board's proposed revisions include a new requirement that two of the five professional references submitted by applicants must be dated within the two year period preceding submission of the application. Rule 3.0, pertaining to Seal Requirements, has been re-written. Pursuant to the proposed amendment, licensees will be required to comply with the new seal requirements no later than September 30, 2018. The Board's continuing education rules have been updated for greater clarity for licensees. Rule 5.0 is amended to state that licensure renewal must be accomplished online. Finally, a new Rule 7.4 is added to specify that an applicant who fails to pass either part of the ASBOG exam within two years shall

be required to re-apply as a new applicant.

DIVISION OF PROFESSIONAL REGULATION
CONTROLLED SUBSTANCE ADVISORY COMMITTEE
PUBLIC NOTICE
Uniform Controlled Substances Act Regulations

Pursuant to 16 **Del.C.** §4731, the Delaware Controlled Substance Advisory Committee has proposed revisions to its rules and regulations. Subsection 4.10.1 addresses the requirement that a pharmacist must verify the identification of the receiver of a controlled substance prescription by reference to valid photographic identification. The Regulation is amended to provide that Federal, including military, identification meets this requirement. In addition, Subsection 4.10.1.5 is added to provide an exemption to the photographic identification requirement where the person receiving the controlled substance prescription is a patient at an inpatient facility or has been discharged from an inpatient facility and is obtaining the controlled substance from the facility's outpatient pharmacy immediately upon discharge.

A public hearing will be held on April 27, 2016 at 9:00 a.m., Buena Vista Conference Center, 661 South DuPont Highway, New Castle, DE 19720. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Controlled Substance Advisory Committee, 861 Silver Lake Boulevard, Dover, Delaware 19904. Written comments should be sent to Christine Mast, Administrative Specialist for the Committee, 861 Silver Lake Boulevard, Dover, Delaware 19904. In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be May 12, 2016, which is 15 days following the public hearing. The Committee will deliberate on the proposed revisions at its next regularly scheduled meeting.

DEPARTMENT OF TRANSPORTATION
DIVISION OF MOTOR VEHICLES
PUBLIC NOTICE
2266 Vehicle Document Fees

The Delaware Department of Transportation Division of Motor Vehicles (DMV) is seeking public comment regarding the provision of Vehicle Document Fees.

Under Chapter 30 of Title 30 of the Delaware Code, the DMV is authorized to collect a motor vehicle document fee. The fee is paid by the vehicle owner and collected by DMV for deposit to the transportation trust fund. The document fee is calculated on the gross purchase price less any trade-in or allowance given by the seller of the motor vehicle to the owner.

The draft regulation would authorize the DMV to not impose collecting the document fee when the vehicle is a gift from a family member to another family member if there is a lien on the vehicle. The regulation would allow dealers that title a vehicle that is intended for resale to be exempt from the document fee if there is a lien entered on the vehicle.

The Department will take written comments on the proposed Regulation for this vehicle document fee exemption from March 1, 2016 through March 31, 2016. The proposed Regulation appears below.

Any requests for copies of the proposed Regulations, or any questions or comments regarding this document should be directed to:

Scott Clapper
Chief of Vehicle Services
Division of Motor Vehicles
Delaware Department of Transportation
303 Transportation Circle
Dover, DE 19904
(302) 744-2533 (telephone)
(302)739-4750 (fax)
scott.clapper@state.de.us
19 DE Reg. 862 (03/01/16)