

MEMORANDUM

TO: ADEC

THROUGH: TAMMY HARRELSON
CHIEF, LEGAL DIVISION

ROGER LAWRENCE
CHIEF, SOLID WASTE MANAGEMENT DIVISION

FROM: LORIELLE GUTTING
STAFF ATTORNEY, LEGAL DIVISION

DATE: SEPTEMBER 16, 2011

RE: ANALYSIS OF PROPOSED CHANGES FOR REGULATION NO. 14

Pursuant to Ark. Code Ann. § 25-15-302, a determination must be made whether or not the proposed rules will affect small businesses.

The proposed changes for Regulation No. 14 include the following:

- a. The addition of a definition for wide-base or extra-wide single tire as required by Act 744 of 2011;
- b. Revised definitions for automobile tire and truck tire as required by Act 744 of 2011;
- c. Clarify the definition of quantity; and
- d. Minor formatting and stylistic changes.

These provisions may have an effect on small businesses. However, Ark. Code Ann. § 25-15-302(a)(2)(C) exempts from the required analysis rules that “substantially codify existing state or federal law.” Since most of the changes proposed in this rulemaking codifies into the regulation new and existing state laws as outlined above, this rulemaking should be exempt from the analysis. Those changes that do not codify new and existing laws are minor administrative and stylistic changes that should not affect small businesses.