

**Section I**  
**Notice of Development of Proposed Rules  
and Negotiated Rulemaking**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Landscape Architecture**

RULE NO.:      RULE TITLE:

61G10-12.002   Fees

PURPOSE AND EFFECT: The proposed rule amendment reduces the delinquency licensure fee.

SUBJECT AREA TO BE ADDRESSED: Update delinquency fee amount.

RULEMAKING AUTHORITY: 455.219(6), 455.271, 481.307 FS.

LAW IMPLEMENTED: 455.219(6), 455.271, 481.307 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.:      RULE TITLE:

64D-2.004      Testing Requirements

PURPOSE AND EFFECT: The purpose is to amend the rule to incorporate updated Model Protocols for HIV Counseling and Testing in both health care and non-health care settings, to clarify and conform to new statutory language.

SUBJECT AREA TO BE ADDRESSED: HIV testing.

RULEMAKING AUTHORITY: 381.004(9), 381.0041(10), 384.33 FS.

LAW IMPLEMENTED: 381.0011, 381.004, 381.0041, 384.31 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Derrick Traylor at Derrick.Traylor@flhealth.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II**  
**Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER  
SERVICES**

**Division of Standards**

RULE NOS.:    RULE TITLES:

5F-1.030      Purpose

5F-1.040      Fees

5F-1.050      Payment of Fees

5F-1.070      Proof of Exempt Status

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal the rules in Chapter 5F-1, F.A.C.

SUMMARY: The department is repealing these rules because they are unnecessary. The Division of Standards no longer exists and the pertinent portions of these rules have been updated and consolidated with other weights, measures and standards rules into the Division of Consumer Services' newly created Chapter 5J-22, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED  
REGULATORY COSTS AND LEGISLATIVE  
RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are redundant with other weights, measures and standards rules and are unnecessary. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.415 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, e-mail: Richard.Kimsey@FreshFromFlorida.com or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-1.030 Purpose.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.415 FS. History—New 10-10-93, Repealed.

5F-1.040 Fees.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.415 FS. History—New 10-10-93, Amended 3-17-98, 3-21-02, Repealed.

5F-1.050 Payment of Fees.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.415 FS. History—New 10-10-93, Amended 3-17-98, 3-21-02, Repealed.

5F-1.070 Proof of Exempt Status.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.415 FS. History—New 10-10-93, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2017

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NOS.:	RULE TITLES:
5F-3.001	Adoption of Uniform Packaging and Labeling Regulation
5F-3.016	Package Testing Procedures

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal the rules in Chapter 5F-3, F.A.C.

SUMMARY: The department is repealing these rules because they are unnecessary. The Division of Standards no longer exists and the pertinent portions of these rules have been updated and consolidated with other weights, measures and standards rules into the Division of Consumer Services' newly created Rule Chapter 5J-22, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are redundant with other weights, measures and standards rules and are unnecessary. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.41(4), (13), 531.47, 531.49 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, e-mail: Richard.Kimsey@FreshFromFlorida.com or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-3.001 Adoption of Uniform Packaging and Labeling Regulation.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.41(4), 531.47, 531.49 FS. History—New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, 6-29-03, 6-21-04, 6-2-05, 5-23-06, 5-25-16, Repealed.

5F-3.016 Package Testing Procedures.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.41(13) FS. History—New 4-9-98, Amended 6-23-02, 6-29-03, 6-2-05, 5-25-16, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2017

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NO.: 5F-4.001  
 RULE TITLE: Purpose

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal a rule in Chapter 5F-4, F.A.C.

SUMMARY: The department is repealing this rule because it is unnecessary. The Division of Standards no longer exists and the pertinent portions of this rule has been updated and consolidated with other weights, measures and standards rules into the Division of Consumer Services' newly created Rule Chapter 5J-22, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is redundant with other weights, measures and standards rules and is unnecessary. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.41(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, e-mail: Richard.Kimsey@FreshFromFlorida.com or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-4.001 Purpose.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.41(7) FS. History—New 1-1-73, Formerly 5F-4.01, Amended 6-14-95, 5-25-16, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2017

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NOS.: 5F-5.001  
 RULE TITLES: Adoption of Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices

5F-5.002 Weighing or Measuring Device Permits; Requirements and Fees

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal the rules in Chapter 5F-5, F.A.C.

SUMMARY: The department is repealing these rules because they are unnecessary. The Division of Standards no longer exists and the pertinent portions of these rules have been updated and consolidated with other weights, measures and standards rules into the Division of Consumer Services' newly created Chapter 5J-22, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are redundant with other weights, measures and standards rules and are unnecessary. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.40, 531.41(3), 531.66, 570.07(23) FS.

LAW IMPLEMENTED: 531.40, 531.42(1), (2), 531.50, 531.60, 531.61, 531.62, 531.63, 531.64, 531.65, 531.66 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, e-mail: Richard.Kimsey@FreshFromFlorida.com or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-5.001 Adoption of Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

Rulemaking Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, 6-29-03, 6-21-04, 6-2-05, 5-23-06, 9-2-07, 3-9-11, 5-25-16, Repealed.

5F-5.002 Weighing or Measuring Device Permits; Requirements and Fees.

Rulemaking Authority ~~570.07(23)~~, 531.66, 570.07(23) FS. Law Implemented ~~531.60-66~~, 531.42(1), (2), 531.50, 531.60, 531.61, 531.62, 531.63, 531.64, 531.65, 531.66 FS. History—New 10-14-09, Amended 3-9-11, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2017

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NO.: 5F-7.005  
 RULE TITLE: Adoption of Uniform Method of Sale Regulation

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal a rule in Chapter 5F-7, F.A.C.

SUMMARY: The department is repealing this rule because it is unnecessary. The Division of Standards no longer exists and the pertinent portions of the rule have been updated and consolidated with other weights, measures and standards rules

into the Division of Consumer Services' newly created Rule Chapter 5J-22, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is redundant with other weights, measures and standards rules and is unnecessary. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.41(3), (4), 531.45 FS.

LAW IMPLEMENTED: 531.41(3), (4), 531.45 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, e-mail: Richard.Kimsey@FreshFromFlorida.com or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-7.005 Adoption of Uniform Method of Sale Regulation. Rulemaking Authority 531.41(3), (4), 531.45 FS. Law Implemented 531.41(3), (4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, 6-29-03, 6-21-04, 6-2-05, 5-23-06, 5-25-16, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2017

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NO.: RULE TITLE:  
 5F-12.001 Adoption of Examination Procedure for Price Verification

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal Rule Chapter 5F-12, F.A.C.

SUMMARY: The department is repealing this rule chapter because it is unnecessary. The Division of Standards no longer exists and the pertinent portions of the rule have been updated and consolidated with other weights, measures and standards rules into the Division of Consumer Services' newly created Rule Chapter 5J-22, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is redundant with other weights, measures and standards rules and is unnecessary. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.41(3), 531.44(2) FS.

LAW IMPLEMENTED: 531.44 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, e-mail: Richard.Kimsey@FreshFromFlorida.com or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-12.001 Adoption of Examination Procedure for Price Verification.

Rulemaking Authority 531.41(3), 531.44(2) FS. Law Implemented 531.44 FS. History--New 4-9-98, Amended 6-2-05, 5-23-06, 5-25-16, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2017

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NO.: RULE TITLE:  
 5F-13.001 Guidelines for Imposing Administrative Penalties and Fines for Violations of Chapter 531, Florida Statutes

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal Rule Chapter 5F-13, F.A.C.

SUMMARY: The department is repealing this rule chapter because it is unnecessary. The Division of Standards no longer exists and the pertinent portions of the rule have been updated and consolidated with other weights, measures and standards rules into the Division of Consumer Services' newly created Rule Chapter 5J-22, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is redundant with other weights, measures and standards rules and is unnecessary. Additionally, no interested

party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.50(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, e-mail: Richard.Kimsey@FreshFromFlorida.com or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-13.001 Guidelines for Imposing Administrative Penalties and Fines for Violations of Chapter 531, Florida Statutes.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.50(1) FS. History—New 8-27-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2017

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:

6A-6.0982 Florida Approved Online Course Providers

PURPOSE AND EFFECT: To update Rule 6A-6.0982, F.A.C. to include Form VSP-04 and Form VSP-05. To update Form VSP-03, Online Course Provider Approval Application, incorporated by reference. Having received stakeholder input, the course provider approval application will be revised for clarity and efficiency. To include Form VSP-04, Application for Currently Approved Online Course Provider, and Form VSP-05, Online Course Provider Renewal Approval Application into rule.

SUMMARY: The rule outlines the process by which organizations and individuals become approved to offer Florida approved virtual courses.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The amendment of this rule will not have any impact on transactional costs, regulatory costs or the other factors set forth in Section 120.541(2), Florida Statutes, which are used to determine whether a SERC is needed and whether legislative ratification will be required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1003.499(3), 1008.31, FS.

LAW IMPLEMENTED: 1003.499, 1008.31, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 13, 2017, 9:00 a.m.

PLACE: Tallahassee Community College Capitol Center, 300 W. Pensacola Street, Tallahassee, FL 32301.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandy Eggers, Virtual Education Director, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Fl. 32399, sandra.eggers@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0982 Florida Approved Online Course Providers.

(1) Purpose. Section 1003.499(2), Florida Statutes (F.S.), requires the Commissioner of Education to annually publish online a list of providers approved to offer Florida approved courses.

(2)(a) Application Form. Form VSP-03, Online Course Provider Approval Application is hereby incorporated by reference and made a part of this rule (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07473>), for becoming an approved online course provider, will be used for those online course providers applying for approved status from the Department of Education. Form VSP-03 is hereby incorporated by reference and made a part of this rule to become effective October 2017 2016. A copy of Form VSP-03 may be obtained by contacting the Office of Independent

~~Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.~~

~~(b) Application Form. Form VSP-04, Application for Currently Approved Online Course Provider (DOS link), for a currently approved online course provider to add new courses to their approval, will be used for online course providers applying for additional online course approval status from the Department of Education. Form VSP-04 is hereby incorporated by reference and made a part of this rule to become effective October 2017.~~

~~(c) Application Form. Form VSP-05, Online Course Provider Renewal Approval Application (DOS link), for renewing an approved provider, will be used for those online course providers applying for renewal approval status from the Department of Education. Form VSP-05 is hereby incorporated by reference and made a part of this rule to become effective October 2017. Copies of Form VSP-03, VSP-04, and VSP-05 may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.~~

~~(3) Application. The applications to become an approved online course provider, renewal, or for new course approval will be available at <https://floridacourseprovider.fluidreview.com> <http://app4.fldoe.org/courseprovider/> beginning September 1 ~~st~~ of each year for the following school year and must be accessed and submitted electronically. The deadline for filing the applications is September 30~~th~~.~~

~~(a) Pursuant to Section 1003.499(3)(a)5., F.S., the applicant must possess prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains or student growth in each subject area and grade level provided for consideration as an instructional program option. Learning gains data for at least one (1) complete school year from one (1) of the following sources must be submitted for each course submitted for approval in this application:~~

~~1. State administered Florida Standards Assessments (FSA), Next Generation Sunshine State Standards, including state-administered End-of-Course (EOC) assessments (Algebra I, Geometry, Biology 1, U.S. History, and Civics). The data will be sufficient if the proficiency rate meets or exceeds the state mean (students must attain a statewide standardized assessment score of Achievement Level 3 or higher) as stated in, Summative assessments approved to meet No Child Left Behind (NCLB) accountability requirements or state-administered End of Course (EOC) assessments. The demonstrated gains will be sufficient if either proficiency rate or gains rate, as calculated for purposes of school grades under Rule 6A-1.09981, F.A.C., which is incorporated by reference herein, meet or exceed the state mean. A copy of Rule 6A-~~

~~1.09981, F.A.C., may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. Equivalent subgroup credit recovery or remediation course data may be considered in determining the equivalency with the state mean, if provided.~~

~~For course subjects not addressed by state assessments:~~

~~2. Nationally standardized summative achievement tests or nationally standardized interim assessments with multiple assessments to measure learning gains (nationally norm-referenced tests approved by the Department pursuant Rule 6A-6.0960, F.A.C.). The demonstrated gains will be sufficient if either proficiency rate or gains rate meet or exceed the national mean for the specific test. Equivalent subgroup or credit recovery or remediation course data may be considered in determining the equivalency with the national mean, if provided.~~

~~3. Proctored EOC assessments or semester examinations that assess Florida standards. Electronic proctoring with appropriately identified students is acceptable. Applicants must submit a signed assurance that non state level EOC examinations cover Florida course benchmarks. Demonstrated gains will be sufficient if the pass rate on the proctored EOC examination meets or exceeds seventy (70%) percent.~~

~~(b) through (c) No change.~~

~~(4) The Department of Education will review each complete application and provide the applicant with a written decision regarding the approval or denial of the application no later than forty-five (45) calendar days after the deadline. Incomplete applications will not be reviewed. Approved online course providers will be posted to the website: [www.fldoe.org/schools/school-choice/virtual-edu/approved-provider-resources/approved-providers/](http://www.fldoe.org/schools/school-choice/virtual-edu/approved-provider-resources/approved-providers/). <http://www.fldoe.org/schools/school-choice/virtual-edu/florida-approved-online-courses.html>~~

~~(5) through (7) No change.~~

~~Rulemaking Authority 1003.499, 1008.31 FS. Law Implemented 1003.499, 1008.31 FS. History—New 12-23-14, Amended 7-28-15, 10-30-16, \_\_\_\_\_.~~

~~NAME OF PERSON ORIGINATING PROPOSED RULE:  
Adam Miller, Executive Director, Office of Independent Education and Parental Choice.~~

~~NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.~~

~~DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2017~~

~~DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 26, 2017~~

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE NOS.:           RULE TITLES:  
 61G3-20.0105   Barbershop Delinquent Renewal Fee  
 61G3-20.020    Delinquent License Fee  
 PURPOSE AND EFFECT: The Board proposes the rule amendments to comply with HB 741, effective July 1, 2017.  
 SUMMARY: The rules are being amended to comply with HB 741, effective July 1, 2017.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature because it reduces costs. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.271(7), 476.064(4), 476.184, 476.192 FS.

LAW IMPLEMENTED: 455.271(7), 476.184(8), 476.192(1)(c) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

61G3-20.0105 Barbershop Delinquent Renewal Fee.

The delinquent renewal fee for barbershops shall be ~~\$70.00~~ \$25.00 and shall be paid simultaneously with and in addition to those fees referred to in Rule 61G3-20.010, F.A.C.

Rulemaking Authority 476.064(4), 476.184, 476.192 FS. Law Implemented 476.184(8), 476.192(1)(c) FS. History—New 10-17-85,

Formerly 21C-20.105, Amended 12-15-87, 5-11-88, Formerly 21C-20.0105, Amended 12-14-03, 2-24-16, 8-4-16, \_\_\_\_\_.

61G3-20.020 Delinquent License Fee.

As provided in Section 455.271(7), F.S., the fee imposed for having a delinquent status barber license shall be ~~\$70.00~~ \$25.00. The fee shall be due when the licensee applies for an active or inactive status license.

Rulemaking Authority 455.271(7), 476.064(4) FS. Law Implemented 455.271(7) FS. History—New 5-3-95, Amended 5-1-96, 8-4-16,

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 27, 2017

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.:           RULE TITLE:  
 61N-1.016        Product Registration

PURPOSE AND EFFECT: To adopt and incorporate necessary changes to Division rules reflecting the removal of the Division's authority to require registration and issue certificates of free sale for cosmetic products manufactured in Florida as amended by Ch.2017-051, Laws of Florida (2017).

SUMMARY: Division's authority to require registration and issue certificates of free sale for cosmetic products manufactured in Florida.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.



RULEMAKING AUTHORITY: 499.05, 499.012 FS.

LAW IMPLEMENTED: 499.002, 499.003, 499.01, 499.012, 499.015, 499.05 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1047; (850)717-1802; Dinah.Greene@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-1.016 Product Registration.

(1)(a) Each drug product shall be registered with the division either as a drug or cosmetic, but shall not have duplicate registrations. Products that are both a cosmetic and a drug must be registered as a drug.

(b) A formula marketed under different brand names, sizes, quantities, or distributors is not considered a separate and distinct product for registration purposes. Furthermore, the adding of color, flavor, or scents to a formula does not make a separate and distinct product for registration purposes, even for fragrance preparations where the scent is the primary product. However, the different variations must be listed with the division.

(c) The separate and distinct ~~drug or cosmetic~~ product for a person who performs limited manufacturing operations at an establishment such as only encapsulating, sterilizing or other processing or manipulation of the product, but not labeling, may be the product resulting from such processing and not each separate and distinct product to which the limited manufacturing operation is performed.

(d) The application forms incorporated by reference in this rule can be obtained by contacting the Department of Business and Professional Regulation, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, Florida 32399-1047, (850)717-1800.

(2)(a) Applicants applying for an initial product registration of a product must:

1. File with the department a completed application for the appropriate product registration using ~~DBPR form number DBPR DDC 228, "Application for Product Registration — Cosmetics (Main & Identical)," effective May 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05666>~~; or DBPR form number DBPR-DDC-229, "Application for Product Registration – Rx Drugs (Main & Identical)," effective May 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05666>;

or DBPR form number DBPR-DDC-230, "Application for Product Registration – Repackaged Rx Drugs (Main & Identical)," effective May 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05666>; or DBPR form number DBPR-DDC-231, "Application for Product Registration – OTC Drugs (Main & Identical)," effective May 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05666>, all of which are incorporated by reference herein;

2. Submit a product label or copy thereof and all labeling associated with the main or identical product that provides information in addition to or other than what is on the product label for every product on the Application (An English translation is required for a product manufactured for export only which has labeling in a foreign language.);

3. Submit documentation that supports the product is allowed to be distributed in interstate commerce as per FDA regulations, such as:

a. Written documentation from the FDA which indicates approval of a drug through a new drug application – NDA, ANDA, IND, NADA, etc.; or

b. A copy of the section(s) of the Code of Federal Regulations (CFR) denoting the product's Drug Efficacy Study Implementation (DESI) designation; or

c. A copy of the section(s) of the CFR denoting the product remains pending final DESI review; or

d. A copy and summary of material(s) and authoritative literature reviewed during the applicant's investigation supporting that the product has not yet been reviewed in the DESI process; or

e. A copy and summary of material(s) and of authoritative literature supporting the product qualifying for grandfather status; or

f. The over-the-counter monograph category to which the drug belongs; ~~or~~

~~g. A product category identifier if the product is a cosmetic;~~ and,

4. Pay the appropriate fee pursuant to Rule 61N-1.018, F.A.C.

(b) Examples of material(s) and authoritative literature used as documentation to meet the requirements of subparagraph (2)(a)3. above include:

1. Sections of the United States Code (USC) or the CFR;

2. Letters, emails or other forms of communications from the FDA;

3. Evidence that the product is currently being marketed in the United States and that the FDA has actual or constructive knowledge that the product is being marketed in the United States;

4. The Merck Manual of Diagnosis and Therapy;

5. Physicians' Desk Reference;

- 6. Remington’s Pharmaceutical Science;
- 7. Fully cited and copied U.S. medical or pharmaceutical journal articles;
- 8. DailyMed published by the U.S. National Library of Medicine;
- 9. Facts and Comparisons; or
- 10. American Drug Index.

(c) An applicant must amend its product registration list for new products prior to any sales by following the procedures for an initial product registration, listing only those products to be added. Registration for these products will expire concurrently with the biennial cycle for that establishment’s other registered products. Fees will be prorated as provided for in subsection 61N-1.018(4), F.A.C.

(3) Product registration renewal.

(a) Applicants applying for renewal of a product registration must:

- 1. Submit DBPR form number DBPR-DDC-235, “Application for Product Registration Renewal,” effective May 2015, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05666>; which is incorporated by reference herein;
- 2. Submit a product label or copy thereof and all labeling associated with the product if the label or labeling has changed in any respect from the initial or previous renewal registration; and,
- 3. Pay the appropriate fee pursuant to Rule 61N-1.018, F.A.C.

(b) Registrations issued by the department within the grace period will automatically expire 24 months after the last day of the month in which the previous registration expired.

Rulemaking Authority 499.05 FS. Law Implemented 499.01, 499.015, 499.04, 499.05, 559.79(2) FS. History—New 7-1-96, Formerly 10D-45.0542, Amended 1-26-99, 4-17-01, 1-1-04, Formerly 64F-12.016, Amended 8-2-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Drew F. Winters, Division Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan Zachem, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 18, 2017

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: RULE TITLE:

61N-1.017 Certificates of Free Sale

PURPOSE AND EFFECT: To adopt and incorporate necessary changes to Division rules reflecting the removal of the

Division’s authority to require registration and issue certificates of free sale for cosmetic products manufactured in Florida as amended by Ch.2017-051, Laws of Florida (2017).

SUMMARY: Division’s authority to require registration and issue certificates of free sale for cosmetic products manufactured in Florida.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 499.05, 499.015 FS.

LAW IMPLEMENTED: 499.015, 499.04, 499.05 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1047; 850-717-1802; Dinah.Greene@myfloridalicense.com.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

61N-1.017 Certificates of Free Sale.

(1) A written request for a certificate of free sale must be submitted to the department by the Florida permitted manufacturer of the drug or cosmetic indicating the name and address of the company to be designated on the free sale certificate as the distributor or manufacturer or both; the name, address, and product registration number of the company who has registered the product; the specific name of the product(s) to be included in the certificate; the product label if a current label is not on file with the department; and the appropriate fee as provided in Rule 61N-1.018, F.A.C.

(2) A maximum of 30 product names can be included on one certificate of free sale.

Rulemaking Authority 499.05, 499.015 FS. Law Implemented 499.015, 499.04, 499.05 FS. History—New 7-1-96, Formerly 10D-45.0543, Amended 4-17-01, Formerly 64F-12.017, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Drew F. Winters, Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan Zachem, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 18, 2017

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-1.018  
RULE TITLE: Fees

PURPOSE AND EFFECT: The proposed rulemaking amends Rule 61N-1.018, F.A.C., to update and revise the Division’s fee rule to remove reference to “cosmetic product registration fees” pursuant to Ch. 2017-051, Laws of Florida (2017); to allow for biennial renewal of Prescription Drug Wholesale Distributor and Out-of-State Prescription Drug Wholesale Distributor permits; to adopt fees for Non-resident Prescription Drug Repackager permits; to amend bonding requirements for Prescription Drug Wholesale Distributor and Out-of-State Prescription Drug Wholesale Distributor permits receiving \$10 million or less in annual receipts; and conform statutory cross references.

SUMMARY: Fees for cosmetic product registration; fees for Prescription Drug Wholesale Distributor and Out-of-State Prescription Drug Wholesale Distributor permits; fees for Non-resident Prescription Drug Repackager permits; bond requirements for Prescription Drug Wholesale Distributor or Out-of-State Prescription Drug Wholesale permits; and statutory cross references for bonding requirements.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 499.01, 499.04, 499.05 FS.  
LAW IMPLEMENTED: 499.002, 499.01, 499.012, 499.015, 499.04, 499.041, 499.05 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1047; 850-717-1802; Dinah.Greene@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-1.018 Fees.

(1) Biennial fees for a Manufacturer or Repackager permit are as follows:

	Biennial Fee
Prescription Drug Manufacturer (including virtual)	\$1500
Prescription Drug Repackager	\$1500
Device Manufacturer	\$1200
Cosmetic Manufacturer	\$800
Over-the Counter Drug Manufacturer	\$800
Medical Gas Manufacturer	\$1000
Non-resident Prescription Drug Manufacturer (including virtual)	\$1000
Non-resident Prescription Drug Repackager	\$1500

No manufacturer shall be required to pay more than one fee per establishment to obtain an additional manufacturing permit; but the manufacturer must pay the highest fee applicable to the operations in each establishment.

(2)(a) Biennial fees for a Wholesale Distributor or Freight Forwarder permit that is issued on a Biennial basis are as follows:

	Biennial Fee
Medical Gas Wholesale Distributor	\$600
Retail Pharmacy Drug Wholesale Distributor	\$100
Freight Forwarder	\$600
Veterinary Prescription Drug Wholesale Distributor	\$1000
Limited Prescription Drug Veterinary Wholesale Distributor	\$1000

~~(b) Annual fees for a Wholesale Distributor permit that is issued on an Annual basis are as follows:~~

	Annual Fee
Prescription Drug Wholesale Distributor (including Broker Only)	\$1600 \$800
Out-of-State Prescription Drug Wholesale Distributor	\$1600 \$800

(3) Biennial fees for Other permits are as follows:

	Biennial Fee
Complimentary Drug Distributor	\$500
Veterinary Prescription Drug Retail Establishment	\$600

Medical Oxygen Retail Establishment	\$600
Restricted Prescription Drug Distributor – Blood Establishment	\$600
Restricted Prescription Drug Distributor – Health Care Entity	\$600
Restricted Prescription Drug Distributor – Charitable Organization	–\$600
Restricted Prescription Drug Distributor – Reverse Distributor	\$600
Restricted Prescription Drug Distributor – Destruction	–\$600
Restricted Prescription Drug Distributor – Government Programs	–\$600
Restricted Prescription Drug Distributor – Institutional Research	–\$600
Third Party Logistics Provider	\$600
Health Care Clinic Establishment	\$255

(4) Miscellaneous Other fees are as follows:

	Fee
(a) Certification as Designated Representative	\$150
(b) Initial Application/On-site Inspection	\$150 Non-Refundable

The initial application/on-site inspection fee is non-refundable.

If the department determines it must re-inspect for an initial application because the applicant does not have security, climate control, a quarantine area, or written policies and procedures, as required by the particular permit for which the applicant is applying; fails to appear for a scheduled inspection; or is otherwise not ready or available for inspection or available to schedule an inspection on or after the date indicated on the application form, an additional on-site inspection fee of \$150 is required for each re-inspection.

(c) Bond/Security: Prescription Drug Wholesale Distributor or Out-of-State Prescription Drug Wholesale Distributor with more than \$10 million in annual gross receipts during the previous tax year, as set forth in Section 499.012(8)(m), 499.01(2)(d),(e), F.S.

(d) Bond/Security: Prescription Drug Wholesale Distributor or Out-of-State Prescription Drug Wholesale Distributor with \$10 million or less in annual gross receipts during the previous tax year, as set forth in Section 499.012(8)(m), F.S.

(e)(4) Bond/Security: Limited Prescription Drug Veterinary Wholesale, as set forth in Section 499.01(2)(m)(4), F.S.

(f)(e) Change of Address:

A relocation fee of \$100 must be paid for each permitted person or establishment relocating for which an on-site inspection is required. If no on-site inspection is required, the relocation fee is \$25 per permit. If a permitted person has multiple permits under the same permitted name and address and relocates any or all permitted activities concurrently to the new location, then only one \$100 fee is required plus \$25 for each additional permit.

(g)(f) Product Registration (for each drug or cosmetic product registered)

\* The registration fee for a prescription drug or cosmetic product being amended to an existing product registration that has 12 months or less until it expires is \$15.

(h)(g) Listed Identical Products	\$15
(i)(4) Free Sale Certificate	\$25
Signature of Free Sale Certificate copy (requested concurrently)	\$2
(j)(4) Delinquent Establishment Permit Renewal (per permit)	\$100

(5) The department shall assess other fees as provided in Chapter 499, Part I, F.S.

Rulemaking Authority 499.01, 499.04, 499.05, 499.831, 499.832 FS. Law Implemented 499.01, 499.012, 499.015, 499.04, 499.041, 499.05, 499.028, 499.831, 499.832 FS. History—New 7-1-96, Formerly 10D-45.0544, Amended 4-17-01, 7-6-03, 1-1-04, 9-13-04, 2-14-06, 9-5-07, 3-10-09, Formerly 64F-12.018, Amended 6-3-15,

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew F. Winters, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan Zachem, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 26, 2017

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.002  
 RULE TITLE: Application for Cosmetic Manufacturer Permit

PURPOSE AND EFFECT: To adopt and incorporate necessary changes to Division rules reflecting the removal of the Division’s authority to require registration and issue certificates of free sale for cosmetic products manufactured in Florida as amended by Ch. 2017-051, Laws of Florida (2017).

SUMMARY: Division’s authority to require registration and issue certificates of free sale for cosmetic products manufactured in Florida.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 499.05, 499.012 FS.

LAW IMPLEMENTED: 499.002, 499.003, 499.01, 499.012, 499.015, 499.05 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1047; 850-717-1802; Dinah.Greene@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.002 Application for Cosmetic Manufacturer Permit. A cosmetic manufacturer permit is required for any person that manufactures or repackages cosmetics in this state. A person that only labels or changes the labeling of a cosmetic but does not open the container sealed by the manufacturer of the product is exempt from obtaining a permit. A person located in this state, prior to engaging in activity for which a cosmetic manufacturer permit is required, must file with the department a completed application on form number DBPR-DDC-206, Application for Permit as a Cosmetic Manufacturer, effective July 2017, ~~April 2016~~, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S., and Title 61N, F.A.C. This form is available upon request from the Department of Business and Professional Regulation, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, Florida 32399-1047, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06904>. Rulemaking Authority 499.012(3), 499.041(1)(c) FS. Law Implemented 499.01, 499.012, 499.0121, 499.015, 499.04, 499.041, 499.005(6), 499.0051(13), 499.051(1), 559.79 FS. History—New 6-9-16, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew F. Winters, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan Zachem, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 18, 2017

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: RULE TITLE:

64B17-3.001 Licensure

PURPOSE AND EFFECT: The updated language ensures public safety by clarifying that a current physical therapist or physical assistant license is required by an applicant for licensure in Florida without examination, and addresses legislative changes.

SUMMARY: The rule amendments clarify requirements for application for licensure without examination in Florida, and address legislative changes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that there is no reason to expect that this rule change will have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.013, 486.025, 486.031(3), 486.104 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.0635, 456.38, 486.031, 486.041, 486.051, 486.061, 486.0715, 486.081, 486.102, 486.103, 486.104 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way Bin C-05, Tallahassee, Florida 32399-3255, Allen.hall@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.001 Licensure

(1) No change

(2) Qualifications for Licensure. All applicants for licensure as a physical therapist or physical therapist assistant must demonstrate the following:

(a) No change

(b) No change

(c) Education:

1. For physical therapists, have received a degree as a physical therapist from a physical

therapist educational program accredited by the Commission on Accreditation in Physical

Therapy (CAPTE) at the time of graduation; ~~in physical therapy from an institution that has been approved for the training of physical therapists by the Commission on Accreditation in Physical Therapy Education (CAPTE), at the time of graduation, or~~

2. For physical therapist assistants,

a. Have received a degree as a physical therapist assistant from a physical therapist assistant educational program accredited by the Commission on Accreditation in Physical Therapy (CAPTE) at the time of graduation, or

b. Have been enrolled between July 1, 2014, and July 1, 2016, in a physical therapist assistant school in this state which was accredited at the time of enrollment and have been graduated or be eligible to graduate from such school no later than July 1, 2018;

3. No change.

(3) Additional provision for applications for licensure without examination (by endorsement).

(a) For purposes of compliance with Sections 486.031, ~~486.081~~, and 486.107, F.S., the standard for determining

whether the standards of another jurisdiction are as high as the standards in Florida shall be whether the written examination taken for licensure in such other jurisdiction by applicants meeting Florida’s minimum educational qualifications was through the national physical therapy examination provider certified by the Department.

(b) Physical therapist applicants who meet the education and examination requirements for licensure without examination shall show proof of an active physical therapy license in another state, the District of Columbia, a territory, or a foreign country. Physical therapist assistant applicants who meet the education and examination requirements for licensure without examination shall show proof of an active physical therapy assistant license in another state, the District of Columbia, or a territory.

~~(c)(b)~~ No change.

(4) No change.

Rulemaking Authority 456.013, 486.025, 486.031(3), 486.104 FS. Law Implemented 456.013, 456.017, 456.0635, 456.38, 486.031, 486.041, 486.051, 486.061, 486.0715, 486.081, 486.102, 486.103, 486.104 FS. History—New 8-6-84, Amended 6-2-85, Formerly 21M-7.20, Amended 5-18-86, Formerly 21M-7.020, 21MM-3.001, Amended 3-1-94, Formerly 61F11-3.001, Amended 12-22-94, 4-10-96, Formerly 59Y-3.001, Amended 12-30-98, 1-23-03, 4-9-06, 9-19-06, 3-13-07, 5-11-08, 5-21-09, 8-10-09, 7-5-10, 12-17-12, 12-15-14, 2-14-17, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 25, 2017

### Section III Notice of Changes, Corrections and Withdrawals

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.: RULE TITLE:

6A-14.092 Textbook Affordability

#### NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 118, June 19, 2017 Florida Administrative Register has been continued from 08/16/2017 to 09/13/2017.

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

RULE NOS.:	RULE TITLES:
58A-5.0131	Definitions
58A-5.014	Licensing and Change of Ownership
58A-5.0181	Admission Procedures, Appropriateness of Placement and Continued Residency Criteria
58A-5.0182	Resident Care Standards
58A-5.0185	Medication Practices
58A-5.019	Staffing Standards
58A-5.0191	Staff Training Requirements and Competency Test
58A-5.024	Records
58A-5.029	Limited Mental Health
58A-5.030	Extended Congregate Care Services
58A-5.031	Limited Nursing Services

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 70, April 11, 2016 issue of the Florida Administrative Register has been withdrawn.

**Section IV  
Emergency Rules**

**NONE**

**Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on August 14, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for BB&T Tower at 111 Julia St, Jacksonville, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-131).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, [dhr.elevators@myfloridalicense.com](mailto:dhr.elevators@myfloridalicense.com)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Pilot Commissioners

RULE NO.: RULE TITLE:

61G14-11.008 Cross Licensing

The Board of Pilot Commissioners hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on May 25, 2017, by Captain Michael Villa. The Notice of Petition for Variance or Waiver was published May 31, 2017, in Vol. 43, No. 105 of the Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61G14-11.008(7)(a), Florida Administrative Code, entitled "Cross Licensing," which requires, when such ports are combined, that the certificated deputy pilots in one port may apply for and become certificated cross licensed deputy pilots for the other port, provided that the deputy pilot successfully passes the state pilot exam for the deputy pilot's port. The Board considered the instant Petition at a duly-noticed public meeting, held via teleconference on August 3, 2017.

The Board's Order, filed on August 10, 2017, granted the petition finding that Petitioner established that the purpose of the underlying statute would be met by granting a variance from paragraph 61G14-11.008(7)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Krista Woodard, Executive Director, Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399-0790.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Beaches and Coastal Systems

RULE NO.: RULE TITLE:

62B-33.024 Thirty-Year Erosion Projection Procedures

NOTICE IS HEREBY GIVEN that on June 22, 2017, the Department of Environmental Protection received a petition for variance or waiver from Petitioner, Destin Guardian Group, c/o Tom Patton. The petition requested a permanent variance/waiver from subparagraph 62B-33.024(2)(a)2, F.A.C., which sets forth a specific methodology to calculate the 30-year erosion projection for Petitioner's property, and requests that the methodology set forth in subparagraph 62B-33.024(2)(a)3,

F.A.C., be used instead. The property is located at 57 Lands End, Destin Pointe, Destin, Florida. OGC File No. 17-0881.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kaelyn Massey, Department of Environmental Protection, MS 3522, 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-8486 or by emailing [cccl@dep.state.fl.us](mailto:cccl@dep.state.fl.us), during normal business hours, 8:00 a.m. – 5:00 p.m. Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

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#### DEPARTMENT OF HEALTH

##### Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on July 05, 2017, by Susan Heick. The Notice of Petition for Waiver or Variance was published in Vol. 43, No. 132, of the July 10, 2017 Florida Administrative Register. Petitioner sought a variance or waiver of 64B7-32.002, F.A.C., regarding the requirements for proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on July 28, 2017, in Orlando, Florida.

The Board's Order, filed on August 15, 2017, denied the Petitioner's request for a waiver or variance of 64B7-32.002, F.A.C. The petition is in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C. The Board found that the Petitioner has not met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4162, or by electronic mail: [Kama.Monroe@flhealth.gov](mailto:Kama.Monroe@flhealth.gov).

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#### DEPARTMENT OF HEALTH

##### Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on July 11, 2017, by Sean Zachary Taylor. The Notice of Petition for Waiver or Variance was published in Vol. 43, No. 138, of the July 18, 2017 Florida Administrative Register. Petitioner sought a variance or waiver of 64B7-32.002, F.A.C., regarding the requirements for proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on July 28, 2017, in Orlando, Florida.

The Board's Order, filed on August 15, 2017, granted the Petitioner's request for a waiver or variance of 64B7-32.002, F.A.C. The petition is in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C. The Board found that the Petitioner has met the purpose of the

underlying statute and that application of Rule 64B7-32.002, F.A.C., would impose a substantial hardship on Petitioner.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4162, or by electronic mail: [Kama.Monroe@flhealth.gov](mailto:Kama.Monroe@flhealth.gov).

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#### DEPARTMENT OF HEALTH

##### Board of Massage Therapy

The Board of Massage Therapy hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on July 11, 2017, by Bridget L. Callahan. The Notice of Petition for Variance or Waiver was published July 18, 2017 in Vol. 43, No. 138, of the Florida Administrative Register. Petitioner sought a variance or waiver of 64B7-32.002, F.A.C., regarding the requirements for proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on July 28, 2017, in Orlando, Florida.

The Board's Order, filed on August 15, 2017, granted the Petitioner's request for a waiver or variance of 64B7-32.002, F.A.C. The petition is in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C. The Board found that the Petitioner has met the purpose of the underlying statute and that application of Rule 64B7-32.002, F.A.C., would impose a substantial hardship on Petitioner.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4162, [Kama.Monroe@flhealth.gov](mailto:Kama.Monroe@flhealth.gov).

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#### DEPARTMENT OF HEALTH

##### Board of Psychology

The Board of Psychology hereby gives notice of the issuance of an Order regarding the Petition for Waiver and Variance, filed on June 20, 2017, by Svetlana Kimovna Masgutova. The Notice was published in Volume 43, No. 125, of the Florida Administrative Register, on June 28, 2017. Petitioner sought a variance and waiver of subsection 64B19-11.0035(3), F.A.C., which required an original, signed letter on official letterhead from the director of a doctoral psychology program accredited by the accrediting agency recognized and approved by the United States Department of Education. Petitioner also requested a variance or waiver from paragraph 64B19-11.005(1)(c), (2), and (3), F.A.C., regarding supervised experience. The Board considered the Petition at its duly-noted public meeting held on July 21, 2017. The Board's Order, filed on August 14, 2017, voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated that the purpose of the underlying statute is being achieved by other



means and that application of the above rule would cause a substantial hardship or violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, (850)245-4373, Allen.Hall@flhealth.gov.

**DEPARTMENT OF FINANCIAL SERVICES**

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-149.005 Reasonableness of Benefits in Relation to Premiums

NOTICE IS HEREBY GIVEN that on July 27, 2017, the Office of Insurance Regulation received a petition for Variance from Fla. Admin. Code Ann. paragraph 69O-149.005(14)(b), F.A.C., from National Guardian Life Insurance Company. The petition requests that the Office grant a variance from the multiple year rate guarantee or rating cap provision that may not exceed 24 months. Petitioner requests that the time frame be extended at lease thirty-six months or such longer period as the Office permits with respect to group health insurance policies insuring groups of 51 or more persons.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Debra Seymour at Debra.seymour@flair.com.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF LEGAL AFFAIRS**

Division of Victim Services and Criminal Justice Programs  
The Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 29, 2017, 2:00 p.m. – 3:00 p.m.  
PLACE: Toll-free dial-in number: 1(888)670-3525; conference code: 1937102943

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
There will be a special election, to fill a vacancy in the executive committee of the Council. The full Council shall, by a majority vote of a quorum, select a Council member to fulfill the remainder of the vacancy.

A copy of the agenda may be obtained by contacting: <http://www.cssbmb.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please

contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Bureau of Criminal Justice Programs at (850)414-3300.

**FLORIDA COMMISSION ON OFFENDER REVIEW**

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 24, 2017, 10:30 a.m.  
PLACE: New River Correctional Institution, 8000 Northwest 80th Place, Raiford, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Tour of the institution and programs.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review, (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF ELDER AFFAIRS**

Division of Volunteer and Community Services  
The Department of Elder Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 23, 2017, 10:00 a.m. – 11:00 a.m.  
PLACE: Telephone conference call-in number: 1(888)670-3525, participant code: 6499927145

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Alzheimer’s Disease Advisory Committee advises the department regarding legislative, programmatic, and administrative matters that relate to Alzheimer’s disease victims and their caretakers. The purpose of the call will be to discuss the Memory Care Summit in January 2018 and possible adjustment of the dates/locations of upcoming meetings.

For a copy of the agenda or more information, you may contact: Evan Barksdale, Bureau of Elder Rights, Department of Elder Affairs, (850)414-2349, [barksdalej@elderaffairs.org](mailto:barksdalej@elderaffairs.org).

**DEPARTMENT OF ELDER AFFAIRS**

Long-Term Care Ombudsman Program  
The Department of Elder Affairs, Long-Term Care Ombudsman Program announces public meetings to which all persons are invited.

DATES AND TIMES: August 24, 2017, 1:00 p.m. – 5:00 p.m.; August 25, 2017, 8:00 a.m. – 12:00 Noon  
PLACE: Embassy Suites, 225 Shorecrest Drive, Altamonte Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
State Council Business and election of State Chair.

A copy of the agenda may be obtained by contacting:  
Department of Elder Affairs/LTCOP, 4040 Esplanade Way,  
Tallahassee, FL 32399, (850)414-2323,  
LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting the number referenced above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: August 29, 2017, 9:00 a.m.

PLACE: Leesburg Community Building, East Room, 109 East Dixie Avenue, Leesburg, FL 34748

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Upper Ocklawaha Basin Working Group will hold a Basin Management Action Plan meeting on August 29 at the Leesburg Community Building. This meeting is open to the public. The 2017 Supplemental Report outlining nutrient loading reductions assigned to local governments will be discussed. Updates of the status of water quality restoration projects for Trout Lake, Lake Carlton, Lake Yale, and Lake Denham will be presented.

The Upper Ocklawaha Basin Working Group was formed to provide a forum for stakeholders to discuss issues related to the basin's nutrient Total Maximum Daily Loads for the Harris Chain of Lakes, Palatka River, and Lake Apopka. The Second Phase of the Upper Ocklawaha Basin Management Action Plan was adopted in 2014 to address nutrient problems in the previously listed waterbodies.

A copy of the agenda may be obtained by contacting: Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mary Paulic, (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mary Paulic, (850)245-8560.

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DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support  
The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, August 29, 2017, 3:00 p.m. – 4:30 p.m., ET

PLACE: Conference call: join the meeting using a computer, tablet or smartphone at <https://global.gotomeeting.com/join/387986197>. Join the conference call: 1(888)670-3525, participant code: 1043560135.

Joining from a video-conferencing room or system?

Dial: 67.217.95.2##387986197

Cisco devices: 387986197@67.217.95.2

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
EMSAC Drug Shortage Task Force.

Current issues we are all facing today.

For a copy of the agenda or more information, contact:  
Bonnie.Anderson@flhealth.gov.

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FLORIDA LEAGUE OF CITIES

The Florida Municipal Loan Council (FMLC) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2017, 10:00 a.m.

PLACE: One Ocean Resort, 1 Ocean Boulevard, Atlantic Beach, FL 32233, (904)249-7402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Loan Council general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at the One Ocean Resort, 1 Ocean Boulevard, Atlantic Beach, FL 32233 904-249-7402, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, [pmitchell@flicities.com](mailto:pmitchell@flicities.com), (850)701-3649.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Penny Mitchell, [pmitchell@flicities.com](mailto:pmitchell@flicities.com) or calling (850)701-3649. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Penny Mitchell, [pmitchell@flicities.com](mailto:pmitchell@flicities.com) or call (850)701-3649.

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**FLORIDA LEAGUE OF CITIES**

The Florida Municipal Pension Trust Fund (FMPTF) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2017, 11:00 a.m.

PLACE: One Ocean Resort, 1 Ocean Boulevard, Atlantic Beach, FL 32233, (904)249-7402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Pension Trust Fund (FMPTF) general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at One Ocean Resort, 1 Ocean Boulevard, Atlantic Beach, FL 32233, (904)249-7402, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, pmitchell@flcities.com or calling (850)701-3649.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Penny Mitchell, pmitchell@flcities.com or calling (850)701-3649. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Penny Mitchell, pmitchell@flcities.com or call (850)701-3649.

**FLORIDA LEAGUE OF CITIES**

The Florida Municipal Investment Trust (FMIvT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2017 1:00 p.m.

PLACE: One Ocean Resort, 1 Ocean Boulevard, Atlantic Beach, FL 32233, (904)249-7402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Investment Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at One Ocean Resort, 1 Ocean Boulevard, Atlantic Beach, FL 32233, (904)249-7402, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, pmitchell@flcities.com or calling (850)701-3649.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 7 days before the workshop/meeting by contacting: Penny Mitchell, pmitchell@flcities.com or calling (850)701-3649. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Penny Mitchell, pmitchell@flcities.com or call (850)701-3649.

**SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT**

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 17, 2017, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 North Krome Avenue, #102, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, AG Lab Report, MIL Report, and District Projects. A copy of the agenda may be obtained by calling: (305)242-1288.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: SDSWCD (305)242-1288. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cooper McMillan.

**REGION 1 TRAINING COUNCIL**

The Region 1 Criminal Justice Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 13, 2017, 11:00 a.m.

PLACE: George Stone Cafeteria

GENERAL SUBJECT MATTER TO BE CONSIDERED: Upcoming academies, upcoming specialized and advanced classes, last commission meeting information and the trust fund budget.

A copy of the agenda may be obtained by contacting: Sylvia Larson, (850)944-6775.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Greg Moody, (850)944-6775. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

#### PARSONS BRINCKERHOFF

The Florida Department of Transportation (FDOT), District One announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, August 24, 2017, 5:00 p.m., open house; 6:00 p.m., formal presentation

PLACE: LaBelle Civic Center, 481 West Hickpochee Avenue, LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT will hold a public hearing to provide information about the proposed widening of State Road (SR) 29 from F Road to Cowboy Way in Hendry County. The project is approximately five miles in length. SR 29 will be widened from two to four lanes and will include two travel lanes in each direction, a raised median, bicycle lanes on each side, and sidewalks on both sides of the road. The hearing begins with an open house at 5:00 p.m. followed by a formal presentation and public comment period at 6:00 p.m. People attending the hearing can review project displays and speak one-on-one with project team members about the proposed widening of SR 29. Written statements or exhibits submitted at the hearing, emailed, or mailed and postmarked by September 5, 2017 will become part of the official hearing transcript. Additional right-of-way, or property, is needed to accommodate widening SR 29 and for stormwater management ponds. Existing access to properties along SR 29 will change due to the addition of a median, a result of widening the road. This hearing will discuss changes to the proposed median openings from the concept plans shown in the Project Development and Environment (PD&E) study. It will also discuss minor changes to proposed right-of-way requirements. The department sent notices to all property owners located within at least 300 feet on either side of the SR 29 project limits, as well as other interested parties. Project information is available for public viewing from August 3, 2017 to September 5, 2017 at the Barron Library, 461 North Main Street, in LaBelle, Florida. Library hours are Monday and Thursday 9:00 a.m. to 8:00 p.m.; Tuesday, Wednesday, and Friday 9:00 a.m. to 5:00 p.m.; and Saturday 9:00 a.m. to 1:00 p.m. The hearing is developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status. The environmental review, consultation, and other actions required by applicable federal

environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: FDOT project manager David C. Turley P.E., (863)519-2255, David.Turley@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT project manager, David C. Turley P.E., (863)519-2255, David.Turley@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Turley at the above phone number or email address. Visit the project website: [www.swflroads.com/sr29/froadtocowboyway.pdf](http://www.swflroads.com/sr29/froadtocowboyway.pdf).

## Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, has declined to rule on the petition for declaratory statement filed by Palm Bay International, Inc. on August 15, 2017. The following is a summary of the agency's declination of the petition:

The Division hereby denies Petitioner Palm Bay International, Inc.'s Petition for Declaratory Statement as the Petitioner has not clearly stated their particular set of circumstances; the Petitioner is not a substantially affected person seeking Declaratory Statement regarding an agency rule as it applies to its particular set of circumstances; and the Petitioner asks the Division to evaluate a third party's behavior. The Final Order Denying Petition for Declaratory Statement was filed on August 15, 2017.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1183, [AGC.Filing@MyFloridaLicense.com](mailto:AGC.Filing@MyFloridaLicense.com).

Please refer all comments to: Marc Taupier, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2202; [Marc.Taupier@MyFloridaLicense.com](mailto:Marc.Taupier@MyFloridaLicense.com); DS No. 2017-041; DBPR Case No. 2017-028695.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Steven R. Braten, Esq. on behalf of Richard Kerski, on June 21, 2017. The following is a summary of the agency's declination of the petition:

The Division declined to issue a statement because it cannot issue a statement regarding past conduct. The order was filed with the Agency Clerk on August 11, 2017.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)717-1539, Danielle.Walker@myfloridalicense.com.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION Professional Services for Water Resource Management Programs

NOTICE OF Request FOR STATEMENTS OF Qualifications: Pursuant to Florida Statute 287.055, and on behalf of the Florida Department of Environmental Protection, the Procurement Office is requesting Statements of Qualification from qualified consultants to provide professional services in support of the water resource management programs for the Florida Department of Environmental Protection under bid number 2018008, Professional Services for Water Resource Management Programs.

The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu).

FISH AND WILDLIFE CONSERVATION COMMISSION

Corbett (entry road and trailhead)

BID NO: FWC 17/18-9C

TITLE: Corbett (entry road and trailhead)

FOR: The intent of this invitation to bid is to obtain competitive pricing for property improvements at 11835 Seminole Pratt Whitney road, West Palm Beach, FL 33412, in accordance with the specifications in this invitation to bid and the Construction Plans in accordance with Chapter 255, F.S.

SEALED BIDS WILL BE PUBLICLY OPENED AND READ ALOUD ON:

DATE & TIME: September 14, 2017, 3:00 p.m.

Location: Florida Fish & Wildlife Conservation Commission  
 2590 Executive Center Circle East, Suite 100  
 Tallahassee, Florida 32301  
 BID DOCUMENTS: Can be downloaded from the Vendor Bid System at the link below:  
[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)  
 Search by bid number FWC 17/18-9C  
 PURCHASING MANAGER: (Direct questions to the following)  
 Bryan Tucker, Procurement Manager  
 Florida Fish & Wildlife Conservation Commission  
 Tallahassee Purchasing Office  
 2590 Executive Center Circle  
 Tallahassee, Florida 32301  
 Phone: (850)488-6551  
[bryan.tucker@myfwc.com](mailto:bryan.tucker@myfwc.com)

SKANSKA USA BUILDING, INC.  
 Skanska - USF Morsani College of Medicine and Heart Institute Bid Package 03  
 Skanska USA Building, Inc. (Skanska) will receive sealed Bids for “Bid Package 03: Structural Steel & Misc. Metals, Caulking & Waterproofing, Masonry/CMU, Roofing” for the following Project as delineated in the Contract Documents until 2 pm (prevailing time), Tuesday September 19, 2017. Bids will be opened privately with a representative of the Owner present.  
 Owner: University of South Florida (USF)  
 Project Title: Morsani College of Medicine + Heart Institute  
 Project No.: 519 and 535  
 Scope of Work: Construction of a new 13-story building at 546 Channelside Drive, Tampa, FL for the University of South Florida to house the Morsani College of Medicine + Heart Institute. The building will contain laboratory space, offices, classrooms, auditorium space, and other building support components. NOTE: This invitation to bid is for “Bid Package 03: Structural Steel & Misc. Metals, Caulking & Waterproofing, Masonry/CMU, Roofing” ONLY. Reference the Work Categories contained in the Bid Manual for further definition of scope. Future Bid Packages will be released at a later date to be determined for the balance of work on the project. Skanska will not consider bids for Work outside of the Work Categories contained in Bid Package 03.  
 Contractor:  
 Skanska USA Inc.  
 4030 W. Boy Scout Blvd., Suite 200  
 Tampa, Florida 33607

A non-mandatory Pre-Bid Meeting will be held August 29, 2017 at 10:00 a.m. at Skanska’s office (noted above) for this project.  
 Interested persons with questions should email: [Steven.Vukmer@skanska.com](mailto:Steven.Vukmer@skanska.com). The last day for receipt of written questions is end of business day of September 12, 2017. Bids must be submitted unconditionally. No bidder may withdraw bid within 60 calendar days after the scheduled closing time for receipt of bids. The successful bidder will be required to furnish evidence of insurability and meet the selection criteria.

## Section XII Miscellaneous

DEPARTMENT OF STATE  
 Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Thursday, August 10, 2017 and 3:00 p.m., Wednesday, August 16, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, [FLRules.org](http://FLRules.org), which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
64B8-9.009	8/15/2017	9/4/2017
64B8-11.001	8/15/2017	9/4/2017
64J-2.006	8/14/2017	9/3/2017
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
40C-2.101	8/2/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Atlantic Coast Exotics LLC, d/b/a Ace of Carts for the establishment of TOMP low speed vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Columbia Parcar-Custom Carts, Inc., intends to allow the establishment of Atlantic Coast Exotics, LLC, d/b/a ACE of Carts as a dealership for the sale of low-speed vehicles manufactured by Columbia ParCar-Custom Carts, Inc. (line-make TOMB) at 3502 Southeast Gran Parkway, Stuart, (Martin County), Florida 34997, on or after September 18, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Atlantic Coast Exotics, LLC, d/b/a ACE of Carts are dealer operator(s): Rocco Rotundo, 3502 Southeast Gran Parkway, Stuart, Florida 34997, principal investor(s): Rocco Rotundo, 3502 Southeast Gran Parkway, Stuart, Florida 34997. The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Program Manager, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ken Rich, Columbia ParCar-Custom Carts, Inc., 2505 Industrial Street, Leesburg, Florida 34748.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Siting Coordination Office

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF FILING OF APPLICATION FOR POWER PLANT CERTIFICATION

On July 27, 2017, the Department of Environmental Protection received an application for certification of a power plant

pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes (F.S.), concerning Florida Power and Light Company (FPL) Dania Beach Energy Center Power Plant Siting Application No. PA 89-26A2, OGC Case No.17-0922, Division of Administrative Hearings Case No. 17-004388EPP. The proposed project is for the construction and operation of a 1200 MW natural gas combined cycle unit and associated facilities. A copy of the application for certification is available for review in the Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, (850)717-9113 or on line at <http://www.dep.state.fl.us/siting/apps.htm> Pursuant to Section 403.507, F.S., and Rule 62-17, Florida Administrative Code, statutory parties to the site certification proceeding will review the application and submit their reports and recommendations. Tentatively a proposed certification hearing is scheduled to begin on May 15, 2018. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Economic Opportunity, the Fish and Wildlife Conservation Commission, the South Florida Water Management District, the Department of Environmental Protection, Broward County, the City of Hollywood, the City of Dania Beach, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S. upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S. as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the date of the certification hearing. Motions to intervene must be

filed (received) with Judge Bram D. E. Canter and assigned to the case by the Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550 prior to 30 days before the date of the certification hearing. Pursuant to Section 403.508(6), F.S. the certification hearing may be cancelled, if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing.

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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

Emergency Action

On August 16, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Alicia Nicole Landolfi, C.L.P., License # TC 46388. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On August 16, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Maribel Galvan, R.N., License # RN 9250914. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**Section XIII**

**Index to Rules Filed During Preceding  
Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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