

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

RULE NO.: RULE TITLE:

60Y-5.0011 Answer

PURPOSE AND EFFECT: The proposed rule amendment seeks to eliminate the section allowing respondents to amend an answer at any time prior to the issuance of a determination because of the delays it causes for the Florida Commission to conduct its investigations within 180 days, as required by statute.

SUBJECT AREA TO BE ADDRESSED: The proposed rule relates to the deadline for filing an answer to a complaint of discrimination.

RULEMAKING AUTHORITY: 760.06(12), FS.

LAW IMPLEMENTED: 760.11(1), 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: Cheyanne Costilla, General Counsel, Florida Commission on Human Relations, 4075 Esplanade Way, Suite 110, Tallahassee, FL 32399-7020, (850)488-7082, cheyanne.costilla@fchr.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60Y-5.0011 Answer.

(1) Respondent may file an answer to the complaint within 25 days of the date the complaint was filed with the commission. The answer shall be verified. The person filing the answer shall mail a copy to the complaining party.

~~(2) The answer may be reasonably and fairly amended at any time prior to the issuance of a determination pursuant to Rule 60Y-5.004, F.A.C.~~

Rulemaking Authority 760.06(12) FS. Law Implemented 760.11(1) FS. History—New 2-5-04, Amended 1-31-18, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-15.032 Certification of Swimming Pool Specialty Contractors

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language.

SUBJECT AREA TO BE ADDRESSED: To update the language.

RULEMAKING AUTHORITY: 455.217, 489.113(6), 489.108, 489.115(4) FS.

LAW IMPLEMENTED: 455.217, 489.113(6), 489.108, 489.115(4) 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: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-31.003 Renewal of Active and Inactive License Fee for CPA

PURPOSE AND EFFECT: The Board proposes the rule amendment to create a \$10.00 reduction in the Active and Inactive Renewal License Fee for CPAs for 2018 and 2019 renewal periods.

SUBJECT AREA TO BE ADDRESSED: Renewal of Active and Inactive License Fee for CPA.

RULEMAKING AUTHORITY: 455.219(1), 455.2281, 455.271, 473.305, 473.311, 473.313 FS.

LAW IMPLEMENTED: 455.219(1), 455.271, 473.305, 473.311, 473.313 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-36.004 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and penalties.

SUBJECT AREA TO BE ADDRESSED: Violations and penalties will be updated.

RULEMAKING AUTHORITY: 473.3125, 473.304 FS.

LAW IMPLEMENTED: 473.3125(2) 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-35.001 RULE TITLE: Airboat Operator Course

PURPOSE AND EFFECT: This rulemaking will establish the minimum acceptable standards and criteria for approval by the Commission of an airboat operator’s course mandated by subparagraph 327.391(5)(a)3., F.S.

SUBJECT AREA TO BE ADDRESSED: Criteria and standards for the airboat operator’s course required by subparagraph 327.391(5)(a)3., F.S.

RULEMAKING AUTHORITY: 327.04, 327.391(5)(a)2., 327.391(5)(d), FS.

LAW IMPLEMENTED: 327.391(5)(a)2., 327.391(5)(d), 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: Major Robert Rowe, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian St., Tallahassee, Florida 32399-1600.

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

**Section II
Proposed Rules**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-20.0015 RULE TITLE: Application for Licensure by Endorsement
PURPOSE AND EFFECT: The purpose of the amendment is to delete unnecessary language.

SUMMARY: Delete unnecessary language.

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, based upon the expertise and experience of its members, 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: 471.008, 471.013, 471.015 FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-20.0015 Application for Licensure by Endorsement.

(1) through (2) No change.

~~(3) An applicant for licensure by endorsement who has taken and failed either the fundamentals or the principles and practice examinations three (3) times or more before passing, must document compliance with Rule 61G15-21.007, F.A.C., as a condition of eligibility for licensure by endorsement.~~

(4) through (6) renumbered (3) through (5) No change.

Rulemaking Authority 471.008, 471.013, 471.015 FS. Law Implemented 471.013, 471.015 FS. History—New 9-27-01, Amended 4-9-07, 10-15-09, 11-16-10, 9-14-14, 7-7-15, 11-2-15, 3-19-17, .

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-31.0075 Temporary License Fee - Electronic Practice

PURPOSE AND EFFECT: The Board proposes the rule repeal due to outdated or unnecessary language.

SUMMARY: Because the rule is outdated and has unnecessary language, it will be repealed.

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, based upon the expertise and experience of its members, 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: 473.3125, 473.304 FS.

LAW IMPLEMENTED: 473.3125(2) 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-31.0075 Temporary License Fee – Electronic Practice.

Rulemaking Authority 473.304, 473.305, 473.314 FS. Law Implemented 473.305, 473.314, 473.3141 FS. History—New 1-7-13, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2018

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NO.: RULE TITLE:

15A-5.001 Purpose
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 236, December 8, 2017 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NOS.: RULE TITLES:

15A-5.0010 Definitions
15A-5.002 Report of Deficit or Disorder to the Department
15A-5.0021 Medical Review
15A-5.0022 Administrative Hearing Procedures
15A-5.004 Seizures
15A-5.005 Loss of Consciousness
15A-5.006 Cardiovascular Deficits
15A-5.008 Deficits of Memory or Judgment
15A-5.009 Musculoskeletal and Neuromuscular Disorders
15A-5.010 Severe Mental Disorders
15A-5.011 Vision Standards
15A-5.012 Drug Addiction and Alcoholism

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 236, December 8, 2017 issue of the Florida Administrative Register.

15A-5.0010 Definitions.

(1) through (9) No change.

(10) Drugs – Any drug classified as a controlled substance under Title 21 U.S.C. s. 802(6) (2017), ~~as of 10/01/2017~~, [hyperlink], herein incorporated by reference effective 06/18, ~~Schedules I-V of Title 21 C.F.R. ss. 1308.11 – 1308.15 (04/01/2017 edition), part 1308, as of 10/01/2017~~, [hyperlink], herein incorporated by reference effective 06/18, or Chapter 893, F.S.

(11) No change.

(12) Extended Driving Test – Three driving tests given consecutively with the same examiner/agent. ~~Failing any part of the extended driving test constitutes a failure of the extended driving test.~~

(13) through (14) No change.

~~(15) Hearing Officer – A Department employee designated to conduct any proceeding pursuant to Chapters 120 and 322, F.S.~~

(15) ~~(16)~~ Medical Advisory Board (Board) – Has the same meaning as set forth in Section 322.125, F.S.

(16) ~~(17)~~ Motor Vehicle – Has the same meaning as set forth in Section 322.01, F.S.

(17) Panel – A group of Department employees and members of the Board designated to conduct any proceeding authorized by this rule.

(18) Recommended Order – The official recommendation of a panel ~~Hearing Officer~~ for the final disposition of a proceeding under Chapters 120 and 322, F.S.

Rulemaking Authority 322.02~~(6)~~, 322.125~~(7)~~ FS. Law Implemented 120.52, 120.80, 322.01, 322.08, 322.125, 322.126, ~~120.52, 120.80(8)~~ FS. History–New _____.

15A-5.002 Report of Deficit or Disorder to the Department.

A report necessitating the review of an applicant or licensed driver’s physical or mental ability to safely operate a motor vehicle may come to the attention of the Department as the result of the:

(1) No change.

(2) Receipt by the Department of a Medical/Re-Exam Referral Form, HSMV 72419, Rev. 09/17, [hyperlink], herein incorporated by reference, indicating that the applicant or licensed driver has previously suffered from epilepsy or dizzy spells, been addicted to drugs or alcohol, or suffered from any other physical or mental deficit or disorder. Questions as to the applicant or licensed driver’s mental or physical ability to safely operate a motor vehicle will be based upon questions posed and/or observations made by the examiner in accordance with the September 2009 National Highway Traffic Safety Administration’s Driver Fitness Medical Guidelines, ~~as of 10/01/2017~~, [hyperlink], herein incorporated by reference effective 06/18. Copies of the form and the guidelines are available on the Department’s website.

(3) through (4) No change.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History–New 6-5-81, Formerly 15A-5.02, Amended 6-27-82, 7-29-84, 1-28-85, _____, ~~Formerly 15A-5.02~~.

15A-5.0021 Medical Review.

(1) through (2) No change.

(3) The Board’s recommendation may include the following:

(a) through (b) No change.

(c) An approval contingent on the applicant or licensed driver passing an examination or reexamination as provided in Section 322.221, F.S., which may include an extended driving

test as ~~defined outlined~~ in Rule 15A-5.0010, F.A.C. Failing any part of the extended driving test constitutes a failure of the extended driving test.

(d) No change.

(e) An approval contingent on the applicant or licensed driver passing an examination or reexamination as provided in Section 322.221, F.S., which may include an extended driving test as ~~defined outlined~~ in Rule 15A-5.0010, F.A.C., and a requirement that they submit a follow-up medical report. Failing any part of the extended driving test constitutes a failure of the extended driving test. If the Department orders a follow-up review of an applicant or licensed driver's medical condition, that follow-up will be conducted at a time established by the Board, based upon its review of the medical reports.

(f) through (g) No change.

(4) No change.

(5) In cases involving commercial drivers, the Board will make its recommendation in accordance with Title 49 C.F.R. s. 391.41 (10/01/2017 edition), ~~of the Federal Motor Carrier Safety Regulations, as of 10/01/2017,~~ [hyperlink], herein incorporated by reference effective 06/18. In such cases the applicant or licensed driver may be required to complete the Commercial Driver License Form, HSMV 71048, Rev. 09/17, [hyperlink], herein incorporated by reference. Copies of the regulation and form are available on the Department's website.

(6) Based on the Board's recommendation, the Department may deny, revoke, suspend, cancel, approve, or contingently approve the applicant or licensed driver's driving privilege or driver license. The Department's decision on licensure must be rendered within 90 days following the receipt of all requested information from the applicant or licensed driver.

(7) If the Department denies a driving privilege, or revokes, suspends, or cancels or revokes a driver license, the affected individual may, at any time, provide additional or updated medical information or a Certified Driver Evaluation conducted by a Certified Driver Rehabilitation Specialist for reconsideration by the Board.

15A-5.0022 Administrative Hearing Procedures.

(1) Following the Department's decision to deny a driving privilege, or to revoke, suspend, or cancel a driver license, an applicant or licensed driver may file a written request for a hearing pursuant to Section 322.222, F.S., and Rule 15A-1.0195, F.A.C., or appeal the decision to the circuit court pursuant to Section 322.31, F.S. All requests for a hearing must be filed with the Bureau of Motorist Compliance, Medical Review Section, 2900 Apalachee Parkway, Neil Kirkman Building, MS 86, Tallahassee, Florida 32399-0500. The request may be submitted by regular United States mail or by personal delivery. The request must contain the following: the name, address, e-mail address if available, daytime telephone number,

and signature of the person filing the request; the name, date of birth, and driver license number of the party on whose behalf the request is filed; and a copy of the Order of License Revocation, Suspension, or Cancellation at issue. All parties or their attorneys must promptly notify the Medical Review Section or the panel in writing of any changes to their contact information. When an administrative hearing has been requested and held and medical information that was not made available to the Board when the original recommendation was made is admitted into evidence, the Hearing Officer will cause a copy of the official recording and exhibits to be transmitted to the Chairman prior to entry of a Recommended Order. The Chairman will review the evidence or forward it to the member or members who made the original recommendation for purposes of reconsideration of the original recommendation in light of those new matters brought out at the hearing. Such reconsideration will be a part of the record of the administrative hearing and must be considered in determining whether to approve or deny the applicant or licensed driver's driving privileges.

(2)(a) A request for a hearing must be filed within 30 days after receipt of written notice of the Department's decision. Any person who receives written notice of the Department's decision and fails to timely file a request for a hearing waives the right to request a hearing on such matters.

(b) For good cause shown, the Department may grant an extension of time for filing a request for a hearing. A request for an extension of time must be filed with the Medical Review Section prior to the deadline for filing a request for hearing. For purposes of this section, good cause means extraordinary circumstances beyond the control of the applicant or licensed driver or his or her attorney that prevented the party from filing a timely request for a hearing.

(c) A timely request for extension of time will toll the running of the time period for filing a request for a hearing until such time as the request for extension of time is acted upon. The Hearing Officer will prepare a Recommended Order and transmit it to all parties and to the Executive Director or designee who will enter a Final Order. Unless waived by all parties, the Recommended Order must be transmitted within 30 days of the hearing.

(3) In construing this rule, filing means received by the Medical Review Section or the panel during normal business hours or by the panel during a hearing. Any document received by the Medical Review Section or the panel before 5:00 p.m. will be filed as of that day. Any document received after 5:00 p.m. will be filed as of 8:00 a.m. on the next regular business day. If the Executive Director or designee so recommends based on the facts of a particular case, a Final Order denying a driver license will state a date after which the applicant or licensed driver may apply to the Department for reconsideration

~~of the denial or revocation. Such applications for reconsideration must be submitted to the Chairman as provided by Chapter 15A-0021, F.A.C. The Final Order is reviewable by following the procedure specified in Section 322.31, F.S.~~

(4) When computing any period of time allowed by this rule, the day of the act from which the period of time begins to run will not be included. The last day of the period will be included unless it is a Saturday, Sunday, or legal holiday, in which case the period will run until the end of the next day that is not a Saturday, Sunday, or legal holiday. As used in these rules, legal holiday means those days designated in Section 110.117, F.S.

(5)(a) Any party who appears at a hearing has the right, at his or her own expense, to be represented by an attorney. Attorney means a member of The Florida Bar.

(b) Any attorney who files a request for a hearing or who files any document with the Medical Review Section or the panel will be deemed to have entered an appearance and will be counsel of record in the proceeding. Any attorney representing the State of Florida will file a notice of appearance. Attorneys should file a notice of appearance as soon as possible.

(c) Service on counsel of record constitutes service on the party represented.

(d) On written motion, the panel will grant counsel of record leave to withdraw, unless the withdrawal interferes with the efficient and proper functioning of the proceedings. A copy of a motion to withdraw must be served by the attorney on all parties. Service may be made by regular United States mail or by personal delivery.

(6) Hearings will be held before a panel consisting of three or more persons and must include at least one Board member, one attorney from the Department's Office of General Counsel, and one employee of the Department's Division of Motorist Services. The panel will be selected and approved by the Director of Motorist Services, or his or her designee, who will also designate one member of the panel as the panel chair. The panel chair will be responsible for all administrative matters related to the hearing. Any person who participated in making the recommendation to or decision of the Department pursuant to Rule 15A-5.0021, F.A.C., may not be a member of the panel.

(7) Unless otherwise allowed by law or by agreement of the parties, a hearing under this rule must be held within 45 days of receipt of a timely request for hearing by the Medical Review Section.

(8) Unless otherwise agreed by the parties, all hearings will be held in Tallahassee at the Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Neil Kirkman Building, Tallahassee, Florida 32399-0500. Parties may appear at a hearing by means of video teleconference or by telephone.

(9) The panel chair will set the time and place for all hearings and will serve written notice of any hearing on all

parties at their address of record. The parties must be served notice at least 14 days prior to the hearing unless otherwise agreed by the parties or unless otherwise provided by law. Service may be made by regular United States mail or by personal delivery.

(10)(a) Upon the written request of any party, the panel chair will issue a subpoena for the attendance of a witness at the hearing. Such requests may be submitted ex parte to the panel for issuance.

(b) A request for a subpoena must include the name and signature of the party making the request, the case number of the matter for which the subpoena is requested, the name and address of the witness whose attendance is requested, the time and place at which the witness is to appear, and a statement regarding how the witness' testimony would provide relevant evidence relating to the issues in the proceeding. The request must also specify whether the witness is required to bring relevant documents to the hearing, which must be specifically described.

(c) Discovery subpoenas will not be issued by the panel.

(d) A subpoena may be served by any person specified by law to serve process or by any person who is not a party and who is 18 years of age or older. Service must be made by delivering a copy to the person named in the subpoena. The party requesting a subpoena to be issued is responsible for the service of such subpoena and the payment of any associated costs and fees. Compensation of witnesses will be in the manner provided in Sections 48.031, 92.141, 92.142, and 120.569, F.S.

(e) Service of a subpoena on a law enforcement officer or on any federal, state, or municipal employee called to testify in an official capacity may be made as provided in Section 48.031, F.S., or by delivery to a designated supervisory or administrative employee at the witness' place of employment if the Executive Director or highest ranking official at the witness' place of employment has designated such employee to accept such service. However, no such designated employee is required to accept such service:

1. For a witness who is no longer employed by the agency at that place of employment;

2. If the witness is not scheduled to work prior to the date the witness is required to appear; or

3. If the appearance date is less than seven days from the date of service.

The Executive Director or highest ranking official at the witness' place of employment may determine the days of the week and the hours that service may be made at the witness' place of employment.

(f) Proof of service of a subpoena must include the date and time of service, the name of the person served, a certification of service by the person who served the subpoena, and proof of payment of witness compensation.

(g) The panel chair is authorized to amend or strike a request for a subpoena that does not comply with the provisions of this rule. The panel is authorized to quash or limit a subpoena prior to or at a hearing.

(h) Any person subject to a subpoena may, before compliance and on timely motion, request the panel to invalidate the subpoena on the ground that it was not lawfully issued.

(i) A party may seek enforcement of a subpoena issued under the authority of this rule by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides. A failure to comply with an order of the court enforcing a subpoena may result in a finding of contempt of court. However, no person will be in contempt while a subpoena is being challenged. The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

(11) The panel will not hear any matter nor issue any order related to discovery.

(12) At the hearing, each party will have the right to present evidence relevant to the issues, to cross-examine opposing witnesses, to impeach any witness, and to rebut adverse evidence. Relevant evidence is defined as evidence which tends to prove or disprove a material fact. Panel members may question any witness.

(13) All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs will be admissible whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form.

(14) The rules of privilege apply to the same extent as in civil actions under Florida law.

(15) Oral evidence must be taken only on oath or affirmation administered by a notary public. Testimony may be taken by means of video teleconference or by telephone. If testimony is taken by telephone, a notary public must be physically present with the witness to administer the oath or affirmation. The notary public must provide a written certification to be filed with the panel confirming the identity of the witness, and confirming the oath or affirmation by the witness. It is the responsibility of the party calling the witness to secure the services of a notary public.

(16) The Department has the responsibility for recording the testimony presented at a hearing utilizing a voice recording device. Any party to a hearing may, at its own expense, provide a certified court reporter for the recording of testimony. At hearings reported by a court reporter, any party who wants a transcript of the testimony must order the transcript at its own

expense. If a court reporter records the proceedings, the recordation will become the official transcript.

(17) The panel will determine whether the Department's decision to deny a driving privilege, or to revoke, suspend, or cancel a driver license is supported by a preponderance of the evidence. The panel is the sole decisionmaker as to the weight, relevance, and credibility of any evidence presented. The panel will prepare a Recommended Order and transmit it to all parties and to the Executive Director or designee who will enter a Final Order based on the evidence and findings. The Recommended Order must include a caption, the time and place of hearing, all appearances entered at the hearing, a statement of the issues, separately stated findings of fact and conclusions of law, and a recommendation for final agency action. Unless waived by all parties, the Recommended Order must be transmitted to the parties within 20 days after the hearing or receipt of the hearing transcript, whichever is later.

(18) Within 15 days after the entry of the Recommended Order, the parties may file with the Medical Review Section exceptions to findings of fact and conclusions of law contained in a Recommended Order. Exceptions must identify the disputed portion of the Recommended Order by page number or paragraph, must identify the legal basis for the exception, and must include any appropriate and specific citations to the record. Any party may file responses to another party's exceptions within 10 days after the date the exceptions are filed with the Medical Review Section.

(19)(a) If the applicant or licensed driver fails to appear at a duly noticed hearing, the right to a review of the Department's decision on licensure will be waived. The panel will provide notice to the party of his or her failure to appear and its intention to issue a Recommended Order sustaining the findings of the Department in its decision on licensure.

(b) Within five days of the scheduled hearing, the applicant or licensed driver may submit to the panel a written statement alleging good cause for his or her failure to appear at the hearing.

(c) For the purpose of this section, good cause means extraordinary circumstances beyond the control of the applicant or licensed driver or his or her attorney that prevented the party from attending the hearing. If good cause is shown, the hearing will be continued and notice setting a new hearing date will be sent to all parties by the panel chair.

(d) No hearing will be continued for a second failure to appear.

(e) If the applicant or licensed driver does not provide a written statement alleging good cause or if good cause is not found by the panel, the panel will issue its Recommended Order to the Department.

(f) This section does not apply to the nonappearance of an applicant or licensed driver who is represented at hearing by an attorney.

(20) The Executive Director or designee will enter a Final Order within 45 days after receipt of the Recommended Order. A Final Order may be appealed pursuant to Section 322.31, F.S. The date of rendition of a Final Order is the date an order is mailed pursuant to Section 322.251, F.S. A request for appeal of a Final Order will not stay a denial or revocation of a driver license.

Rulemaking Authority ~~322.02(6), 322.125(7), 322.222 322.126(1)~~ FS. Law Implemented ~~120.569, 120.57, 120.80, 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c), 322.222 120.57, 120.80~~ FS. History–New _____.

15A-5.004 Seizures.

(1) Applicants or licensed drivers must be seizure free for a period of two years before having their license issued or reinstated, but may apply at the end of six months to be reconsidered by the Board for issuance or reinstatement if they are under regular medical supervision and seizure free. Applicants or licensed drivers with “petit mal,” absence seizures, and partial seizures with complex symptomology will also be subject to these guidelines. An applicant or licensed driver with an isolated seizure with a normal electroencephalogram may be reconsidered by the Board at the end of three months. Applicants or licensed drivers must present a Medical Report ~~Form~~, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician. A copy of the form is available on the Department’s website.

(2) – (6) No change.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History–New 7-5-81, Formerly 15A-5.04, Amended 6-27-82, _____, ~~Formerly 15A-5.04~~.

15A-5.005 Loss of Consciousness.

(1) Recommendations by the Board as to whether an applicant or licensed driver who suffers from loss of consciousness can safely operate a motor vehicle will depend upon consideration of the Medical Report ~~Form~~, HSMV 72423, Rev. 09/17, [hyperlink], and Loss of Consciousness Follow-Up Form, HSMV 72117, Rev. 09/17, [hyperlink], herein hereby incorporated by reference, from their treating physician indicating the cause of the loss of consciousness. Copies of the forms are available on the Department’s website.

(2) Applicants or licensed drivers who may have experienced a loss of consciousness as a result of hypoglycemia must provide a Medical Report ~~Form~~, HSMV 72423, Rev. 09/17, [hyperlink], and/or Diabetes/Hypoglycemia Follow-Up Form, HSMV 72112, Rev. 09/17, [hyperlink], herein

incorporated by reference, from their treating physician for consideration by the Board. If the hypoglycemic episode resulted in a motor vehicle crash, the applicant or licensed driver must present a Diabetes Form, HSMV 72118, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician. Copies of the forms are available on the Department’s website.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History–New 6-27-82, Formerly 15A-5.05, Amended _____, ~~Formerly 15A-5.05~~.

15A-5.006 Cardiovascular Deficits.

Applicants or licensed drivers who experience cardiovascular deficits must present a Medical Report ~~Form~~, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician indicating their physical ability to safely operate a motor vehicle. A copy of the form is available on the Department’s website.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History–New 7-5-81, Formerly 15A-5.06, Amended 6-27-82, _____, ~~Formerly 15A-5.06~~.

15A-5.008 Deficits of Memory or Judgment.

Applicants or licensed drivers who suffer from deficits of memory or judgment must present a Medical Report ~~Form~~, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician indicating their physical and mental ability to safely operate a motor vehicle. A copy of the form is available on the Department’s website.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History–New 7-5-81, Formerly 15A-5.08, Amended 6-27-82, _____, ~~Formerly 15A-5.08~~.

15A-5.009 Musculoskeletal and Neuromuscular Disorders.

(1) Applicants or licensed drivers with static musculoskeletal or static neuromuscular disorders who demonstrate that they can safely operate a motor vehicle with or without the use of aids and devices based on an examination or reexamination as outlined in Rule 15A-5.0021, F.A.C., may be required to submit a Medical Report ~~Form~~, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, for review by the Board. Applicants or licensed drivers may be exempted from further reviews since these conditions are static and not likely to progress. A copy of the form is available on the Department’s website.

(2) Applicants or licensed drivers with progressive musculoskeletal and progressive neuromuscular disorders will be required to submit a Medical Report ~~Form~~, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician indicating they have the mental and

physical ability to safely operate a motor vehicle. These applicants or licensed drivers must provide periodic follow-up medical information as recommended by the Board due to the progressive nature of these disorders. They may also be required by the Board to take an examination or reexamination as outlined in Rule 15A-5.0021, F.A.C. A copy of the form is available on the Department’s website.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History—New 7-5-81, Formerly 15A-5.09, Amended 6-27-82, _____, ~~Formerly 15A-5.09~~.

15A-5.010 Severe Mental Disorders.

(1) through (2) No change.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History—New 7-5-81, Formerly 15A-5.10, Amended 6-27-82, _____, ~~Formerly 15A-5.10~~.

15A-5.011 Vision Standards.

(1) through (3) No change.

(4) Applicants or licensed drivers who cannot meet these standards will not be issued a driver license or will have their driver license revoked. When requested by the Department, applicants or licensed drivers must present a Report of Eye Examination ~~Exam Form~~, HSMV ~~72010S 72010~~, Rev. ~~05/14~~, incorporated by reference in Rule 15A-1.013, F.A.C., ~~09/17~~, ~~[hyperlink]~~, Report of Eye Examination ~~Exam Form (Spanish)~~, HSMV ~~72838~~, Rev. ~~09/17~~, ~~[hyperlink]~~, or a Prism Form, HSMV 72111, Rev. 09/17, ~~[hyperlink]~~, herein incorporated by reference, by an eye specialist indicating visual standards required for licensing. Copies of the forms are available on the Department’s website.

(5) No change.

15A-5.012 Drug Addiction and Alcoholism.

(1) ~~An Any~~ applicant or licensed driver ~~with a drug, alcohol, or substance abuse disorder who abuses or is addicted to drugs, alcohol, or any substance that renders him or her them~~ incapable of operating a motor vehicle safely will not be issued a driver license or will have ~~his or her their~~ driver license revoked.

(2) ~~An applicant or licensed driver Applicants or licensed drivers~~ with a ~~drug, alcohol, or substance abuse disorder history of substance abuse~~ may be approved for licensure after ~~he or she has they have~~ received counseling and/or treatment from a substance abuse specialist or treatment center and ~~has have~~ met all requirements identified in Chapters 316 and 322, F.S. In addition, the applicant or licensed driver must provide to the Department an Alcohol and Drug Usage Form, HSMV 72480, Rev. 09/17, ~~[hyperlink]~~, herein incorporated by reference, from a physician or treatment source indicating that they are

compliant with treatment and are capable of operating a motor vehicle safely. A copy of the form is available on the Department’s website.

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-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 06, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from El Manahry LLC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Florida Department of State, Florida Historical Marker Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 17, 2018, 1:00 p.m. to conclusion

PLACE: R.A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review submitted historical marker applications.

Registration URL: <https://attendee.gotowebinar.com/register/235034943068876963>

Webinar ID: 610-415-611

A copy of the agenda may be obtained by contacting: Michael Hart, Michael.Hart@dos.myflorida.com or (850)245-6371.

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: Michael Hart. 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: Michael Hart, Michael.Hart@dos.myflorida.com or (850)245-6371.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 10, 2018, 9:00 a.m. to conclusion.

PLACE: This is a conference call. Please contact the Division for participation information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review grant applications for the 2018-2019 Fast Track Grant Program.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org/calendar.

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: Rachelle Ashmore at (850)245-6490 or rachelle.ashmore@dos.myflorida.com. 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: Sarah Stage at (850)245-6459 or sarah.stage@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Agriculture in the Classroom Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2018, 10:00 a.m.

PLACE: Dairy Council of Florida, 1003 Orienta Avenue, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FAITC Board of Directors will meet for a regularly scheduled board meeting.

A copy of the agenda may be obtained by contacting: sponholtz@agtag.org.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Office of Early Learning announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2018, 10:00 a.m. – 4:00 p.m. or until business concludes whichever is earlier

PLACE: Online via GoToWebinar; register at <https://attendee.gotowebinar.com/register/8895425491514696194> or in person at the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: CCDF Sub-Committee Meeting: Development of the 2019-2021 Florida Child Care Development Fund (CCDF) Plan.

A copy of the agenda may be obtained by contacting: Christian.Summers@oel.myflorida.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 5 days before the workshop/meeting by contacting: Christian.Summers@oel.myflorida.com. 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: Christian.Summers@oel.myflorida.com.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT), Florida's Turnpike Enterprise announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, April 12, 2018, 5:30 p.m. – 7:30 p.m.

PLACE: Coral Springs City Hall, Sawgrass Room, 9500 West Sample Road, Coral Springs, Florida 33065

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Public Workshop is being held to inform the area stakeholders on the sequencing of construction to repair and stabilize the embankment slopes for the Sawgrass Expressway Canal Revetment Phase D Project (Financial Project ID Number:

428154-1) on the south side of the Sawgrass Expressway between Coral Springs Drive and 1500 feet west of Riverside Drive, in Broward County, Florida. The workshop will be conducted as an informal open house from 5:30 p.m. to 7:30 p.m. at which time the public may view maps, drawings, design plans and other pertinent information developed by FDOT and speak with Turnpike staff.

A copy of the agenda may be obtained by contacting: Anthony Washington, P.E., Project Manager, Florida's Turnpike Enterprise (Atkins), PO Box 613069, Ocoee, Florida 34761, (407)264-3199 (Telephone) or by email at Anthony.Washington@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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 3 days before the workshop/meeting by contacting: Anthony Washington, P.E., Project Manager, Florida's Turnpike Enterprise (Atkins), at (407)264-3199 (Telephone), or by email at Anthony.Washington@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: Anthony Washington, P.E., Project Manager, Florida's Turnpike Enterprise (Atkins), PO Box 613069, Ocoee, Florida 34761, (407)264-3199 (Telephone) or by email at Anthony.Washington@dot.state.fl.us.

COMMISSION ON ETHICS

The Commission on Ethics announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 20, 2018, 8:30 a.m.

PLACE: First District Court of Appeal, 3rd Floor Courtroom, 2000 Drayton Dr., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting

A copy of the agenda may be obtained by contacting: www.ethics.state.fl.us or (850)488-7864.

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: (850)488-7864. 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.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 24, 2018, 10:00 a.m.

PLACE: Lake Eva Banquet Hall, 799 Johns Ave., Haines City, FL 33844

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.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).

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: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0614).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 27, 2018, 11:30 a.m.

PLACE: 8998 SW County Road 769 (Kings Highway), Arcadia, FL 34269

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River Manasota Regional Water Supply Authority Annual Regional Meeting. Topic is continuing need for

investment in water infrastructure. One or more Governing Board members may attend.

<http://www.regionalwater.org/mydocs/MiscDocuments/INVITEBBQ2018.pdf>

For more information, you may contact: Cara.martin@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4636 (Ad Order EXE0615).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: May 1, 2018, 3:00 p.m.

PLACE: The Apalachicola National Estuarine Research Reserve's Nature Center, 108 Island Drive, Eastpoint, FL 32328

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for the members of the Reserve Advisory Committee to review reserve strategies and discuss planned management actions.

A copy of the agenda may be obtained by contacting: Reserve Manager, Jennifer Harper at Jennifer.Harper@dep.state.fl.us or (850)670-7716.

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: Reserve Manager, Jennifer Harper at Jennifer.Harper@dep.state.fl.us or (850)670-7716. 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 HEALTH

Division of Environmental Health

The DEPARTMENT OF HEALTH announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2018, 9:30 a.m. – 2:30 p.m., ET or until completed, whichever is first

PLACE: DOH-Orange County Health Dept. Auditorium, 6101 Lake Ellenor Drive, Orlando, FL 32809

Recorded teleconference call-in phone number is: 1(888)670-3525, participant code: 770-804-4610, then#

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOH Public Swimming Pool Advisory Board will review, discuss and make recommendations to the department regarding applications submitted by owners/agents for variance from the state's public swimming pool codes.

A copy of the agenda may be obtained at <http://www.floridahealth.gov/environmental-health/swimming-pools/index.html>, by contacting: Mr. August Ursin, (850)901-6517, august.ursin@flhealth.gov or by writing

to DOH, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399-1710.

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 3 days before the workshop/meeting by contacting: August Ursin as listed 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).

For more information, you may contact: August Ursin as listed above.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 20, 2018, 10:00 a.m. – 11:30 a.m.

MEETING: Personnel Committee

DATE AND TIME: Friday, April 20, 2018, 1:00 p.m. – 2:30 p.m.

MEETING: Personnel Committee

DATE AND TIME: Friday, April 20, 2018, 3:00 p.m. – 4:30 p.m.

MEETING: Personnel Committee

DATE AND TIME: Monday, April 23, 2018, 10:00 a.m. – 11:30 a.m.

MEETING: Personnel Committee

PLACE: CALL IN NUMBER: 1(888)670-3525 CODE: 5073148497, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of the Committee.

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308, (850)488-5624 or Toll Free: 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

SOUTH FLORIDA COMMUNITY CARE NETWORK

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces a public meeting to which all persons are invited.

DATES AND TIMES: April 30, 2018, 2:30 p.m.; July 26, 2018, 3:00 p.m.; October 25, 2018, 3:00 p.m.

PLACE: South Florida Community Care Network, LLC d/b/a Community Care Plan, 1643 Harrison Parkway, Bldg. H, Suite 200, Sunrise, Florida 33323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meetings of the Audit and Compliance Committee to discuss general matters.

A copy of the agenda may be obtained by contacting: Crystal Quirin at cquirin@ccpcare.org or (954)622-3224.

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: D. Ty Jackson, Esq., counsel for South Florida Community Care Network, LLC d/b/a Community Care Plan, at ty.jackson@gray-robinson.com or (850)577-9090.

SOUTH FLORIDA COMMUNITY CARE NETWORK

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces a public meeting to which all persons are invited.

DATES AND TIMES: April 30, 2018, 2:30 p.m.; May 24, 2018, 3:30 p.m.; June 28, 2018, 3:30 p.m.; July 26, 2018, 3:30 p.m.; August 23, 2018, 3:30 p.m.; September 27, 2018, 3:30 p.m.; October 25, 2018, 3:30; December 13, 2018, 3:30 p.m.

PLACE: South Florida Community Care Network, LLC d/b/a Community Care Plan, 1643 Harrison Parkway, Bldg. H, Suite 200, Sunrise, Florida 33323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Members to discuss general matters.

A copy of the agenda may be obtained by contacting: Crystal Quirin at cquirin@ccpcare.org or (954)622-3224.

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 3 days before the workshop/meeting by contacting: Susan Mansolillo at SMansolillo@ccpcare.org or (954)622-3232. 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: D. Ty Jackson, Esq., counsel for South Florida Community Care Network, LLC d/b/a Community Care Plan, at ty.jackson@gray-robinson.com or (850)577-9090.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.204 Searches of Inmates

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by inmate Edward Wilson, DC# 079099 on February 19, 2018. The following is a summary of the agency's disposition of the petition:

As an inmate of the Florida Department of Corrections, Edward Wilson, DC# 079099, may only participate in administrative proceedings that are brought pursuant to Sections 120.54(3)(c) and (7), Florida Statutes. Pursuant to Section 120.81(3), Florida Statutes, the Petitioner lacks standing to bring a Petition for Declaratory Statement, and the Department lacks jurisdiction to issue a declaratory statement in this case.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Betty Money, 501 South Calhoun Street, Tallahassee, Florida 32399, Betty.Money@fdc.myflorida.com, (850)717-3605.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from 7-Eleven, Inc. and Genesis Logistics, Inc. of Delaware; DS 2018-024. The petition seeks the agency's opinion as to the applicability of Sections 210 and 569, Florida Statutes, as it applies to the petitioner.

Petitioner seeks a Declaratory Statement from the Division as to whether Florida law requires a "consolidated distribution center", leased by 7-Eleven and managed by Genesis, to obtain a license or permit to receive tax-paid other tobacco products from McLane Suneast, Inc., on behalf of multiple 7-Eleven retailers licensed by the Division, for the purpose of consolidation and delivery of other tobacco products to individual 7-Eleven retail locations.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202; (850)717-1183; AGC.Filing@MyFloridaLicense.com.

Please refer all comments to: Daniel McGinn, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 2601 Blair

Stone Road, Tallahassee, FL 32399-2202; DS 2018-024; DBPR Ref #2018-018259.

Except for good cause shown, motion for leave to intervene must be filed within twenty-one (21) days of this notice.

DEPARTMENT OF FINANCIAL SERVICES
Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Inmar Inc. on March 21, 2018. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

The original petition submitted March 21, 2018, sought a declaratory statement from the Office on whether Petitioner's planned expansion of business would require licensure under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. *On April 5, 2018, the Petition was withdrawn.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.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
DEP ITB 2018025, Bottled Water Delivery Service for Hernando County

NOTICE OF Invitation to Bid: On behalf of the Florida Department of Environmental Protection’s the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2018025, Bottled Water Delivery Service for Hernando County.

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

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 3:00 p.m., Monday, April 2, 2018 and 3:00 p.m., Friday, April 6, 2018.

Rule No.	File Date	Effective Date
5J-15.002	4/2/2018	4/22/2018
14-26.0041	4/4/2018	4/24/2018
14-26.00411	4/4/2018	4/24/2018
14-26.008	4/4/2018	4/24/2018
14-26.012	4/4/2018	4/24/2018
14-26.015	4/4/2018	4/24/2018

53ER18-16	4/5/2018	4/5/2018
53ER18-17	4/5/2018	4/5/2018
53ER18-18	4/5/2018	4/5/2018
53ER18-19	4/5/2018	4/5/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

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.